

CHERITON TOWN MARKET

The CHERITON TOWN MARKET is a Virginia produced only market. All products must be grown, harvested, or created within the state of Virginia.

To apply for a Vendor space for the 2019 season:

- Review and agree to the 2019 Policies and Procedures.
- Mail, email, or hand deliver the completed application to the Market Manager.

Include:

- Completed and signed Application and Hold Harmless agreement
- Prepayment in full for selected days space rental for season.
- Copies of required certificates, licenses and permits.
- New Vendor Application fee of \$15.00 payable to "Town of Cheriton."

SPACE AVAILABILITY IS LIMITED AND SELECTIVE. SUBMITTING A COMPLETE APPLICATION DOES NOT GUARANTEE YOU A SPACE.

No application is complete and no space will be reserved until all required paperwork is submitted and products have been approved by Town of Cheriton Parks & Recreation Committee.

Jason Van Marter
esvalocal@gmail.com
(757)607-2035

CHERITON TOWN MARKET

- **A one-time \$15.00 New Vendor application fee will be charged for all new applicants for the 2019 season. Please make checks payable to “Town of Cheriton” and return it with application.**
- **Vendors pay a weekly space rental of \$10 for a 10’x10’ tent space or a 10’x18’ truck space.**
- **No electrical hook-up is available at this time.**

Vendor information:

Name _____

Business Name _____

Mailing Address _____

Physical Address _____

Business Phone _____

Cell Phone _____

Home Phone _____

(Circle best contact phone number for market days)

Website _____

Email _____

Sales Tax # _____

What food related licenses and certifications do you hold, if applicable? (attach copies)

Do you accept Credit Cards?

Yes

No

Family Members and/or Employees you may have staffing your space at the Market:

Please provide a brief description of your farm/business as you wish it to be listed on the Town of Cheriton social media page(s).

Product Plan:

Provide a general description of products that you plan to sell at the Market. **Products subject to approval by Market Manager.** If, at a later time, you wish to add new items beyond those listed on this application, you must notify the manager in writing so that your application can be updated and those items can be reviewed and approved prior to selling them at the Market. No products may be sold without prior approval.

Attendance: The Market will be open, rain or shine, in 2019 on the third Saturday of May through September from 11AM - 2PM; holiday market December 14 from 11AM - 2PM.

Choose and mark your dates accordingly:

- May 18
- June 15
- July 20
- August 17
- September 21
- December 14

Vendors may begin to set up at 9:30AM on market days.

Vendors must be fully set up by 10:45AM (15 minutes prior to opening of Market). Vehicles must be off site ten minutes prior to opening. Vendors are required to stay fully set up until the Market closes. Early take-down is disruptive and dangerous.

I have read and agree to abide by the Cheriton Town Market 2019 Policies and Procedures and Product Guidelines.

Business Name: _____
Signature: _____ Date: _____
Printed Name: _____

2019 Cheriton Town Market Hold Harmless Agreement

I, _____, owner of (name of business) _____ agree that the Town of Cheriton and their respective officers, employees, agents, and consultants are not liable for any bodily injury, death, theft, or damage to either the buyer or seller, or their property, arising out of or pertaining to preparation for, or participation in The Cheriton Town Market; whether such injury, theft or damage occurred prior, during or after The Cheriton Town Market. The above named business further agrees to indemnify, defend and hold harmless the Town of Cheriton and their respective officers, employees, agents and consultants for and against any claims which include bodily injury, death, theft or damage, including attorney fees.

I understand that it is my responsibility to carry my own general liability and product liability insurance. Participation in The Cheriton Town Market by the above named business is reliant upon such insurance. I have attached a certificate of insurance to this application. If my business falls under the exempt entity definition from the VDH Food Regulations pursuant to section 35.1-14 of the Code of Virginia, I have attached a copy of my liability policy specifically endorsed to The Town of Cheriton as required by the Policies and Procedures.

Signature of Applicant: _____ Date: _____
Print Name: _____

CHERITON TOWN MARKET

2019 POLICIES AND PROCEDURES

Market Eligibility:

Participation is open to local Virginia growers, harvesters, watermen, bakers, and makers of prepared food and products. The Market is a Virginia grown or produced only market. Vendors **do not** have to be the actual producing individual. Resellers are permitted as long as products have been produced within the state of Virginia.

Market Dates and Hours of Operations:

The Market will be open, rain or shine, in 2019 on May 18, June 15, July 20, August 17, September 21 and December 14th, from 11AM - 2PM.

Location:

The Market will be located on the lawn of the Central Town Park on Bayside Ave.

Market Manager:

The Market Manager will be present at The Market during operation. The Market Manager will make the assignment of spaces, approve the use of equipment, and design the business operation “mix” of all the selling spaces in order to enhance the total operation of The Market.

Application Requirements, Agreements, Permits and Fees:

1. Sales Tax - The Market is not responsible for tax collection. All vendors are required by law to have a Virginia State Sales and Use Tax Certification number. Vendors must collect these taxes at The Market.
2. Vendors may be required to carry liability insurance specifically endorsed to “The Town of Cheriton” for operations during the market with policy limits not less than \$500,000.00 and to provide proof of this insurance with the application.
3. When applicable, vendors must attach copies of all state and federal inspection certificates for their products to their application. Vendors of “Farm and Domestic Products” are exempt. Vendors whose offerings do not meet the definition of “Farm and Domestic Products” are not at this time required to obtain a business license from the Town of Cheriton. Vendors, educators and Guest Chefs who will be serving ready to eat food, beverages, or samples at The Market must obtain a Temporary Event Permit from the Northampton County Health Department and adhere to all rules and regulations. (Vendor/Chef is responsible for the permit fee and compliance). No food or beverage is permitted to be prepared on site by any vendor unless they have a Health Department Permit and adhere to all regulations.
4. Vendors are responsible for all appropriate labeling, licenses, product inspections, weights, measures and pesticide rules. Accuracy of scales / weights is responsibility of vendor. At all times, items sold in the Market must meet requirements of all applicable health and sanitation codes, as well as local, state and federal agricultural requirements. It is the sole responsibility of the vendor to ensure compliance. Northampton County and the State of Virginia will make inspections of the Market. Small producer farm vendors creating uninspected and unregulated product for sale under the exempt entities definition from the VDH Food Regulations pursuant to

section 35.1-14 of the Code of Virginia: (Selling their own farm-produced products directly to consumers for their personal use) are expected to also adhere to appropriate health and sanitation procedures. Exempt vendors MUST label unregulated value-added products such as sliced fruits and vegetables, pre-washed and prepared salads, cooked fruits and vegetables, cooked/seasoned or otherwise value-added meat, poultry, eggs, fish and farm raised game animals with their Business name, full contact information including address and phone number, ingredients and phrase "Produced without Inspection."

5. The Market is not for profit. Fees collected are for promotion and operation of The Market. A \$15.00 application fee will be charged for all new applicants for the 2019 season. This fee is to be paid with the application. Vendors will pay a monthly space rental fee of \$10.00 for a 12'x12' tent space or a 10'x18' truck space. Vendors must make their rental payment for all selected dates to the Market Manager or Town Clerk before first market date. Payments must be made in cash or check only, no tokens, federal subsidy vouchers, or other forms of exchange media will be accepted. No subletting or loaning of space is allowed.

Attendance:

- Vendors that have paid their fees for selected dates are guaranteed a space and expected to attend the preselected dates during the Market season. Because this is a limited season vendors are asked to prepay for all selected dates prior to the first date of the Market season.
- In case of severe weather, the Market reserves the authority to cancel and/or close a market due to such conditions. Being a rain or shine market, the decision will be made based on local conditions. Closures will be posted as widely as possible on the Town of Cheriton social media pages and sent by text or email. Signs will be posted on-site. The Market Manager will email, text or telephone all scheduled vendors 7AM the day of in the event of a full closure except in an emergency. Should the market be closed, you will not be charged for the day. However, if the market is open and you have reserved a space, you will be charged for the day if you choose not to show up.
- In the event of a last minute personal emergency which will prevent attendance, vendors should notify the Market Manager as soon as possible to alleviate worry and concern on the part of fellow vendors and shoppers.
- All vendors who wish to attend The Holiday Market must reserve and pre-pay their space with the Market Manager.
- Vendors who consistently fail to show up for reserved market space will be asked to reconsider participation with The Market. We cannot keep open, unused spaces while prospective vendors are waiting for a place. Absences disappoint our customers and are strongly discouraged.

Set-Up and Operation:

Vendors may begin to set up at 9:30AM on market days and must be done prior to the opening at 11:00AM. Vendors are required to stay until the Market closes at 2PM. Early take-down is disruptive and dangerous. Vendors must leave their spaces clean and remove their display and truck within an hour after closing. Contact the Market Manager if you need to be absent, if you are running late or if you need assistance.

Displays:

All tents, canopies, pop-ups, umbrellas, signs and display items must be sufficiently and safely secured to the ground and/or weighted down from the start of the Market day. Vendors must keep their display of goods within the confines of spaces assigned by the Market Manager. Vendors may not display any food

products on the ground. At no time shall the safety or convenience of customers or vendors be compromised by any vendor's display. Vendors will clearly display prices of all items and post their farm, facility, business name and location. Signs must be posted before sales begin. Honest and accurate labeling and representation is required of all vendors. Vendors must have available on site all licenses and certifications in the event of inspection.

Vendor Clean-up Responsibilities:

Vendors are responsible for disposal of all trash and debris generated by their respective businesses, and must take it away with them. Vendors must provide trash receptacles at their site for trash generated by samples they offer customers. The on-site Town of Cheriton trash bins are provided only for trash from public traffic at The Market. Use of Styrofoam for product packaging is strongly discouraged in an effort to minimize environmental impact and help increase environmental awareness.

Prohibited Activities:

Music or other broadcasts from radios, stereos, etc. must be kept within the limits of the assigned space and not disturb adjacent vendors. No Smoking. Hawking (loud, high pressure promotion of a product) is prohibited. No promotion of political opinions or religious beliefs.

Compliance:

The Market Manager will enforce all policies and procedures at the Market. Any vendor found not in compliance will be given a written notice and may be subject to exclusion from further participation in the Market. Vendors selling products that are non-vendor-produced are liable to be permanently removed from The Market.

Grievance Policy:

In the event of customer dissatisfaction with a particular vendor or some aspect of market operations, the dispute will be resolved to the satisfaction of the customer, vendor and Market Manager in a timely manner. It is the position of the Market to not confront vendors within the marketplace to discuss violations of our rules and regulations. Conflict does little to provide vendors and shoppers with a welcoming environment. However, if the infraction itself is a health violation, endangers the public, or the vendor is disruptive, then the Market Manager will address citations on site. Otherwise, the Market Manager will address concerns after the Market closes. All violations of the market rules and customer complaints will be reported by the Market Manager to The Town of Cheriton Parks & Recreation Committee, who has final authority in resolving issues. Failure by a vendor to comply with the Market Manager's resolution of a complaint can result in the removal of the vendor from Market participation.

Accident/Injury:

Any accident or injury must be immediately reported to the Market Manager or 911. There is a small First Aid kit at the market tent, but anyone who participates in the Market, whether vendor, customer or otherwise, attends at his or her own risk. Vendors will operate at their own risk and assume liability from customers.

Pet Policy:

Vendors will be permitted to bring their own pets and/or livestock with prior written permission from Market Manager. The market welcomes pets as long as they adhere to a few rules:

1. All animals must be kept on a short leash (no expandable or retractable leashes).

2. Animals are to be by the owner's side and under control at all times.
3. All animals must be kept away from produce and other food products.
4. Animals must be friendly towards children, crowds, and other animals.
5. Animal waste must be cleaned up immediately by the owner.

Children

Small children brought to the Market by vendors and shoppers must be kept under the direct supervision of a designated adult.

Advertising

The Cheriton Town Market is committed to the success of the Market and will advertise as effectively as possible within the budget. The Cheriton Town Market is responsible for the creation, selection and purchasing of all advertisements for the Market. This includes both paid and non-paid promotion in print and electronic media. Market vendors may, at their own expense, advertise their products and presence at the Market. However, such advertising must be specific to the market vendor and his/her products.

Allowable Products

The Cheriton Town Market is a locally produced only market. Vendors are required to bring on products that are grown, raised, caught or created within the state of Virginia. For those bringing homemade products and crafts, the use of local ingredients is highly encouraged. Vendors shall submit the Product Plan included with their application at the beginning of the season, indicating the crops and products they plan to sell at The Market. If, at a later time, the vendor wishes to add new items beyond those listed on their application, they must notify the Market Manager in writing so that their application can be updated and those items can be reviewed and approved prior to selling them at the Market. No products may be sold without prior approval.

Products allowed include:

1. Vegetables, fruits, herbs, flowers, plants and eggs grown within the state of Virginia.
2. Fresh baked goods
3. Cheese or other value-added products from milk, which are made in accordance with health codes **regardless of vendor exemption.**
4. Meats from livestock or poultry raised by the vendor that have been processed according to health and agricultural regulations.
5. Fish and shellfish raised or caught in compliance with health and fishery regulations.
6. Value-added products freshly made from scratch such as jams, honey, syrups, sauces, salsas, canned vegetables and fruits, juices, "to-go" entrees, etc. Processing must comply with health codes and Market labeling requirements regardless of small producer exemptions.
7. Handmade soaps, candles and cosmetics.
8. Coffee, teas and herbs.

9. Art and artisanal crafts and products where the value has been increased over the raw materials by at least 75% and produced within the state of Virginia
10. Beverages and other food offered for immediate consumption at the market which have been prepared and served in compliance with VDACS and or Health Department regulations. (Vendors may need to register with the Town of Cheriton and pay Meals Tax).
11. Small producer farm uninspected and unregulated value-added or processed products for sale under the exempt entities definition from the VDH Food Regulations pursuant to section 35.1-14 of the Code of Virginia are limited by market policy and are allowed as approved in writing by the Parks and Recreation Committee and the Market Manager.
12. Other items with Market Manager's Approval.

Products Not Allowed:

Items purchased or produced from a non Virginia manufacturer, wholesaler, or grower for resale. Alcohol. Tobacco products. Livestock (vendor may ask Manager for permission to bring animals for display). Products or literature of a political or religious nature. Products generally recognized as offensive (i.e. with content, words or images that would be objectionable or upsetting to some or most people in the community. This is determined by the Market Manager, whose decisions on the matter will be accepted as final).

The Market Manager is available to refer vendors to the appropriate local, state or other governing bodies who will advise on regulations, certifications and other guidelines. Vendors are responsible for timely application and compliance. The Market Manager cannot alter or waive these requirements.