

CLINTON CO. FARMERS MARKET SEASON 2019

RULES AND REGULATIONS

63 WEST MAIN STREET, WILMINGTON, OHIO | www.clintoncountymarket.com

A vendor is considered any individual approved to participate at the Clinton County Farmers Market. Vendors will be from Clinton County or one of the contiguous counties (Greene, Warren, Brown, Fayette, or Highland).

Grower vendors are small-scale farmers/gardeners who grow or produce their own produce, plants, herbs; or whose farm produces its own products including eggs, honey, maple syrup, or meat. Seventy-five percent of the products sold by growers must come from their own farm/garden.

Other vendors are vendors who sell non-produce items such as home baked goods (cookies, pastries, pies, and breads), homemade jam or jelly, homemade soaps, homegrown flowers, homemade soup mixes or homemade spice mixes and homemade dog biscuits. These also include homemade craft items such as pottery, jewelry or sewn items. Seventy-five percent of the products sold must be made by the vendor.

I. WHAT CAN BE SOLD

1. Vendors may sell only those products which they themselves have grown or produced. However, vendors will be allowed to sell a percentage (not greater than 25%) of produce or products provided by others. All produce or products sold at the Clinton County Farmers Market must come from Clinton County and the immediately adjacent counties. NO resale or auction- purchased produce or products will be allowed.
2. Produce and non-produce items that are permitted include home grown produce, bedding plants, potted or fresh herbs, flowering plants including dried or fresh flowers, honey, homemade jams and jellies, maple syrup, meat products such as poultry, beef, lamb; eggs, homemade baked goods/candies which includes homemade dog treats, and cottage crafts.
3. Unique non-food items will be considered for sale upon approval of the Clinton County Farmers Market Management.
4. Produce grown by other growers must be labeled with the specific grower's name and address and meet all labeling requirements. This will also apply to honey, maple syrup, or non-produce items; as an example: homemade baked goods or soaps, etc. **If not labeled, the vendor will NOT be allowed to sell the product at the CC Farmers Market.**
 - a. **Any produce that is being sold and not "fresh" but held over from a previous season must be labeled as such.**
5. The Market Management reserves the right and will schedule regular visits to all site of production in order to assure compliance with Market rules.
6. Any vendor not following these rules can be expelled from selling at the Market at the discretion of the Clinton County Farmers Market Management.
7. Food products must adhere to licenses and permits as required. All prepared foods must be labeled in accordance with ODA and the Clinton County Health Department regulations. If you have questions, please contact the Clinton County Health Department.
8. Vendors are expected to sell only quality goods. The Clinton County Farmers Market Management may at any time inspect a grower's stand and products. If goods are of low grade,

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the Clinton County Farmers Market Management may prohibit the sale of these goods.

9. The Market does not guarantee any vendor the exclusive right to sell any one product.
10. All edible products must be displayed off the ground a minimum of 12 inches for sanitary purposes. All perishable products must be safely stored as outlined by the food safety regulations. (OAC 901:3-6 Farm Markets and Auctions (J) Except for whole and intact raw agricultural products, foods shall not be displayed or stored on the ground.)

II. DAYS and HOURS of OPERATION

A. Summer Market

1. The Saturday Summer Clinton County Farmers Market location will be held on Mulberry Street between Main and Locust streets. Special market locations will be announced such as the WIC clinic markets.
2. The Saturday Summer Clinton County Farmers Market will begin June 1, 2019 and continue through the end of September as the season dictates. Any change in the end date of the Saturday Summer Market will be made by a consensus of all vendors and the Market Management.
3. The Saturday Summer Clinton County Farmers Market will be open from 8:30 a.m. to 12:00 p.m.
 - a. The street will be closed at 7:00 a.m., at which time vendors may arrive to set up their booths.
 - b. Vendors will be allowed to set up no later than 8:30 a.m.
4. The official start time of the Market will remain at 8:30 a.m., however, there will be a 15-minute grace period beginning at 8:15 a.m. during which vendors are permitted to sell to early customers.
 - a. Sales before the fifteen minute grace period will not be permitted with the exception of pre-orders and any issues of early sales are to be brought to and handled by the attending market manager.
 - b. Pre-ordered sales will be allowed before the above grace period start, but the vendor must notify Market staff of the pre-orders upon arrival at the Market.
5. Vendors are not permitted to arrive before the street of the market area is closed down to the public (Saturdays at 7:00 a.m.) to try to attract even earlier customers.
6. Vendors will Not be permitted to sell to late customers after 12:15 p.m. Break down and removal of all vendor supplies must be completed by 12:45 p.m. after which the street will be opened back up to the public after all booths are dismantled.

B. Winter and Spring Markets

1. The Winter and Spring Markets' location will be held in the Community Room of the City Building in Wilmington, Ohio.
 - a) The 2019 Winter Clinton County Farmers Market will be held the first and third Saturdays of October-December.
 - b) The 2020 Spring Clinton County Farmers Market will be held the first and third Saturdays of March-May.
 - c) Times of the winter and spring Markets will be 9:00 a.m. - 12:00 noon.
 - d) The market manager will arrive no later than 8:00 a.m. at which time vendors can set up

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- their tables. Vendors will not be allowed to set up later than 9:00 a.m.
- e) Vendors are not permitted to set up before the market staff arrival.
 - f) Break down and removal of all vendor supplies must be completed by 12:45 p.m.
2. The official start time of the Market will be 9:00 a.m., however, there will be a 15 minute grace period beginning at 8:45 a.m. during which vendors are permitted to sell to early customers.
- a) Sales before the fifteen-minute grace period will not be permitted (with the exception of pre-orders) and any violations are to be brought to and handled by the attending market manager.
 - b) Pre-ordered sales will be allowed before 8:45 a.m., but the vendor must notify Market staff of the pre-orders upon arrival at the Market.
 - c) Vendors will Not be permitted to sell to late customers after 12:15 p.m.

III. MEMBERSHIP AND FEES

1. In order to acquire a membership for the Clinton County Farmers Market, interested vendors shall complete a Membership Form.
2. Members must be from Clinton County and adjacent counties to Clinton County, i.e. Highland, Brown, Warren, Fayette and Greene.
3. No participation in the Clinton County Farmers Market will be allowed without appropriate acceptance of paperwork and payment by the Market Management.
4. The Clinton County Farmers Market *has the right to refuse an application*. Vendors not permitted to be involved at the Market include but not limited to
 - Catalog sales, independent consultants
 - Political organizations/groups
 - Petitions and/or survey takers
 - Insurance agents or financial advisors
 - Sales of alcoholic beverages
 - Any product or service that Market Management does not see as a good fit for the Market.
5. Seasonal Market Membership Fee: \$85.00 for Clinton County Farmers Market entire season which includes the 2019 Summer market, 2019 Winter market, and 2020 Spring market.
 - a. Initial seasonal membership applications will be accepted beginning on Monday, April 8, 2019.
 - b. Interested vendors must complete a Membership Form (see attached) and send it to the Farmers Market management postmarked no later than Monday, May 13, 2019, with your full payment and documentation.
 - c. Fees are non-refundable and due at the time of the membership submission. There will be a \$30 charge for any returned checks.
 - d. First- time interested vendors who apply during the summer market season will pay the \$85.00 fee.
 - e. Application for the 2019 Winter Market is due September 11, 2019 and 2020 Spring Market deadline is February 3, 2020.
 - 1.) Those first-time interested vendors requesting membership for the winter

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and/or spring markets will pay a fee of \$20 for either the winter or spring market. If interested in both the winter and spring, the fee will be \$40.

- f. **Late applications will be accepted if approved by the Market Management. A two week waiting period will be required to ensure all necessary paperwork is received and training has been accomplished.**
6. A vendor will be notified of their acceptance to the Clinton County Farmers Market after a review of the membership form and receipt of payment and all necessary documentation.
 - a. Each approved vendor will receive a sign for display at their booth from the Market Management.
 - b. Signs will include name of the vendor, farm or business name, address, phone number and county.
 - c. Members must display their signs from the Market administration at their booth as proof of membership.

IV. SPACE ALLOCATION

Reserved Spaces

1. Summer Market

The Market will initiate reserved spaces for vendors in the 2019 summer season. Spaces will be mapped out evenly along the length of the market space on Mulberry Street.
2. The Market staff will be considerate of special situations. Space size will be such to accommodate a 10X10 size tent/canopy. When possible, space allotment will include space for one vehicle depending on space availability.
3. Winter and Spring Markets

The market management will decide where the best location for your table. In certain situations, table arrangements will need to be changed but otherwise table assignments will remain the same once the decision has been made by the market management. Tables and chairs from the City Building will be used but the number of oblong tables is limited. The market management will determine if any vendor will need to bring their own tables. The width of the space will be no more than 10 feet and no more than 5 ft deep due to space limitations.

V. VENDOR RESPONSIBILITIES

1. Vendors who are unable to come to a Market on a given Saturday are to contact Sally Buchanan at 937-725-1643 by 12:00 noon on Friday prior to the Market or in an unexpected absence by 7:30 a.m. on the day of the Market.
2. Vendors/Growers will set their own prices with the discretion of the grower group, but must display them clearly in writing. Growers are encouraged NOT to under-value their products: "price wars" and underselling will result in a grower being banned from the Market for the remainder of the season. This will be at the discretion of the Clinton County Farmers Market administration. No drop in the price as the day goes on.
3. **All vendors shall carry general liability insurance with a \$1 mil limit per occurrence with Energize Clinton County listed as an additional insured. A copy of "Proof of Coverage" must be provided with your membership application.**

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4. Vendors are responsible for removal of all refuse such as vegetable scraps, husks, silk, signs, containers, etc. Vendors are required to clean up their space when they are finished for the day. Vendors who consistently do not clean up their space will not be permitted to return to sell at the Market for the remainder of the season.
5. Vendors must maintain and keep current all licenses and permits required by the state of Ohio.
6. Weights and Measures, i.e. scales, need to be certified by the Clinton County Auditor Weights and Measures office. Contact the Auditor's office in Clinton County at (937) 382-2250 for information on the type of scale needed prior to purchase of a scale. A copy of the Scale Test Report must be provided with your membership application.
7. Taxation- Vendors license requirements: If you sell a product on which sales tax is collected, you are required to obtain a vendor's license. A copy of the certificate of registration from the ODT must be provided with your membership application. . For information contact the Ohio Department of Taxation at 1-888-405-4089 or Ohio Department of Taxation website: <https://www.tax.ohio.gov>
8. Produce growers selling products labeled or *reported* to be "ORGANIC", must be in compliance with the National Organic Program. Contact the Clinton County Extension Office at (937) 382-0901 for Organic certification information. Organic certifications are to be displayed at the vendor's booth.
9. During the Summer markets, vendors will supply their own tent and tables. Vendors are to ensure their tents are secure by anchoring all four corners regardless of the weather. Tent size allowed is 10x10.
10. Electricity is not supplied by the Market. It is the responsibility for vendors who need electricity to provide their own small generators or arrange for use of electricity.
11. Vendors are encouraged to stay for the entirety of the Market. If it is necessary to leave early, the Market Management must be informed at the beginning of the market.
12. All vendors are expected to conduct themselves professionally with courtesy and civility and in a manner of good conduct.
 - a. There will be no gossip, arguments, harassment, name calling, profane language, or fighting within the Market sales area.
 - b. There will also be no use of social media that in any way depicts the other vendors or market in a negative light.
 - c. Vendors will not be permitted to use tobacco products of any kind within the Market boundaries. Any tobacco use must take place outside of the entire Market space.
 - d. Violations are grounds for dismissal and revocation of Market privileges. This policy will be enforced by the Clinton County Farmers Market administration.
13. Violation of any of the above Clinton County Farmers Market Rules and Regulations may cause forfeiture of the right to continue as a Market participant. For details on Rule Violations, see the Attachment 1.

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VI. MARKET STAFF RESPONSIBILITIES

1. The market management staff will maintain open communications with the vendors.
2. The market staff will be present at each market to open the market space, place signage, and be available to answer questions and address concerns from patrons and vendors.
3. The market staff will enforce the Clinton County Farmers Market Rules and Regulations in a fair and unbiased manner.
4. The market staff will provide marketing of the market and planned events to promote and encourage increased attendance to the market.
5. The market staff will follow the outlined established violation policy when there are complaints filed against a vendor.

VII. EBT & CREDIT/DEBIT CARD/WIC ACCEPTANCE PROGRAM

A. EBT

1. The Clinton County Farmers Market will continue its “Electronic Benefits Transfer” (EBT) program for the 2019 summer season. The EBT program allows the Market to accept food assistance (food stamp) benefits as cash for applicable fresh food items. EBT will be offered during the winter and spring markets as phone assess is available.
2. Patrons who have been issued an EBT card will be able to purchase \$1 tokens which will act as cash to purchase applicable items from authorized vendors at the Clinton County Farmers Market.
3. Participation in the EBT program is encouraged, but not mandatory for applicable vendors (non-food or hot food vendors are ineligible).
4. Any vendor who wants to be a part of the program is required to attend MANDATORY training before the start of the Market season annually.
5. Vendors who do not attend this training and or who do not accept the agreements of the program will NOT be allowed to accept food assistance benefits in exchange for their products.
6. The EBT program will be strictly and carefully monitored at all times by the Market administration. The Market administration reserves the right to immediately suspend or terminate any vendor if the staff observes, or receives evidence of failure to abide by any of the EBT program agreements.
7. Vendors will return tokens and appropriate paperwork to the Market Management and will be reimbursed for the token value approximately every two weeks.

B. Credit/Debit Card

1. The Clinton County Farmers Market will continue to accept credit/debit cards for the 2019 season.
2. Patrons who wish to use their credit/debit card will be able to purchase \$1 or \$5 tokens which will act as cash to purchase items from authorized vendors at the Clinton County Farmers Market.
3. Any vendor who wants to accept credit/debit tokens through the Market must attend MANDATORY training (held with the EBT training) before the start of the Market.
4. Vendors will return tokens and appropriate paperwork to the Market and will be reimbursed for the token value approximately every two weeks.

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C. WIC

1. The Clinton County Farmers Market will continue to participate with the WIC program accepting WIC vouchers. Training will be required and any vendor who wants to participate will be required to attend training. Only vendors who sell produce may accept WIC tokens.

D. Special Tokens

1. Vendors may accept certain special tokens ,“Kids Club” or “Senior” , as designated by the Market Management. Training to the vendors will be conducted annually or upon approval of a new vendor.

For questions concerning the EBT, , credit/debit card, WIC program or special tokens, please contact the Market Manager, Sally Buchanan, at 937-725-1643.

CLINTON COUNTY FARMERS MARKET MANAGEMENT

The Clinton County Farmers Market management welcomes comments and suggestions from the Farmers Market vendors and participants on how we can better serve the vendors and the local community.

If you have suggestions or questions regarding Farmers Market operations, please contact Sally Buchanan.

Market Management for 2019: Sally Buchanan 937-725-1643

Approved by Sub-Committee of Energize Clinton County / Clinton County Farmers Market

Effective Date: April 2, 2019

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2019 Clinton County Farmers Market Membership Application Form

NAME(s): _____

FARM/BUSINESS NAME: _____

ADDRESS: _____

PHONE: _____ (home) _____ (cell)

Additional Phone #: _____ Home or Cell

EMAIL: _____

Who should the Vendor Payment Check be written to:

Circle One: NEW VENDOR RETURNING VENDOR FROM 2018 SEASONAL MARKET

INTERESTED IN: _____ 2019 SUMMER MARKET _____ 2019 WINTER MARKET

_____ 2020 SPRING MARKET **(MARK ALL THAT APPLY)**

PLEASE SUBMIT A DETAILED LIST OF PRODUCTS YOU PLAN TO BRING TO THE 2019 SUMMER MARKET:

PLEASE SUBMIT A DETAILED LIST OF PRODUCTS YOU PLAN TO BRING TO THE 2019 WINTER MARKET:

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PLEASE SUBMIT A DETAILED LIST OF PRODUCTS YOU PLAN TO BRING TO THE 2020 SPRING MARKET:

(IF NEEDED, USED THE RESERVE SIDE OF THE PAGE TO LISTED PRODUCTS YOU PLAN FOR EACH MARKET SEASON)

List **ALL** Products that you will be bringing to the Market NOT grown or produced by you. Provide the name, address, and telephone number of the producer.

MEMBERSHIP APPLICATION AND FEES:

Application Deadlines:

2019 Summer Market: Membership Application and fee submission deadline is May 13, 2019

2018 Winter Market: Membership Application and fee submission deadline is September 11, 2019.

2019 Spring Market: Membership Application and fee submission deadline is February 3, 2020.

Late applications will be accepted if approved by the Market Management.

***NOTE: If you plan to attend summer, winter, and spring markets, only one application is required to be completed.

Fees:

Seasonal Market Membership Fee: \$85.00 for Clinton County Farmers Market entire season which includes the 2019 Summer market, 2019 Winter market, and 2020 Spring market.

- Late applicants to the Summer Market will pay the full membership fee.

Winter and Spring Market Membership Fee:

- Fee of \$40 for vendors wanting to attend both winter and spring markets.
- For Vendors interested in only the winter or spring market, the fee will be \$20 per market season.

Application Submission:

Please return completed application, including copies of your current licenses, certifications, and permits, and copy of insurance certificate page along with a check payable to “**Clinton County Farmers Market**” and mail to:

Clinton County Farmers Market, c/o: Sally Buchanan, 63 West Main Street, Wilmington, Ohio 45177.

Retain one copy of the completed application for your records.

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Required information:

EBT/ CREDIT/DEBIT/WIC PROGRAMS:

I want to become authorized to accept credit/debit tokens. YES _____ NO _____

I want to become authorized to accept EBT tokens. YES _____ NO _____

For produce vendors only: I want to become authorized to accept WIC vouchers. YES _____ NO _____

All vendors who want to accept WIC, EBT or credit/debit tokens must attend mandatory training.

MANDATORY training will be held on Tuesday, May 21th from 4:00 – 5:00 pm or Thursday, May 23st from 6:00-7:00 pm.

I will attend on May 21th _____ or May 23st _____.

By signing this agreement, I/we acknowledge that I/we have read and agree to comply with the Clinton County Farmers Market Rules and Regulations and to satisfy all financial and obligations related to obtaining certifications, licenses, and insurance prior to participating in the Market and consents to the enforcement of all rules outlined.

Signature: _____ Date: _____

Signature: _____ Date: _____

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For Office Use Only:

Date Application, Permits & Fee Recd: _____

Documents Received:

Application form: _____

Proof of licensure, certification, insurance attached to application as appropriate for vendor products:

- ODT Vendor Transient License or Certification of Registration for non food items: _____
- Retail Food Establishment License (CCHD): _____
- Small Egg Producer-Certification of Registration: _____
- Scale Test Report from County Auditor: _____
- Proof of Insurance: _____
- Home Bakery License (CCHD): _____
- Organic Certification: _____

New Membership Approved: _____ New Vendor Notified of Acceptance: _____

Signed/Date: _____

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ATTACHEMENT 1

RULE VIOLATIONS

1. All violations concerning, but not limited to, the conduct, professionalism, appropriate licensing, and/or individual product management of a vendor must be submitted in writing using the official form to the Market Management of the Clinton County Farmers Market. All violations related to health code violations or licensing will be immediately brought to the attention of the Clinton County Health Department. (See reporting form.)
2. All reported violations must be submitted within 48 hours of the specified rules violation to the Market Management. Please submit via email: info@clintoncountymarket.com
3. No verbal submissions will be accepted or reviewed.
4. All grievances will be reviewed and corrective actions will be administered within 7 days of the submission.
5. No more than ONE grievance can be submitted by a vendor against another vendor for a rule violation per market day.
6. All violations are cumulative within a given season; however, violations for different, unique infractions are not cumulative towards punitive measures.
7. All violations will be expunged at the end of the season (with exception of indefinite suspensions and anytime remaining on a 45 day suspension).
8. All correctly submitted grievances will be eligible for review by the Energize Clinton County Farmers Market Committee, independent of the Market Management. It will be the Market Manager's responsibility to notify the committee anytime a grievance is submitted. It will be at the committee's discretion to determine if an actual infraction occurred.

1st violation – Verbal review of the rules and regulations

2nd violation – Written Warning

3rd violation – 45 day suspension from the Market – to be carried over the next calendar year if not completed during the current calendar year

4th violation – Indefinite Suspension – vendor must appear before the Farmers Market Committee for reinstatement

