

Orrville Farmer's Market Agreement Form

The Orrville Farmer's Market has been created by the Wayne County Creating Healthy Communities team to encourage healthy eating for the Orrville area residents. With this in mind rules and regulations must be adhered to for the safety of the consumers and vendors. Failure to do so may result in a breach of this agreement and loss of your place in the market. You may keep a copy of this form for your records and to refer to when needed. If you have any questions, please contact the market master or the Wayne County Creating Healthy Communities Coordinator at 330-264-9590.

Safety Regulations and Rules

1. **Only** regional farmers, cooperative groups, family members, partners, or employees are permitted to sell at the market. **No** brokers, resellers, or fundraising will be permitted.
2. Produce products (jams, jellies, syrups, and similar) must be produced by the principle farmer. Flowers, plants, and trees must be grown by the vendor.
3. No more than **25%** of your items may come from a different farm with in the county or within a 25-mile radius of your farm. These items must be labeled clearly with the producer's name and address to make them easily identifiable. Auction or wholesale items are not permitted for resale.
4. Produce must be fresh, high-quality, and suitable for consumption. If only suitable for additional processing (jams, jellies, juicing) it must be clearly marked as such.
5. **ALL** vendors must abide by all applicable federal, state, and local health regulations. Market vendors are responsible for obtaining proper permits and/or licenses required to meet these regulations. This includes proper labeling, proper production operations, applicable reports, permits, licensing, organic certifications, and must be able to show these if requested. By signing this agreement, you are agreeing that these are met and that the market is not responsible or liable for your negligence or potential penalties that are ensued due to your negligence. If you are found to not be in compliance you will lose your space and will not be able to return as a vendor. **The Orrville Farmer's Market does NOT enforce the United States Department of Agriculture requirements. In Case of USDA inspection, the vendor is held responsible for compliance.**
6. Meat/poultry products must come from the verified licensed producer at the market and stored in a commercially approved manner. Products are permitted to be processed by a different entity provided that the animal was raised by the market vendor.
7. Eggs or dairy products must be kept in accordance to commercial regulations (refrigerated, packaged), properly labeled, and from an approved source that meets local health department regulations.
8. Only vendors that have applied for and been approved prior to the day of are permitted to participate in the farmer's market.
9. Vendors may begin setting up at 11:30 am on the day of the scheduled market. Vendors must be set and ready prior to **12:45 pm** to ensure the farmer's market is ready by the start time of 1:00 pm. Unless vendor has a need for handicap parking we ask that front/close parking be restricted for customers. Vendors may use these spots for loading and unloading and then must move their vehicles.
10. Vendors are required to remain set-up and at their space for the **entire** duration of the farmer's market. Early packing up will not be permitted without prior permission. If this becomes a problem, you will lose your space.
11. Vendor fees are **non-refundable** except in cases where the Orrville Farmer's Market is unable to operate. No refunds will be issues for vendor cancellations or removal due to rule violations. If a vendor cannot attend a scheduled market date, the must notify the Market Master at least 24 hours in advance to avoid being classified as a **no-show**.

12. All product prices must be clearly marked. Any deviations from the application products must be approved prior to displaying for sales.
13. All vendors are required to fill out the vendor **application and sign the agreement form** and submit it to either the market master or to the Wayne County Creating Healthy Communities coordinator. Each approved vendor will be sent an email verifying the approval and be given a vendor number that will coordinate with their space at the Farmer's Market. Vendor placement is determined at the discretion of the Market Master or WCCHC Coordinator to ensure an even distribution of products and a smooth market flow. While vendors may request a preferred location, final placement decisions are made based on overall market needs. Space assignments **may change** throughout the season as vendors come and go. Please **double check where your space is located prior to setting up**. The WCCHC coordinator or market master will determine where to place vendors based on products to evenly distribute throughout the market. Vendors will be required to resubmit a new application **each year** as policies may change.
14. Vendors are expected to conduct themselves in a courteous, respectful, and honest manner at all times. Undercutting prices is not permitted. **No smoking** is permitted in vendor booths. Booth areas are to be kept safe from tripping hazards, trash, and sanitary. If giving samples, please provide a trash can. Take all trash with you and do not dispose of in city receptacles.
15. Vendors are not permitted to bring animals to the market unless they have been cleared by the WCCHC coordinator or the market master. In accordance with the Americans with Disabilities Act (ADA), service animals are permitted without prior approval. Service animals are defined as dogs that are individually trained to do work or perform tasks for a person with a disability. Service animals must be leashed, cleaned up after, and remain with their handler at all times. Emotional support animals and pets are not permitted unless approved in advance by the Market Master or WCCHC Coordinator.
16. The market will take place **rain or shine**. In case of a potential extreme weather or other severe circumstances, texts, emails, and social media will be used to cancel the farmer's market. Otherwise, please plan to attend on your scheduled days or you will be considered to be a **no show**. Rescheduling dates (if the schedule allows) due to conflict, must be done in a timely fashion to allow for a replacement to be obtained (no later than 24 hours prior to market start time.)
17. If a dispute arises regarding the interpretation or enforcement of this agreement, the parties agree to resolve the issue through good-faith negotiation. If a resolution is not reached within 30 days, the parties agree to submit the dispute to mediation in Wayne County, Ohio. If mediation is unsuccessful, the dispute shall be resolved through binding arbitration in accordance with the rules of the American Arbitration Association (AAA).
18. The vendor agrees to indemnify, defend, and hold harmless the Orrville Farmer's Market, Wayne County Creating Healthy Communities, its coordinators, employees, and volunteers from any claims, damages, or liabilities arising from vendor operations, including but not limited to injuries, illnesses, or property damage resulting from the vendor's products, services, or actions. This includes, but is not limited to, claims related to foodborne illnesses, defective products, or unsafe vendor booth conditions.

For USDA or Health Department Requirements

The Ohio Department of Agriculture – (614) 728-6200

The Food Safety Division – 1 (800) 282-1955 ext. 3

Wayne County Health Department – Janet Rittenhouse – (330) 264-2426 ext. 113 or janetr@wayne-health.org

Contact Name:

Company Name:

Signature:

Date

(You may print and sign or electronically sign. Please return to WCCHC coordinator or market master with application)

