

# Warwood Farmers Market

## 2021 Market Operations Summary

**Location, Hours, and Season:** The Warwood Farmers Market will be held, rain or shine, each Tuesday afternoon from **4:00 p.m. to 7:00 p.m.** beginning on June 1, 2021, and continuing through September 28, 2021.

**Fees and Spaces:** For 2021, the available stalls will consist of a 10' X 10' space. The rental fee is due on Market day and is collected by the coordinator or treasurer. Stall locations will be assigned by the Market Coordinator each week. We will try to assign vendors to approximately the same positions in the lot from week to week, but circumstances may require changes in vendor locations at the discretion of the Market Coordinator to avoid gaps in our market. Spaces will be filled in accordance with the needs of the market and/or order in which vendors arrive. **In order to help us plan accordingly each week, the board asks that you notify us of anticipated absence by 5 PM the day before each Market Tuesday.**

**Participation:** Vendors shall participate in at least 12 of the 18 Market days and are required to give notice when they cannot attend the Market, so the Market Coordinator can better accommodate such absences. Guest vendor packages (that do not adhere to the above participation requirements) may be available – inquire with the market board.

**Choice of Vendors:** Vendors will be selected to provide shoppers with an appealing variety of high quality, locally grown or produced agricultural products, foods, and artisan crafts. However, the choice of specific vendors will be made at the discretion of the Board. We may, at our discretion, add new vendors during the season. We may also invite “visiting vendors” to fill one or more stalls reserved for that purpose or to replace missing regular vendors. Visiting vendors will be chosen, at our discretion, to increase the variety or enhance the mix of products offered at the Market. Please note: **no vendor is entitled to exclusivity**, and at the discretion of the Market Coordinator, more than one vendor may be permitted to sell a given product.

**Operating Organization:** The Market is operated by Grow Warwood Pride, a volunteer organization. The primary contact for the Market is Mike Rafa, and you may contact him at (304)280-5088 or warwoodfarmersmarket@gmail.com.

**Board Members:** will consist of 5 members of Grow Warwood Pride and 4 members shall be Vendors. They will have the final say on all matters.

**Market Coordinator:** will set up spaces for vendor stalls day of the Market, collect space fees, and, with any Board Member on site, shall handle any conflict during the market, then report any conflict to the Board so it can be handled.

**Deadlines:** Applications will be reviewed periodically on a rolling admission. The deadline to be considered for the first week of the market is May 1st. Applicants will be notified of the status of their application by May 15 at the latest. Applications will be considered after the deadline on an as-needed basis to meet the needs of the Market.

# Warwood Farmers Market

## 2021 Rules and Regulations

### 1. Qualifying Vendors and Products.

(a) **Authorized vendors only.** Only those applicants who have properly applied for vendor status, and have been accepted as vendors,

(b) **Acceptable agricultural products.** Vendors may sell raw fruits, vegetables, meats, eggs, dairy products, live plants, cut flowers, honey, beeswax, and similar agricultural products that meet the following criteria:

(i) **Of high quality.** All agricultural products displayed by vendors shall be of the highest quality and freshness. Vendors must withdraw from display any product that, at the discretion of the Market Coordinator, fails to meet this high standard. Upon request, the Market Coordinator may, at his/her discretion, permit the sale of certain wholesome but second-quality agricultural produce, such as cider-quality apples, so long as those products are not prominently displayed.

(ii) **Self-grown or produced.** All products offered for sale at the Market shall be grown or produced by the vendor offering it for sale. Upon request, a limited exemption may be granted, at the discretion of the Market Coordinator, permitting the sale of products grown or produced by others so long as the product otherwise qualifies as local and the actual grower or producer is clearly identified by the Vendor at his or her stand.

(iii) **Local.** All agricultural products offered for sale at the Market shall be grown or produced within a 50-mile radius of Warwood. Upon request, a limited exemption may be granted to each vendor, at the discretion of the Market Coordinator, permitting the sale of one non-local product per market day when all the following conditions are met:

1) The non-local product does not compete with a similar local product being offered for sale at the Market. For example, anyone selling non-local peaches must cease selling them upon verbal notice that local peaches are now being offered for sale at the Market (although a vendor receiving such notice may continue selling the non-local produce for the rest of the market day on which he or she receives such notice).

2) The non-local product is clearly labeled as “NON-LOCAL” and its origin identified.

(c) **Acceptable “value-added” products.** Vendors may also sell baked goods, jams, cheeses, smoked meats, grilled foods, soaps, and other prepared or “value-added” products with the approval of the board. Approval of such products shall be at the discretion of the Board but will include consideration of the extent to which the value-added product improves the Market’s product mix, the quality and desirability of the product, and the extent to which the product or the producer has local ties. All such products must be wholesome and of high quality

and must be prepared and served in compliance with all applicable health code regulations. Vendors must withdraw from sale any product that, at the discretion of the Market Coordinator, fails to meet these high standards.

(d) **Artisan craft approval.** Artisan craft applications will be approved by an impartial jury of artisans knowledgeable in quality art and artisan goods. These applications will require photo submission of up to 10 photos showcasing the variety and quality of the items. The jury will recommend to the Board for approval applications which are believed to be of added value to the market. The board will approve based on the availability of vendor spaces and a variety of market goods.

2. **Regulatory Compliance.** Vendors must comply with all local, state, and federal regulations that apply to their business. Those regulations include, without limitation, the following:

(a) Health code provisions and licensing. For those vendors offering prepared, but not prepackaged foods, please pay special attention to the utensil and handwashing facility requirements of the West Virginia Health Code.

(b) Pesticide licensing and regulations concerning their safe use.

(c) Scales approved by the area weights and measures officer.

(d) Organic certification for products claimed to be organic.

(e) Health, ingredient, and other labeling regulations.

3. **Market Oversight.** The Warwood Farmers Market is a small market that will try to resolve issues of who may sell which particular products during the period of time vendors are being accepted for the coming year and may require particular vendors to forego the sale of particular products as a condition of their participation in the upcoming Market. Note, however, that the Board makes no representation or warranty that any single vendor has the exclusive right to sell a given product or products. Nevertheless, if during the Market season, the Board, in its judgment, determines that the sale of a particular product by a particular vendor is detrimental to the mix of products offered at the Market, or presents an unreasonable risk to consumers, the Board may require that vendor to alter or suspend sales of that particular product. If a vendor affected by such a change feels they cannot continue at the Market without the proscribed product, that vendor may withdraw from the Market. In order to maintain high quality at the Market, the Warwood Farmers Market organizers reserve the right to conduct site visits at vendors' farms and businesses, upon reasonable notice.

4. **Operation of Vendor Stands.**

(a) Vendors must ensure that their stands are safe for the shopping public.

(b) Vendors must provide their own tables and canopies; they must anchor them sufficiently with weights that they will remain safe and secure in windy conditions. Canopies must have a min. of 10 lbs. of weight per leg.

(c) Vendors may enter the lot for setting up at Warwood Avenue one (1) hour prior to Market opening.

(d) Vendors will be assigned to specific locations each week on a first-come, first-served basis by the Market Coordinator based upon the needs of the market that week. Vendors who arrive before 3 PM may be required to change their locations at the direction of the Market Coordinator.

(e) Each vendor must post a sign or placard in their stall that identifies them and the location of their farm or place of business.

(f) Vendors must display prices for all products being offered for sale.

(g) Vendors may not run any power equipment that exceeds the acceptable sound level. Special equipment must be approved by the board.

(h) Vendors must sweep or otherwise clean the ground in and around their stalls and leave the Market lot in a clean condition. Any refuse from a vendor's market activities shall be removed by the vendor or deposited in the trash cans provided by the Market. Vendors must be out of the lot by 8:00 p.m. On nights that coincide with the City of Wheeling Toe Tappin' Tuesday concert series, vendors are encouraged to stay after Market close to serve the audience and increase vendor sales/Market success.

(i) Vendors may park one vehicle within their designated stand, behind their space. With the approval of the Market Coordinator, that vehicle must fit within the stall the vendor has been allocated and must be able to be unloaded without encroaching on adjacent stalls. The driver of any such vehicle must comply with parking and driving instructions offered by the Market Coordinator.

5. **Amendment and Incorporation.** These rules and regulations may be amended from time to time by the Board and are incorporated into the Application and Agreement.

6. **Violations and Sanctions.** Vendors who fail to comply with the terms of these rules and regulations may be suspended or disqualified from continued selling at the Market.

7. **Acceptance of Terms.** By applying to become vendors and by otherwise participating in the Market, vendors agree to be bound by these rules and regulations.

**WARWOOD FARMERS MARKET**

**2021 APPLICATION AND AGREEMENT  
FOR PROSPECTIVE VENDORS**

Name of applicant: \_\_\_\_\_

Farm/Business name: \_\_\_\_\_

**PLEASE ANSWER ALL QUESTIONS COMPLETELY**

Mailing address: \_\_\_\_\_

City: State: Zip: \_\_\_\_\_

Business phone: \_\_\_\_\_ Home phone: \_\_\_\_\_

Fax number: \_\_\_\_\_ Cellular phone: \_\_\_\_\_

Email address: \_\_\_\_\_

Make/Model of Vehicle: \_\_\_\_\_

Number of spaces requested (minimum of 1) \_\_\_\_\_

Website address: \_\_\_\_\_

Other markets at which you expect to sell:

\_\_\_\_\_

Names of people who will be selling for you: \_\_\_\_\_

**Agreement to terms of the 2021 Market Operation Summary and the 2021 Market Rules and Regulations:**

I have read the 2021 Market Operations Summary and the 2021 Market Rules and Regulations (which are incorporated here by reference) and understand that submitting this application I hereby accept the terms set forth there. By submitting this application, I further certify that the products I intend to offer for sale qualify as **“acceptable products,” “of high quality,” “self-grown or produced,”** and **“local”** under the terms set forth in the Market Rules and Regulations. I further agree that if I wish to sell any products under the limited exceptions permitted under those definitions, I will seek advance approval for such sales.

I have attached a product list for 2021 that generally describes the products I will sell at the Market and a general description of the time period I will offer such products for sale. I will be

responsible for updating my product list with the board for approval throughout the market season if additions/updates are desired.

***Participants must have an approved application and product list describing what is being sold at the Warwood Farmers Market on file prior to participating in the Market.***

I understand that this is an application only and that Warwood Farmers Market, has sole discretion in deciding who are selected as vendors.

*Each vendor* understands that they must obtain the appropriate license or permits required by the local, state, or federal government.

If my application is accepted, I would like the number \_\_\_\_\_ of spaces requested above at the rate of \$10.00 per space. I understand that the assignment of stall locations lies at the discretion of the Market Coordinator and the location of my stall within the Market may vary from time to time.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Deadline for Application: rolling application, but May 1<sup>st</sup> for consideration in week 1.**

Please return this Application and Agreement to:

**Julie Davis  
118 North 9<sup>th</sup> Street  
Wheeling, WV 26003**

*For office use only:*

Date application and product plan received: \_\_\_\_\_

Date applicant accepted: \_\_\_\_\_ Spaces allowed: \_\_\_\_\_ Date notified \_\_\_\_\_

Payment received: \_\_\_\_\_ Date paid: \_\_\_\_\_

Applicant denied: \_\_\_\_\_ Date notified: \_\_\_\_\_

**2021 WARWOOD FARMERS' MARKET  
PRODUCT LIST**

Name of applicant: \_\_\_\_\_

Farm/Business name: \_\_\_\_\_

The months you expect to be selling at the Market: \_\_\_\_\_

<p><b>Please describe the general items you expect to sell (for example, apples). Please also place an asterisk next to those items on which you expect to rely most heavily.</b></p> <p><b>NOTE: COMPLETE THIS LIST EVEN IF YOU HAVE PROVIDED A PRODUCT LIST IN PAST YEARS.</b></p>	

\*\* Any changes to this list after acceptance into the market should be communicated to the board for approval and must be updated in the market binder prior to selling in case of inspection. \*\*