

**Buy *FRESH*. Buy *LOCAL*.**



## **Welcome to the Marion Regional Farmers Market! Operational Regulations and Procedures**

### **Mission Statement:**

To bring the highest quality local growers and artisans together for the Marion community, and to preserve and promote historic Downtown Marion.

### **Hours of Operation:**

Farmers Market Pavilion

Town Square Parking Lot in downtown Marion (Corner of Town and Chestnut Streets)

- **Spring / Summer Market:**  
Saturday, May 4th through Saturday, October 26th  
8 a.m. - 12 Noon on Saturdays
- **Winter Market:**  
Every 2<sup>nd</sup> Saturday, January 12<sup>th</sup> through April 13<sup>th</sup>  
10am – 12 Noon

### **Space and Cost Information:**

Vehicle Space (10'X20')	\$10	Table Space (10'X10')	\$5
Season Pass (ten-week minimum)	\$180		

## **Regulations:**

1. Market selling hours will be from 8:00am til Noon on Saturdays.
2. The market will proceed “rain or shine.”
3. All vendors will complete the “Vendor Application” and receive approval from the Market Manager prior to market day. A “walk-in” vendor who arrives on Market day must complete “the Vendor Application” and be approved by the Market Manager for that Market day **before they set up.**
4. Vendors with pre-paid space are encouraged to contact the Market Manager prior to market day if they will be unable to attend. In the event of a no show of a vendor, that vendor will forfeit their space to “walk-in” vendors without any refund of fees. A vendor will be considered a no show if they are not on site by 7:45am. If a vendor is a no show on more than one occasion, they will be subject to forfeiture of their space for the duration of the season, with **NO REFUND** of fees.
5. Vendors shall supply their own display table and materials for their space and **all assistance in setting up and operating their space.** All displays and signs must be kept within the vendor’s designated area.
6. Vendors may begin to set-up at 7:00am. Only those with vehicular stalls are allowed to leave their vehicle in their stall during market hours. Otherwise, all vehicles are expected to be out of the barricaded market area from 8:00am to Noon. These vehicles should be parked some distance from the Market area to permit customer parking close to the Market.
7. No crying out or “hawking” of products will be allowed.
8. **Vendors are responsible for clean up of their own debris after market closing.** Trash, debris and leftover produce removed by the Market Committee will result in a **minimum charge of \$25.00.** Any such cleaning charge must be paid prior to the next market date or the vendor will not be allowed to set-up. Space and pre-paid fees will be forfeited.
9. Vendors are responsible for following the laws of the Commonwealth of Virginia, Smyth County, and the Town of Marion, for example: taxes, health, insurance, etc. Also regulations pertaining to labeling, packaging and storage of eggs, jams, jellies, honey, baked goods, and etc. must be followed. All products sold must meet local and state health regulations. All prepared foods vendor’s kitchens must be inspected by Virginia health inspectors and all labeling must be in compliance with the regulations. Vendors selling prepared foods, fish, meat, and cheese must have a copy of their inspection form on file with the Town of Marion. All local, state, and federal taxes are the sole responsibility of the seller.
10. Each vendor is expected to fairly price his or her goods. Complaints by other vendors will result in a review by the Market Manager, and unless corrected, the vendor may be asked to leave and forfeit their space and fee for the day.

11. Vendors are strongly encouraged to prominently display prices of all items offered for sale.
12. Sharing of vending space will be on approval of the Market Manager.
13. The Market Manager is permitted to randomly inspect products offered for sale.

## **PRODUCTS OFFERED FOR SALE**

*The market is a venue for horticultural products, baked and other home grown and some processed foods with proper refrigeration, and fine art products.*

First priority is for locally-grown (50 mile radius of Marion). Second priority is Virginia grown. Last priority is items from bordering states (NC, TN, KY, WVA, outside of the 50 mile radius).

Second-hand vendors must be pre-approved by the Market Manager, and will be allowed at this time, provided that they are not selling the same products of local producers (i.e. If no one locally is selling their tomatoes, then a second hand vendor may sell tomatoes).

### **Agricultural and Food Product**

Fruits and vegetables sold should be locally grown in accordance with the requirements of the Market Committee, which states “**Locally grown shall mean that the product was grown in Smyth County, Virginia or adjacent counties.**”

1. Commercial “jobbing” (retailing) or resale of commercially processed or packaged food products is not allowed.
2. On site, locally grown and packaged, value-added food products are allowable but vendor must be the packager of the product.
3. Cider, honey, molasses, and eggs must be packaged, labeled and stored in accordance with local health regulations. Baked goods, dried products and canned fruit preserves, jams, and jellies should be prepared by the vendor and packaged, labeled and stored in accordance with local health regulations.
4. Majority of the produce (fruit/vegetable) ingredients in prepared foods should be locally grown.
5. Vendors must provide refrigeration/adequate temperature control for any baked goods which require refrigeration. This includes, but is not limited to soft, cream or meringue topped pies, cream and custard filled bakery products.

### **Acceptable Agricultural and Food Products**

Fresh fruit, vegetables, nuts, herbs, cut or dried flowers, bedding or other nursery plants, cider, molasses, honey, non-refrigerated baked goods, jams, jellies, and preserves, dried products, grains, straw/hay, cornstalks or similar wild gathered products. The sale of eggs, dairy products, meats, canned goods, baked goods, mushrooms, etc. is acceptable, but vendor must provide adequate temperature control and must meet state and federal packaging, storage and labeling requirements.

**NO LIVE ANIMALS MAY BE SOLD OR GIVEN AWAY.**

**Types of Merchandise:**

1. **PRODUCE:** Locally raised produce, fruits, vegetables, plants, flowers, nuts, herbs, and edible mushrooms. *Items not raised by the vendor at the Market must have the producer clearly identified at the point of sale.*
2. **CANNED GOODS:** Highly acidified canned goods, pickles, beets, honey, molasses, jams and jellies, etc. Compliance with all Health Department and Department of Agriculture guidelines and restrictions is the sole responsibility of the vendor.
3. **MEATS:** Meats must be processed in a USDA inspected facility and have a Department of Agriculture stamp (except poultry). All meat inspections are the responsibility of the vendor.
4. **BAKED GOODS:** Baked items from a certified kitchen. This includes, but is not limited to breads, cakes, brownies, cookies, and fruit pies.
5. **DAIRY:** Locally-produced eggs, milk and cheeses. Producer must furnish adequate refrigeration and must meet state and local health regulations.
6. **NURSERY STOCK:** Fresh cut flowers, potted plants, annuals, perennials, bedding plants, Christmas trees and plant byproducts.
7. **CRAFTS:** Locally produced juried crafts, including quilts, baskets, soaps, lotions, jewelry, woodcrafts, and other handmade goods. Product list and details must be submitted to market manager ten (10) days prior to set-up for approval. Craft sales are permitted provided the items are handmade by the vendor and must be pre-approved by the Market Manager. All arts & crafts products must be handmade and created by the vendor or by members of the vendor's group. We reserve the right to visit production facilities. The artisan or a knowledgeable representative should be present on Market day. Heritage or Primitive arts and crafts are encouraged. **All items offered for sale by art & craft vendors are subject to the approval of the Market Master.** Acceptable Art & Craft Products: Weaving, pottery, carvings, sculpture, photography, painting and drawing or other forms of illustration, floral arrangements, etc. Unacceptable Art Products: "Kit" or "Assembly Line" craft projects, etc.

**The Market Manager has authority to inspect the origin of any items sold at the Market to ensure that such sales conform with Market standards.**

### **Operations:**

1. The Market will run from the first Saturday in May through the last Saturday in October in the Marion Town Square Parking Lot and Iron Street Mall area of historic Downtown Marion.
2. Hours of operation will be each Saturday from 8:00 AM to Noon, with an option of Tuesday evenings from 3:30 – 7:00 PM during peak season, at the discretion of the Market Manager. Hours will be advertised in all flyers and in the media as appropriate.
3. Vendors will have access to the Market 1 (one) hour prior to the opening time for the purpose of unloading and setting up merchandise, and they must exit the premises no later than 1 (one) hour after the closing time.
4. Changes in the schedule are at the discretion of the Market Manager with sufficient expression of agreement from the vendors.

### **Fees:**

1. Weekly fees (setting up for one Saturday and, if applicable, a consecutive Tuesday) is \$10.00 for 10 x 20 vehicle space, or \$5 for 10 x 10 table space.
2. It is the sole responsibility of the vendor to make sure his/her fees are paid on time. No refunds are possible. All new vendors must check in with and pay the Market Manager **before** setting up in a vendor space.

### **Lease Agreements and Assignment of Space:**

1. All vendors must contact the Market Manager before engaging in business or occupying space at the Market. The Market Manager will assign space and collect fees as applications arrive. ***All vendors must contact the Market Manager and pay in full before occupying a space at the Market. Limited space at the Market property dictates that Day-of-Market requests for vendor space may be denied.***
2. Vending space size will be determined by the Market Manager and may change over the course of the season in response to the number of applying vendors. Regardless of width of space, a 10 foot aisle must be kept clear of produce and display items for pedestrian/customer use.
3. The Market Manager reserves the right to cancel any lease, and to change space allocations when it is considered to be in the best interest of the Market operation.
4. Available spaces shall be rented on a first-come, first-served basis and shall be assigned by the Market Manager.
5. Vendors must be on-site and set up no later than fifteen minutes before the Market's scheduled opening or risk losing their site to another vendor. If running late, any paid vendor may reserve his/her spot by calling the Market Manager no later than fifteen minutes before the Market's scheduled opening on market day.
6. Vendors must attend and sell from their assigned space a minimum of 3 (three) Saturdays a month to maintain their re-rental rights to their assigned space (unless they have notified the Market Manager in advance of their absence).
7. All vendors shall be held responsible for the actions of their employees, agents or persons working in concert with their stand.

**License, Taxes and Permits:**

1. Any person using the Farmer's Market for the purposes of selling or offering for sale any items on the premises must comply with all applicable Federal, State and local ordinances.
2. The collection and filing of all related taxes will be the responsibility of the individual vendor.

**Sanitation, Health and Safety**

1. The Town of Marion will provide, designate the location of and empty all public litter containers for use by customers.
2. ABSOLUTELY NO SMOKING UNDERNEATH THE COVERED PAVILION. Anyone who smokes will be required to smoke designated smoking areas. Those include: staging area in front of the "Shop Local" Mural. Vendors who do not obey the no smoking policy will be asked to leave immediately.
3. The vendors will be responsible for the collection and removal of all refuse generated from sales and activity at their space.
4. Each vendor is responsible for leaving his/her space clean at the end of Market.
5. It is unlawful to sell or consume alcoholic beverages on the Market property.
6. Vendors must keep all merchandise, refuse and personal property within the defined space allocated in their rental agreements.
7. Potentially hazardous food items (meats, poultry, etc.) stored or displayed prior to sale shall be maintained at a temperature of 45 degrees F or below. An ice chest with a drain can be used for cooling.
8. No vendor shall permit seepage or leakage of water or fluids from any part of their space into the public areas or other vendors' spaces.
9. Children under 14 years of age must be supervised by an adult at the Market. Bicycles, scooters, skateboards and other similar devices are prohibited in the Market pavilion at all times.
10. No live animals will be permitted on the Market property except as otherwise provided by Local, State or Federal laws. *All dogs must be kept on a leash.*
11. Vendors are responsible for the individual safeguarding of their products, supplies and money. *The Market Manager, Marion Downtown, and the Town of Marion shall not be held responsible for any loss or theft.*
12. Vendor (lessee) agrees to protect and hold the Market Committee (lessor), Marion Downtown, and the Town of Marion harmless and to indemnify the lessor from any and all claims, demands, suits, actions, judgments and recoveries for or on account of damage, theft or injury (including death) to property or person occurring as a result of lessee's use of the leased property and any other cause whatsoever.

**Structural:**

1. Vendors must provide their own equipment and any set-up materials for display of items.
2. No vendor shall be allowed to make any changes or alterations to their assigned spaces without permission from the Market Manager.

3. Use of electricity and water is permitted only with permission from the Market Manager. Water spigots shall be locked at the end of the Market hours.
4. No vendor shall erect an additional structure at the market without permission from the Market Manager.
5. Any needed repairs, hazardous conditions or problems in the Market area should be reported to the Market Manager. Persons causing damage to the pavilion structure or landscaping shall be held financially liable for the cost of repair or replacement.

**General:**

1. Proper dress and an orderly space will be expected from all vendors. Proper language for a family atmosphere will be required.
2. It is the responsibility of vendors to satisfy customer complaints. Market Manager may cancel a vendor's lease in the case of multiple customer complaints or if vendor activity jeopardizes the smooth running of the Market.
3. No person shall make a public outcry, do "hawking" or give any musical or other entertainment for the purpose of drawing customers or attracting attention without prior permission from the Market Committee.
4. No open flames (grills) are permitted on Market property without the prior approval of the Market Manager.
5. **The Market Manager has the authority to terminate the lease of any vendor who fails to comply with the rules and regulations of the Marion Regional Farmers Market.**

**Parking:**

1. Vendor spaces will be assigned and reserved for the vendors' use only. Vendors are not permitted to park overnight in the Market area in preparation for the next day's sales. Only the assigned vendor may sell from and park in their reserved space.
2. All vehicles must enter and leave the Market area through the provided entrances and exits. Vendors will be expected to respect the parking regulations established by the Town of Marion and to park in such a way as to keep Market traffic lanes open for travel. This will be enforced by the Market Manager.
3. Each vendor must drive in a careful manner and at a rate of speed that does not endanger the property or persons in and around the Market.
4. Handicap parking is provided in the clearly-marked spaces and is not to be used for vendor parking.

**VENDOR APPLICATION FOR:**  
*Marion Regional Farmers Market*

**Official 2019 Market Dates: May 4 – October 26**

*Market will be used the 2nd Saturday of each month, January - April, 10am - 12pm as space allows for a Winter Market at no charge for regular vendors*

**Saturday Set-up: – 7:00 – 7:45 am Selling: – 8:00 am – Noon**

**Space interested in (write in space number, if desired – or just check box)**

**Vehicle Space (10'X20') \_\_\_\_\_ \$10**

**Season Pass (ten-week minimum) \_\_\_\_\_ \$180**

**Table Space - NO VEHICLE (10'X10') \_\_\_\_\_ \$5**

**\*\*\*PLEASE PRINT ALL INFORMATION EXCEPT YOUR SIGNATURE\*\*\***

**Product (s) I (we) plan to sell:**

\_\_\_\_\_  
\_\_\_\_\_

**Print Name of Individual or Group:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**CITY** \_\_\_\_\_ **STATE** \_\_\_\_\_ **ZIP** \_\_\_\_\_

**Day Phone:** (\_\_\_\_) \_\_\_\_\_

**Cell Phone:** (\_\_\_\_) \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Space # Requested:** \_\_\_\_\_

**I (we) have received and will comply with all the rules and regulations.**

**Signature:** \_\_\_\_\_

**Today's Date:** \_\_\_\_\_

**Please provide this form and your fee (check made payable to Marion Farmers Market)**

**Mail to:** Marion Regional Farmers Market

Post Office Box 1005, Marion, VA 24354

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Leslie Vanover, Market Manager (276) 620-1300