

Warwood Farmers Market

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 the first week of June and ending the last week in August.

Fees and Spaces: The stalls will have a 10' X 10' space. The rental fee is due on Market day and be 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 OR based on vendor preference. Still, circumstances may require changes in vendor locations at the discretion of the Market Coordinator to avoid gaps in our market. Spaces will be filled by the needs of the market and/or the order in which vendors arrive. Because this is a first-come, first-pick market for location, no one may set up before 2 PM on market day – setting up before this without the consent of the market manager may result in having to relocate after being set up. Additionally, saving spots is not permissible because it is a first come, first pick market. No vendor should tell another vendor to relocate or prevent a vendor from setting up. Any issues with where a vendor is set up should be addressed with the Market Manager.

To help us plan accordingly each week, the board asks that you notify us of anticipated absences by 5 PM the day prior to each Market Tuesday.

Participation: Vendors shall participate in as many Market days as possible and are required to give notice when they cannot attend 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. At our discretion, visiting vendors will be chosen 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: Grow Warwood Pride, a volunteer organization, operates the Market. Mike Rafa is the primary contact. You may contact him at (304)280-5088 or warwoodfarmersmarket@gmail.com.

Board Members: The board will consist of a simple majority of Grow Warwood Pride/the Warwood Community members. In general, the board shall consist of up to four vendors. They will have the final say on all matters.

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

Deadlines: Applications will be reviewed periodically on a rolling admission. Applicants will be notified of their application's status as soon as a Board vote has been completed.

Warwood Farmers Market

Rules and Regulations

1. **Qualifying Vendors and Products.** (a) **Authorized vendors only.** Only those applicants who have correctly 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 identified by the Vendor at his or her stand. In the event a vendor has products that are not homegrown AND compete with a self-grown product in the market, the vendor must wait until 4:30 pm to sell the non-homegrown product and cannot undercut the homegrown product in price.
 - (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 offered 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 labeled “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 board's approval. Approval of such products shall be at the discretion of the Board. Still, it 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 be prepared and served in compliance with all applicable health code regulations. Vendors must withdraw from sale any product that, in the discretion of the Market Coordinator, fails to meet these high standards.
- (d) **Artisan craft approval.** An impartial jury will approve Artisan craft applications from artisans knowledgeable in quality art and artisan goods. These applications will require the submission of up to 10 photos showcasing the variety and quality of the items. The jury will recommend to the Board for approval

applications believed to add value to the market. The board will approve based on the availability of vendor spaces and the 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 vendors offering prepared but not prepackaged foods, please pay special attention to the utensil and hand-washing 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, ingredients, 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 vendors are being accepted for the coming year and may require specific vendors to forego the sale of specific 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 specific 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. 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, anchoring them sufficiently with weights to remain safe and secure in windy conditions. Canopies must have a minimum of 10 lbs. of weight per leg.
- (c) Vendors may enter the lot for set up at Warwood Avenue two (2) hours prior to Market opening.
- (d) The market coordinator will assign vendors to specific locations each week on a first-come, first-served basis based on the market's needs that week. Vendors who arrive before 2 p.m. may be required to change their locations at the coordinator's direction.
- (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 power equipment that exceeds the acceptable sound level. The board must approve special equipment.
- (h) Vendors must sweep or otherwise clean the ground in and around their stalls and leave the Market lot clean. 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) If vendors choose to barter products with other vendors, the full retail price must be reported as a sale in the weekly sales report to the market. This ensures the best sales figures, which help us with grant writing for the market.
- (j) Redeeming tokens received by a patron with another vendor is strictly prohibited and, in some cases such as SNAP, illegal. You must redeem tokens received for full cash value with the Market Manager.
- (k) 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 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.** The Board may amend these rules and regulations from time to time, and they 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 continuing to sell 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

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: _____

Make/model of Vehicle: _____

Number of spaces requested (minimum of 1) _____

Website address: _____

Other markets at which you expect to sell:

Email address:

Names of people who will be selling for you: _____

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

I have read the Market Operations Summary and the Market Rules and Regulations (which are incorporated here by reference) and understand that by 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 outlined 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 2024 that generally describes the products I will sell at the Market and a general description of the period I will offer such products for sale. If additions/updates are desired throughout the market season, I will be responsible for updating my product list with the board for approval.

Prior to participating in the market, participants must have an approved application and product list describing what is being sold at the Warwood Farmers Market on file.

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 licenses 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 in 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

Please return this Application and Agreement to:

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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: _____

WARWOOD FARMERS MARKET PRODUCT LIST

Name of applicant: _____

Farm/Business name: _____

The months you expect to be selling at the Market: _____

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

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