

# Ohio Valley Farmers' Market Operating Rules and Seller's Agreement

## **Definition of a Seller:**

A seller (vendor) is any person or organization offering for sale:

- Home-produced/homegrown articles for human consumption such as fruits, vegetables, nuts, berries, honey, cider and fruit juices, baked goods, jams and jellies, herbs, spices, meat, butter, cheese, and eggs.
- Handmade articles not for human consumption such as needlework, house and bedding plants, firewood, flowers, crafts, art and photography, and other handmade items. (No used clothing permitted.)
- Sellers will be acting as independent dealers and *are responsible for all regulations pertaining to the sale of his/her product(s). The market carries general liability insurance. Additional insurance is the responsibility of each vendor.*

## **Dates, Hours of Operation and Selling Rules:**

The market will operate in Bellaire on Saturdays and at the Ohio Valley Mall on Tuesdays during the months of June through October on dates set forth by the Board of Directors. (Dates subject to change each season.)

- The hours of operation are 9:00 am to noon on Saturday and 3-6pm on Tuesday. The market opens to sellers at 7:30 am and 1:30 pm (Saturday/Thursday).
- Vendor vehicles will not be permitted to enter the market area after 8:30 am and 2:30pm (Saturday/Tuesday).
- Sellers must be set up by 8:45am and 2:45pm (Saturday/Tuesday).
- No selling or "putting back" before the market officially opens on Saturday. On Tuesdays, vendors may sell early to passers-by during set-up time.
- Sellers may take pre-orders, but these items should not be picked up by the customer until after the market opens. In the event a customer needs to pick up before the market opens, the vendor is asked to take the items to the customer outside the market area.
- Sellers must stay until closing time unless they are sold out or have a valid reason and prior approval by the manager to leave early. Persistent early departure will constitute losing vending rights.
- All products must remain on display until the market closes. Empty display containers and tables may be consolidated and removed as needed.

## **Rental, Membership Fees and Set-Up Provisions:**

- Rental for one space will be based on the following sliding scale:  
Sales of \$5 up to but not including \$100 = \$5  
Sales of \$100 up to but not including \$300 = \$10  
Sales of \$300 up to but not including \$500 = \$15  
Sales of \$500 or more = \$20  
Vendors can pay based on estimated sales each market and adjust the payment the following week, if necessary. Payments based on an honor system. No proof of sales will be required. A market sale is defined as any sale where the money is collected on location.
- All sellers (returning as well as first-time sellers) will be required to submit an annual application and pay a \$20 application fee upon approval. This money is in addition to weekly rental fees and will be used for promotion of the market.
- No pre-pay of vendor fees will be permitted.
- Spaces will be assigned by the manager on market day.
- Two or more sellers may occupy the same space. Each seller is required to apply and submit the \$20 application fee. The weekly vendor fee for each vendor will be based on the sliding scale listed above.
- Sellers must provide their own tent and table.
- Sellers with perishable items may bring a refrigerator/freezer that must be removed each week. Electricity is available on Saturdays only. The seller must provide extension cords.

## **Product Prices:**

Prices should be clearly marked on merchandise before the opening of the market and must remain posted. Prices are set by the seller but will be monitored by the market to prevent unfair competition. Reducing prices during the market is discouraged.

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## **Space Assignments:**

Saturday vendors who attend the market on a regular basis may be assigned a permanent space. Spaces will not be held for sellers who are irregular in attendance. The manager will make space assignments at each market based on a layout that is the most beneficial to all vendors and their products. Thursday vendors are asked to fill in the market area as they arrive to keep the market orderly. Please do not leave empty spaces. For safety reasons, please keep canopies in alignment. Sellers should communicate each week if they will be in attendance by responding to the Facebook poll or call or text the manager by Friday for Saturday or Monday for Tuesday.

**Labeling and production minimums:** Any seller offering produce or agricultural goods not produced by the seller must identify the source (other farm, auction, etc.). *Any vendor applying to sell produce must grow a minimum of 51% of the produce they bring to market in a season.* A vendor may sell other manufacturer's products if they are a component of their homemade product. (For example, a baker who makes pastries containing fruit could sell fresh fruit if it is locally grown.) All food items produced must comply with Cottage Food Production rules (or appropriate regulatory agency) and be properly labeled.

Any vendor who sells produce grown only by the vendor may apply to the market for Producer Only Certification. An inspection will be completed by the manager or a member of the Board and a certificate will be issued for display at the market.

## **Inclement Weather:**

Our market operates under a rain or shine policy. In the event of threat of severe weather, the Board of Directors who are in attendance will determine whether the market should remain open. Since the market operates rain or shine, vendors are encouraged to come prepared to sell in all conditions. Packing rain gear, extra clothing, side panels for the tent, clear drop cloths to cover products, plastic totes, etc. are suggested. Vendor commitment is important to customer loyalty and the success of the market.

## **Membership:**

A vendor must sell **in person** at the market for a period of eight market days (Tuesdays and/or Saturdays) to be considered a member with full voting rights at the annual meeting in April. Two or more vendors sharing the same space, but operating distinct businesses, must apply as separate businesses and will hold separate memberships when they meet the attendance requirement. If the vendor does not sell in person the required eight times, they are not eligible to vote at the annual meeting. Businesses with multiple employees will be represented by a single individual with a single vote.

## **Anchoring Tents:**

ALL tents are required to be anchored. A minimum of twenty pounds per leg is recommended. Weights should be secured with non-elastic ropes or straps. Bungee cords may only be used as extra anchors. Vendors without anchors will be warned and may borrow ropes or weights from the market, if available. If a second violation occurs, the vendor will not be permitted to erect their tent until proper anchors are obtained.

## **Other Restrictions and Requirements:**

No vendor shall sell products with medicinal/nutritional purposes/properties to anyone under the age of eighteen. No seller shall permanently attach anything to village or Mall property. Sellers shall remove all trash from their designated space each week. Sellers with perishable products must have tent or canopy cover and proper storage as required by licensing agency rules. All sellers are asked to help with set up and tear down of the market each week. The OVFM is not responsible for lost or stolen property.

## **Disclosure:**

No person or organization shall be refused rental of a space based on race, religion, creed, national origin, or gender.

## **Agreement:**

By signing and returning this form, the seller agrees to abide by all market rules. Sellers who use unethical practices, violate the purpose of the market, or sell illegal or dangerous products may be refused rental space. Occupants failing to comply therewith may be refused further rental of market facilities.

Ohio Valley Farmers' Market  
Operating Rules and Seller's Agreement

Please complete and return THIS page only. Retain pages 1-2 for your records. **Your signature indicates you have read** and agree to abide by the policies set forth in the Operating Rules and Seller's Agreement of the Ohio Valley Farmers' Market. Agreements without a signature will not be accepted. Thank You!

Seller and/or Business Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Today's date: \_\_\_\_\_

Please indicate planned starting date: \_\_\_\_\_

Please circle the market(s) for which you are applying:

SATURDAY

TUESDAY

Amount Enclosed: \_\_\_\_\_ (One application fee covers both markets.)

Return form and payment to:

Ohio Valley Farmers' Market  
P.O. Box 606  
Bellaire OH 43906

For Information Call: 740-676-8187 or email [ovfarmersmarket@gmail.com](mailto:ovfarmersmarket@gmail.com)