

Celebrating 5 years at Third and Market Street

*where everything that's great
about the country can be found
in a downtown, hustle and bustle
sort of way!*



2012 Rules and Regulations

1. Dates of the Market:

The Parkersburg Public Market will open for seasonal operation on Friday, May 11th, and the last day of operation is tentatively scheduled for Friday, October 26th.

2. Times for Market Sales:

The Marketplace will open at 10:00 a.m. and close at 2:00 p.m. on Tuesday and Friday of each week. Vendors must arrive in time and be ready to sell at the official opening time. No sales are permitted before the opening time, unless given permission from the Market Manager. The Market Manager will supervise opening and closing of the market. If you would like to stay later than 2:00 p.m., you may do so unless otherwise told by the Market Manager.

3. Loading and unloading:

Vendors can begin unloading their vehicles at 8:30am. Vendors are permitted to drive up and unload their vehicles underneath the Market tent. However, all vehicles must be unloaded and out of the market area by 9:45am. Vendors are given a designated area to park their vehicles (Section 17: Parking Designations) and transportation to and from your vehicle is available throughout the day.

4. Location of Market:

The Downtown Farmers' Market is held at Bicentennial Plaza Park, at the corner of 3rd Street and Market Street in Downtown Parkersburg. Patrons are encouraged to park in the County parking lot free of charge for the first 30 minutes and along Market and 3rd Streets.

5. Producer-Only Rules and Exceptions:

All products displayed for sale must be produced by the vendor¹ who sells them. The only exception is when the market lacks a product that is needed, in which case the vendor can purchase that product from another local producer as a supplement under a provisional agreement and proof of purchase must be shown or the Market lacks a diverse array of products. Supplementary products must be clearly labeled as to their place of origin (including City and State). The Market Manager will supervise each provisional arrangement and will keep records. The supplement vendor will be asked stop selling their product when another, locally

¹ **Vendor** is defined as the actual producing individual, immediate family member, representative of the producer, another producer member of the market, or employee of the producing individual's farms or operation.

grown product is available and/or when the Market Manager determines that there is sufficient variety of product available for Market patrons.

Resale of any other items purchased by a vendor will not be permitted. Under no circumstances may a grower sell produce that was purchased at wholesale for resale, unless otherwise described above.

6. Allowable Products:

Vendor shall submit a product plan with their application at the beginning of each season, indicating the crops/products they plan to grow or produce for sale at the Market. This information is made available on the Market's website and monthly newsletter. The following products and services are permitted for sale:

- Fruits
- Vegetables
- Herbs
- Flowers
- Ornamental produce
- Honey / Maple syrup
- Eggs
- Poultry
- Red Meat
- Fish
- Dairy products
- Bedding plants
- Potted plants
- Baked goods
- Jams/Preserves
- Wool/fleeces
- Hay/Straw
- Approved farm-based crafts²
- Homemade Soaps
- Value-Added farm foods³

Vendors **are not** permitted to sell bottled soft drink products that can be purchased at the Market's Information Booth. This includes bottled water, Gatorade and other coke related products. The sale of beverages is a source of revenue for the Marketplace and is used to further promote the market through advertisement and special promotional events.

Special note for arts, crafts and home-based businesses

Arts, crafts and home-based businesses will need to submit a sample of their work and/or product to the Marketplace Committee for review. The Committee will schedule a meeting where non-produce items/services can be juried. Items/services deemed not to be in keeping with and/or appropriate for the Marketplace will be turned down. The Marketplace Committee shall be responsible for and have the authority to make a final determination.

Please also note that the number of arts and crafts vendors, as well as home-based businesses, permitted to join will be limited each season. Therefore, only those vendors who add the greatest value to the Marketplace will be admitted. This is done to ensure the Marketplace

² **Approved farm-based crafts** are defined as products created from ingredients from vendor's farm and made with vendor's own hands.

³ **Value-Added farm foods** are defined as products personally cooked, canned, baked, preserved or otherwise produced by the vendor from raw ingredients, of which at least 70% must have been grown by the vendor.

remains a produce driven market. Therefore, if you are an artists, crafter, or home-based business, *please do not include a form of payment with your application*. Once your application has been reviewed and your product admitted by the Marketplace Committee, payment will be due.

7. Membership: All persons intending to sell at the Downtown Farmers Marketplace must, prior to participation in the market, file a vendor application each year with the City of Parkersburg. This document requires the grower/producer/arts-crafts/home-based business to:

- A. Verify that she/he/they are the actual producers of the specified items which they intend to sell (as defined in Section 6).
- B. List business/farm name and contact information for farm/home/office.

The Market Managers will assign each vendor a booth at the beginning of the season. Previous full-year members in good standing will receive first priority in how the Marketplace is laid out. Priority will next be given to new (full-year) members, followed by late joining members. All applications will be processed in the order in which they are received.

8. Market Manager:

The market manager is a volunteer position. The duties of this position are as follows:

- A. Record attendance and keep a brief log of market events.
- B. Submit a written report to the Marketplace Committee at the end of the season regarding market attendance, profitability, etc.
- C. Reserve assigned space for vendors and reassign space in the event of absences or late arrivals.
- D. Monitor the customer parking situation and resolve conflicts that may arise.
- E. Announce the opening and closing of the market with a bell or horn.
- F. Resolve minor disputes between vendors and between customers.
- G. Enforce market rules and report alleged violations, in writing, to the Marketplace Committee.
- H. Act as a liaison between market vendors and the Marketplace Committee.
- I. Approve and book community space as available (see Rule 12).
- J. Convene producers/vendors at the market for brief meetings as necessary.

9. Fees:

The following chart describes how booth space fees are assessed at the Downtown Farmers' Marketplace:

Membership Opportunities

	Fee	Includes:
Season ((\$2/day)	\$100	<ul style="list-style-type: none"> ▪ A 10' X 10' booth space for 6 months (booth assignments are made at the beginning of the season) ▪ Business information posted on Market website ▪ Opportunity to participate in special promotions/sales ▪ Parking pass - designated vendor parking
Monthly (6.25/day)	\$50	<ul style="list-style-type: none"> ▪ 10' X 10 booth space for 1 month (location determined by Market Manager each business day) ▪ Parking pass
New Prospect	\$10	<ul style="list-style-type: none"> ▪ One day pass - includes 10' X 10' booth space and parking pass
<p>New Farm to Market Consignment Table (FMCT)</p> <p>If you would like to sell your products at the Market, but cannot be present each day, then consider selling your goods on consignment. Please see the FMCT Guidelines and Procedures for more details. The guidelines are available at www.parkersburgfarmersmarket.com or call 304.424.8558 for more information. This is a great opportunity to expand your market base.</p>		

* Fees are non-refundable, regardless of the type of membership purchased or the number of days the vendor is present at the Market. Checks are to be made payable to the Parkersburg Public Market.

10. External Regulations:

Vendors are responsible for compliance with applicable city, county, state and federal regulations, such as (but not limited to):

- A. Agricultural business license;
- B. Pesticide licensing and safe use;
- C. Approval of seal of Weights and Measures on all scales
- D. State sales tax collected and reported as required;
- E. Organic certification on claimed products as required;
- F. Food safety, sanitation, health permits, and labeling requirements pertaining to

Items for sale;

- G. State inspection of nursery stock required for selling whole plants for replanting (packs/pots).

11. Signage:

- A. Signs identifying the name and location of the vendor's business must be posted before sales begin.
- B. Signs, boards, tags, or labels listing prices of all products for sale must be posted prior to the beginning of sales.
- C. Producers selling products they refer to as 'organic' must display a sign giving their organic grower's certification and their certifying body, unless exempt from certification due to small scale of operation.
- D. Producers should clearly separate and label organic and non-organic products in the same display.

12. Space:

While the Market Manager will assign booth spaces on the first day of the market season, the Manager may reassign spaces in the event of absences or late arrivals. Vendors' tables, canopies, and produce on display shall not protrude further than 10 feet from the outside their designated area, unless given permission by the Market Manager.

In the event a vendor is going to be absent, please notify the Market Manager before 8:00am that business day. In the event a vendor is going to be late, meaning they will not be set up and ready to sell at the Market by 9:45am and the Market Manager is not notified by 8:00am that business day, the Manager can reassign a vendor's space for that one day only.

13. Clean-up:

Vendors must clean-up the area around their sales area and vehicles before leaving the site each market day.

14. Public Safety:

Shade structures shall be secured to the ground via clearly-marked blocks, sandbags, or other heavy objects in order to prevent damage to products and injury to others.

15. Market Behavior:

Vendors are independent entrepreneurs with a common stake in creating a vibrant marketplace. Activities which appear outside the range of normal sales practices can be respectfully questioned by other vendors. The Market Manager will assist in finding a resolution. If this fails, the Marketplace Committee will conduct a vote if requested. When a vote on an alleged 'abnormal activity' favors a change in a vendor's practices, the vendor in question must comply. 'Abnormal activities' include, but are not limited to:

- A. Unsafe conditions or hazards in and around sales area.
- B. A stand or display which impedes access to other vendors
- C. Radical price cutting of top quality products. Poor quality, or over-ripe, or canning quality products must be labeled as such and can then be sold at a discounted price.
- D. Condition of sales area, products, or vendor behavior that detracts from the market's appearance, overall quality, or reputation.
- E. Proselytizing.

16. Educational and Community Activities:

One space will be made available free of charge for educational activities relating to sustainable agriculture or non-profit, health-related community groups. This space will be made available on a first-come, first-serve basis, but must be approved and scheduled with the Market Manager in advance.

17. Parking Designation:

The Market Manager will determine parking designations on the first day of the market season, but may reassign spaces in the event of absences or late arrivals. Vendors with a Seasonal Membership will have designated parking (space permitting). Keep this pass in your vehicle on the dash board while working at the market. If you lose your assigned pass, you will be responsible for finding your own parking space. *One pass will be issued per vendor.*

18. Inspection:

By submitting an application, vendors agree that the Farmers Market Manager or designee may inspect their farm or facilities to insure compliance.

19. Product Liability Insurance:

The market does not cover vendor product liability. Product liability is the sole responsibility of the vendor selling the product. As such, product liability insurance is required for vendors.

20. Product Calendar:

Vendors must complete the Product Calendar (see 2011 Vendor Application) stating what the vendor wishes to sell at Market and when those products are expected to be available. This must be submitted with your application. The Market may limit the products a vendor may bring in order to support stronger sales for all vendors.

21. Record Keeping

Vendors are required to submit a form to the Market Manager each day the Market is open for business, reporting on the previous day's profits. The Market is required to track this information for grant reporting purposes from the State of West Virginia. Information reported to the Market Manager will be kept confidential.

If you have any questions or concerns, please contact Rickie Yeager, Planning Administrator for the City of Parkersburg at (304) 424-8558 or by email at rmyeager@parkersburg-wv.com.