

Town Of Westerlo Farmer's Market

Market Rules

Last Revised: 01/04/2023

Market Definitions

Bona fide –

- As in growers – the seller is the producer of the products being offered for sale, from lands he owns or rents, with control over the production, harvesting and marketing of the products, and a financial interest in the products.
- As in homemade products – all products are produced, baked, or manufactured by the seller and are original in nature. No baked goods from mixes or purchased for finishing off will be permitted.

Weekly vendor – any vendor who is permitted to sell on the market, who participates in the market less than the full season and chooses to pay on a weekly basis for any space used.

Market Governing Body – the Supervisor is ultimately responsible for setting the policies of the market. The Market Governing Body may remove or ban a vendor for inappropriate behavior at their discretion.

Market Manager – a person or persons empowered by the Governing Body to implement market policies and directives, and to oversee the operation of the Market. The Market Manager may remove or ban a vendor for inappropriate behavior at their discretion. The Market Manager will oversee daily operation of the Market. The Market Manager is also responsible for approving applications in conjunction with the Town Clerk's office.

Town Clerk's Office – The Town Clerk's office is responsible for processing applications and will work closely with both the Market Governing Body and Market Manager regarding policy changes, updating Farmers Market applications as needed, notifying vendors of acceptance of applications as well as the advertising of the Farmers Market.

Market sponsor – any governmental agency, non-profit organization or association that lends its support to the market in any way.

Seasonal lease – when a vendor signs for space for the full season and makes payment in accordance with the established fee structure.

Vendor – any seller or exhibitor participating in the market.

Market Governance

- The market will be sponsored by the vendors participating and will operate according to the rules set forth by the Market Governing Body and enforced by the Market Manager.
- The mission of the farmers market will be to provide a friendly, clean environment in which local farmers can connect directly with consumers and the public may have the opportunity to support their local farming community.

- The Market Manager is responsible for the enforcement, interpretation and mediation of the rules and boundaries set forth by the Market Governing Body.
- The Town Clerk's office is responsible for accepting applications for the Farmer's Market with the assistance of the Market Manager, notifying applicants of approval of applications and advertising for the Farmer's Market.

General Operations

- The market will be located at 950 County Route 401, Westerlo. The market will operate every Thursday of each month, from 4:00 PM to 7:30 PM during the month of June, July, August, and September.
- Vendor set up and sales: Vendors may arrive at market and set up their space starting at 2:00 PM on Thursdays. Vendors must be finished setting up and ready to conduct business by 3:00 PM on Thursdays. Vendors will not be allowed to conclude sales or break down their space until the market ends at 7:30 PM on.
- Vendor Absence: If a vendor who has been assigned a market space cannot attend the market, please notify the Market Manager as soon as possible. Please note, fees are non-refundable for cancellations. Market Manager, Bill Hall 518-495-2515.
- Times for sales outside of Market hours, 4:00 PM to 7:30 PM on Thursdays will not be permitted on the Market premises, with the exception of food trucks.
- Vendors are solely responsible for securely weighing down their structure whether it be an umbrella or a tent as well as their signage. Weights must not cause a tripping hazard and if tethered by lines, they must be clearly visible. Weights must be on the ground (not above people's heads). You may not tether your tent into the pavement.
- In case of inclement weather or any other potentially dangerous situation, the market may close or move vendors inside the pavilion at any time at the sole discretion of the Market Manager. No refunds are given in these circumstances.

Who may sell at the market:

- Vendors selling products being offered for sale, from lands he/she owns or rents within the State of New York, with control over the production or harvesting and marketing of the products, and a financial interest in the products, will be allowed to sell at the market.
- Re-sale products of any kind will not be permitted to sell at the market.
- Vendors must submit their application no less than one week prior to selling at the Farmers Market to the Town Clerk's office. The Market Manager; however, reserves the right to accept an application thereafter on a case-by-case basis. Vendors will submit a complete list of products they intend to sell as part of the application.
- Vendors must submit the names and contact information for anyone working their booths on their behalf or absence. This information can be submitted along with their application, or by contacting the Market Manager if it's after the application was submitted.
- Vendor applications will be reviewed and accepted or denied by both the Town Clerk's office and the Market Manager.

Guidelines for Selling

- Vendors will submit a sales tax certificate along with the application to the Town Clerk's office (if applicable).
- Vendors will submit a certificate of liability naming the Town of Westerlo as additionally insured to the Town Clerk along with their application. Vendors must carry a liability policy of no less than \$1 million in coverage.
- Vendor space will be completely cleaned up by the vendor at the end of each market. Vendors are responsible for removing their own garbage.
- Vendors will bring their own tents, tables, chairs, and supplies.
- Vendors will take all their signage and displays with them after each market. No parts/pieces of displays will be stored on the market premises.
- Vendors will have prices clearly marked on each product or will display signage clearly indicating the price of each product available that day.
- Vendors are expected to display and sell their highest quality products at the market. Questionable products will be pulled from sale at the discretion of the Market Manager.
- Vendors utilizing samples will handle all sample foods and utensils with disposable gloves, with the exception of self-serve samples.
- Food vendors that are cooking need to provide their own fire extinguishers.
- There will be no smoking allowed on the market premises during operating hours.
- Alcoholic beverages will only be allowed for sale by vendors with the required permits.
- Vendors will not be permitted to make medical claims based on their product(s) unless the proper FDA approval is presented.
- There will be no political or religious vendors, or soliciting for such, permitted at the market.
- No destruction of town property will be allowed, specifically anchoring or damaging of asphalt surfaces.
- Vendors are responsible for any damage or injury caused directly or indirectly by their structures, signage, displays and vehicles.

Stall fees and assignment

Stall assignments can be made by the market manager.

Stall fees are as follows:

- Resident/Non-Resident Vendors space is \$20 per season. All vendor fees are non-refundable.

Subletting of booths will not be permitted.

Compliance

By submitting a vendor application for this market, each vendor is agreeing to the market rules.

Any vendor at the discretion of the Market Governing Body or Market Manager can be removed or banned.

Contacts

Market Manager: Bill Hall 518-495-2515

Town Clerk's Office: 518-797-3111 opt 2