



## 2019 Rules and Regulations

Between the Worthington Farmers Market and Market Vendor

The following rules and regulations have been established by the Old Worthington Partnership and the Worthington Farmers Market to maintain a productive marketplace for both vendors and consumers. The Worthington Farmers Market may change, modify or delete rules and regulations to preserve the safety and security of said marketplace.

Daily operations of the Worthington Farmers Market will be managed by Jaime Moore (hereinafter "Market Manager"), including but not limited to the resolution of any dispute regarding these rules and regulations.

### I. ADMISSIONS

#### Approval

The approval to participate in the Worthington Farmers Market will not exceed one growing season and is based on the receipt of necessary documents including, but not limited to:

1. Completed application.
2. Applicable permits and/or licenses required by the applicable municipal law or State of Ohio.
3. Certificate of insurance, naming Worthington Farmers Market as a **certificate holder**.
4. Certificate of insurance, naming City of Worthington as an **additional insured**.
5. Market fees paid in full (checks cashed upon approval).
6. Application fee (must be submitted separately from market fees and be received prior to consideration of your application).

Submission of all documents listed above does not guarantee participation in the Worthington Farmers Market. Your admission to the market will be considered based on product diversity (individual and market) and available space, among other factors. Decisions made by the Market Manager, the Old Worthington Partnership, and the Worthington Farmers Market shall be final.

#### Fees

**A \$20 application fee is due upon submission of your application and is not refundable, regardless of approval.**

Market rent is due upon approval of your application. Payment must be received in full prior to the start of the market. Fees are non-refundable, and credits for days missed will not be given.

### **Insurance**

All vendors must provide proof of liability insurance, in the form of certificates of insurance, greater than, or equal to \$1 million dollars. The City of Worthington, owner of the site, is solely providing space for the market and its vendors, and assumes no liability for the Worthington Farmers Market, the market manager, its vendors or customers.

**Certificate holder:** Worthington Farmers Market  
PO Box 534  
Worthington, Ohio 43085

**Additional insured:** City of Worthington  
6550 North High Street  
Worthington, Ohio 43085

### **Licenses/Permits**

It is the responsibility of the vendor prior to opening day to obtain and submit copies of all licenses and/or permits which are required and/or necessary to Farmers markets, including but not limited to a Mobile Food Operation, Food Safety (such as Home Bakery or Frozen), and Nursery Dealer License. All vendors must comply with laws, ordinances and regulations set forth by the applicable municipal law, the State of Ohio, and the United States.

### **Weights and Measures**

Scales should be capable of approval by the Columbus Division of Weights and Measures. You may contact them at (614) 645-7397 with questions or concerns.

## **II. POLICIES and REQUIREMENTS REGARDING VENDORS**

The Worthington Farmers Market encourages, supports, and promotes the entrepreneurial efforts of local, independent, and small-scale farmers and food producers seeking to sell their products directly to consumers. We consider our marketplace an incubator for small business and therefore, do not consider corporately owned businesses to be a fit for our market.

### **Farmers**

1. Farmers are to sell only what they produce.
2. All products must be grown in Ohio.
3. Farmers may not sell value added products that they, themselves do not produce. For example, if you sell jam, you must produce and can the jam yourself.
4. All products are subject to approval by the Worthington Farmers Market.
5. **PRODUCTS PURCHASED AT WHOLESALE, AUCTION, OR "TERMINALS" IS STRICTLY PROHIBITED.**

### **Producers of Edible and Non-Edible Goods**

1. Producers may sell products that they, themselves, have produced.
2. Preference is given to producers who utilize products that they, themselves, grow.
3. Products sold by producers should reflect the local agricultural system.
4. Products must comply with all city, state, and federal regulations.
5. All products are subject to approval by the Worthington Farmers Market.

6. **PRODUCTS PURCHASED AT WHOLESALE, AUCTION, OR “TERMINALS” IS STRICTLY PROHIBITED.**
7. If selling products under the guise of “Cottage Food Production,” vendor shall adhere to all policies set forth in the **Ohio Administrative Code, Chapter 901: 3-20 Cottage Food Production.**
8. Crafts, trinkets, art and like items are not permitted.

### **Inspection**

All vendors are required to comply with the **POLICIES and REQUIREMENTS** of the Worthington Farmers Market, which includes transparency of production and product sourcing. The Worthington Farmers Market, or an appointed third party working on behalf of the market, reserves the right to inspect your farm or establishment, and its primary sites of production, announced or not, at any point in time.

The Worthington Farmers Market promotes an honest and transparent relationship with its vendors and customers. As such, vendors of the market should be forthcoming and honest regarding products, production, and other pertinent information regarding his/her/their business.

### **Labeling**

Vendors should provide clear, written information about production methods, which can be available to any consumer who requests it.

According to **Title 7: Agriculture, Part 205—National Organic Program, Subpart B—Applicability:** Except for operations exempt or excluded in §205.101, each production or handling operation or specified portion of a production or handling operation that produces or handles crops, livestock, livestock products, or other agricultural products that are intended to be sold, labeled, or represented as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s))” must be certified according to the provisions of subpart E of this part and must meet all other applicable requirements of this part.

Certified Naturally Grown producers (produce, aparies, and livestock) shall provide a certificate issued by Certified Naturally Grown.

## **III. GENERAL MARKET RULES**

### **Market Hours**

The Worthington Farmers Market will be open every Saturday (with one exception) from 8:00 AM to 12:00 PM, rain or shine. The market will begin on Saturday, May 4, 2019 and conclude on Saturday, October 26, 2019.

In addition to ordinary market hours (8:00 AM to 12:00 PM), the Worthington Farmers Market may extend the market hours to 1:00 PM for one or more periods during the 2019 season. The Worthington Farmers Market will provide as much notice as possible before doing so, not less than one week.

The Worthington Farmers Market is **CLOSED** on **Saturday, September 28, 2019.**

On that day, the Worthington Police Department will close High Street from Route 161 to South Street during the annual, day-long Market Day festival and related community activities. **The Worthington Farmers' Market has no authority over Market Day, its activities, or participating vendors.**

Market Day, the main activity presented by the Worthington Area Chamber of Commerce, is a Worthington tradition dating to pioneer days when farmers and artisans brought home-grown and hand-made goods to market on downtown streets. Today nearly 300 artisans, food vendors and community groups gather in Old Worthington amid a colorful display of quality hand-crafted goods and informational displays. The senior center, libraries, recreation center and other community partners stage family activities on the same day. The event attracts more than 20,000 visitors annually.

The Worthington Area Chamber of Commerce offers Worthington Farmers Market vendors several opportunities to participate in Market Day. Applications are made directly through the Chamber. **Details of the event and applications are available on the Chamber's event web page or by calling (614) 888-3040.**

### **Attendance**

If you will not attend, or will be late to the market, please contact the Market Manager, Jaime Moore at (614) 285-5341 as soon as possible. Repeat instances of tardiness or absence may result in removal from the market as determined by the Worthington Farmers Market.

Vendors who miss three consecutive markets or a total of one-third of the season's market days may be removed from the market. Tardiness shall be treated like an absence.

### **Arrival and Departure**

1. Vendors may begin set up at 6:30am.
2. Vendors should be in place at least 15 minutes before the market begins.
3. **Vendors may NOT leave prior to the end of market, including extended hours, if any.**
4. Repeat instances of tardiness or absence may result in removal from the market.

### **Safety and Sanitation**

When you leave, all area considered to be the "market site," including grassy areas and sidewalks should look like they did when you arrived. The City of Worthington reserves the right to terminate its role as host site of the Worthington Farmers Market based on lack of cleanliness. If the City of Worthington terminates its role as host based on the safety and sanitation of the property, the Worthington Farmers Market lease with vendors is also terminated.

1. **No vendor shall bring an animal at any time.**
2. **All produce, containers, signs, debris and/or trash must be taken with you.**
3. Clean up should conclude within 1 hour of market closure.
4. No loud radios or shouting of prices is permitted.
5. Tables, tents, signs, and like materials must not impede pedestrian traffic.
6. Vendors may not use City of Worthington property for debris removal.

If vendor does not clean market space, such shall constitute a breach under the rules and regulations and will be subject to removal. If vendor is removed from the Worthington Farmers Market, a refund will not be granted, as all fees are non-refundable.

### **Vendor Space**

1. Vendor space will be assigned by the Market Manager.
2. Each space is approximately 10 x 10.
3. Vendors may request a **maximum** of **two** spaces but is **NOT** guaranteed.
4. Excessive tardiness or absence may result in a reassignment of space.
5. Vendors are to set their own prices.

Vendors may share one space on the condition that both vendors are approved independently of one another by the Worthington Farmers Market. Vendors who wish to share space shall submit completed documents (see **ADMISSIONS**) together. It is the responsibility of the vendors to determine the cost share of the space and shall submit payment together upon approval.

The Worthington Farmers Market will not approve a vendor for a half space. In the case that one vendor is approved, and one is not, the approved vendor will have the option of submitting a new space share vendor or of renting a whole space.

### **Equipment and Supplies**

1. Vendors are to supply their own tables, tents, signs and like materials.
2. Vendors must display an identifying sign for their farm or business.
3. Electricity is not available, please plan accordingly.
4. Vendors shall supply carts or like equipment for transporting supplies.

### **Pricing**

1. Pricing of products is the responsibility of the individual vendor.
2. Prices should be displayed clearly.
3. Dropping prices at the end of the day is **strongly discouraged**.
4. **Vendors are prohibited from giving products away for free or at below-cost pricing, thus undercutting potential sales of other vendors.**
5. Prices should reflect fair market value.
6. Vendors shall follow guidelines set forth by the **Ohio Administrative Code, Chapter 901: 6-7 Packaging and Pricing of Food and Nonfood Products**.

### **Marketing and Community Outreach**

Participants of the Worthington Farmers Market are encouraged to assist in promoting the market.

Given our concern for the surrounding communities, vendors are encouraged to accept food stamps and coupons where applicable, but only when city, state and federal regulations have been met. Under no circumstances should vendors accept stamps or coupons for goods not approved by said programs.

As an additional service to the community, all still consumable products not being taken back by the vendor can be gathered for donation to a community organization. Please consult the Market Manager for more details.

### **Professional Conduct**

All vendors are expected to act in a professional manner. Vendors may not bully, disrespect, or publicly disparage other vendors, products, volunteers, customers, market staff, city officials, the City of Worthington, the Old Worthington Partnership, businesses, or the Worthington Farmers Market, either in person or by electronic media. This type of behavior may result in permanent expulsion from the Worthington Farmers Market with no redress.

For the first offense, a verbal and written warning will be issued. The second offense will incur a written warning and a meeting with the farmers market board will be required. Upon the third offense, the response may include, but is not limited to, suspension and/or termination of any business, current and future, with the Worthington Farmers Market.

## **IV. DISCIPLINE and COMPLAINTS**

The Worthington Farmers Market has created protocols and procedures that allow vendors to lodge complaints against other vendors whom they think are out of compliance with market rules and regulations. Complaints should be made in a timely manner, and not disruptive to the marketplace.

Producers who have concerns about market operations, producer policies, or other producers' compliance with market rules should submit a "Producer Concern Form." Forms are available on Manage My Market and from market information table. Forms may be submitted directly to Market Manager or to an Advisory Board member within one week of the market during which the alleged violation or concern occurred.

### **Complaints**

1. Should be directed, in writing, via Producer Concern Form for resolution.
2. May be made in person, by mail or email to Market Manager or Advisory Board member.
3. Decisions made by Market Manager and Advisory Board shall be final.

### **Grounds for Removal**

1. Failure to obey city, state or federal laws and regulations.
2. Failure to obey the market rules and regulation in the sole discretion of the Market Manager, the Old Worthington Partnership, and the Worthington Farmers Market.
3. Causing an unsafe marketplace for vendors and/or customers.
4. Excessive tardiness or absence in the sole discretion of the Market Manager.

The vendor agrees to protect, indemnify and hold harmless the City of Worthington, Old Worthington Partnership, Worthington Farmers Market, and its employees, volunteers, service vendors or independent contractors from and against any and all causes of action, claims, demands, suits, liability or expense by reason of loss or damage to any property or bodily injury to any person, including death, as a direct or indirect result of use of market space, the purchase of any item from any vendor, or in connection with any action or claim.

By participating in the Worthington Farmers Market, you agree to give consent to all photographs, audio recordings, academic work and/or video recordings taken of you or your staff. You understand that such photographs, audio recordings, academic work, and/or video recordings become the property of the Worthington Farmers Market, and may be used by the market, parent companies, or others with their consent, for educational, instructional or promotional purposes determined by the Worthington Farmers Market and its parent companies in broadcast and media formats now existing or created in the future.

With the submission of your online application, you are acknowledging that you have read, understand and agree to adhere to the above stated regulations set forth by the Worthington Farmers Market. You understand that additional rules and regulations may be implemented for the benefit of the marketplace in the 2019 season and agree to abide by them.