

Chillicothe Farmers Market Rules and Regulations – 2024

What Can Be Sold

1. PARTICIPANTS WILL SELL PRODUCE WHICH THEY THEMSELVES HAVE GROWN or produced. Chillicothe Farmers Market Association Members will be allowed to sell a percentage (not greater than 25% daily) of products provided by others. Any additional products must be approved by the Board of Directors and fall within vendor's current product mix. (For example, someone who grew and sold vegetables could supplement with purchased vegetables, however, they could add eggs they did not raise as it does not fall within their current product mix). Daily vendors of the association shall sell only those items that they produce (100%). No produce from out of the state of Ohio may be sold. The Market reserves the right to visit the site of production in order to assure compliance with this market rule. Any grower not following these rules can be expelled from selling at the market at the discretion of the Chillicothe Farmers Market Executive Committee and no refund of membership dues will be given if expelled from the market.
2. Sales of fruits, vegetables, meat, eggs, poultry, bedding plants, potted herbs, flowering plants, honey, homemade jams and jellies, fruit butters, apple cider, pale syrup, dried flowers, cut flowers, coffees, and teas, spices and rubs, sauces, animal fibers and yarns primarily from market member flocks/herds, handmade body soaps and lotions, and baked goods are permitted.
3. Crafts, except those made *primarily* from the vendors products & comprising less than 10% of their stand, are not to be sold. (For example, someone who grew and sold flowers as their product, could bring fresh & dried flowers to market, but wreaths made from those dried flowers could compose no more than 10% of their inventory at market.)
4. The seller is responsible for appropriate labeling and obtaining all necessary permits and/or licenses. This is including, but not limited to, proper labeling for Cottage Foods, licenses for home bakeries, and Retail Food Establishment licenses as required. All items sold under the Cottage Foods Laws, as defined in Chapter 3715 of the Ohio Revised Code, must be labeled as required for Cottage Food Products. Cottage Food Product information may be found on the ODA website at <https://agri.ohio.gov/wps/portal/gov/oda/divisions/food-safety/resources/cottage-food>.

All vendors will be required to attend a Food Safety and/or Ohio Cottage Food Law informational session if they sell an applicable item. This class will be offered at no cost to the vendor and will be coordinated by the Chillicothe Farmers Market Executive Committee. If you have previously completed produce safety or related training, you need to provide a copy of your training certificate to the Market Manager.

It is required that each vendor review the ODA's Cottage Food Production Operation Fact Sheet and/or the FDA's Food Safety Modernization Act Fact Sheet annually to ensure compliance. The Chillicothe Farmers Market Executive Committee will provide required fact sheets to vendors after completion of initial training. Each applicable vendor will be required to provide proof of training to the Market Manager.

For additional information regarding labeling and license requirements, contact your local extension office. If there are any other questions, please contact the Market Manager or a member of the CFM Executive Committee.

5. Growers are expected to sell only quality goods. A member of the Farmers Market Executive Committee may, at any time, inspect growers' stand and produce. If the goods are of low grade, the sale of these goods may be prohibited. Lower quality or overripe produce must be labeled as such and may be sold for a discounted price.
6. Agricultural cooperatives may not sell products at the market unless they are registered as a legal cooperative with the Ohio Secretary of State. The selling member at the market must grow a qualified product as outlined by market rules and regulations at the required percentage.
7. All edible products must be displayed off the ground for sanitation purposes.

Location, Days and Hours of Operation

8. The location, days and hours of operation for the Chillicothe Farmers Market will be established at the annual meeting.

For the 2024 summer Market Season, the Market will be held at the Ross County Service Center in the parking lot beginning Saturday from **May 4, 2024 through October 26, 2024**, 8:00 a.m. until 12:00 p.m. (noon). Vendors are encouraged to set up by the start of market prior to 8 a.m. No early sales are permitted prior to 8 a.m.

Reservations and Spaces

9. Association members must complete the Membership Application Form and pay \$375.00 dues by May 6, 2024. A refundable \$100 deposit is due with the application and will be returned at the end of the season when all vendor sales slips have been turned in to the Market Manager. Vendor Dues are non-refundable, and may be paid in full at the time of application approval, or in two increments, the first being \$187.50 at the time of application approval, and the balance by the end of the first market. Applications will be received on a first-come basis and spaces may be limited. Non-members must pay \$25.00 per day to the Market Manager each day they sell.
10. If you cannot attend, or will be late to the market, please contact the Market Manager **TWO** hours prior to the start of the market. Vendors who miss three markets without notice may be removed from the market. Tardiness shall be treated like an absence. If you are removed from the market, you may reapply in a new year. Fees will not be refunded if you are removed from the market for tardiness or unexcused absences.
11. Association members will have spaces assigned and reserved for them on a first-come, first-serve basis as applications are received. Any week that a vendor is unable to attend, he or she is to contact the Market Manager by Tuesday of the week preceding the market date. Members are to email the Market Manager by a date and time designated by the Market Manager if they would like to be included in the weekly member/product listing.
12. Sales tables, trucks and tents must be confined within the defined sales area. Each space is 10' x 25', adequate for a pick-up truck and table. Anyone desiring more than the 10' width is welcome to purchase an additional space for an additional \$375.00 for the market season if he or she is a member or \$25 for daily vendors. No "open trunk" sales will be allowed. No stakes may be driven into the ground and all shelters must be self-supporting.

13. All vendors are **required** to provide proof of liability insurance in the form of certificates of insurance at a minimum of \$1 million. Market host locations (i.e. Ross County Commissioners or Ohio University) solely provide space for our market and our vendors, and assumes no liability for the farmers market, its staff, vendors, or customers.
The certificate must include the following:
 - Vendor Liability Coverage including Products Coverage (coverage must extend to all products sold): \$1,000,000 per occurrence
 - List either the Ross County Commissioners or Ohio University as the Certificate Holder, depending on which market you participate (i.e. Summer and/or Winter)
14. Growers will set their own prices and must display them clearly in writing. Growers are encouraged NOT to under-value their products. The consequence of behaviors leading to “price wars” and underselling will be expulsion of a vendor from the market for the remainder of the market season. This will be at the discretion of the Chillicothe Farmers Market Executive Committee.
15. All growers will display a sign stating their farm name and address or city in which they live. Minimum dimensions of the sign will be 8 ½” x 11”.
16. Growers are responsible for removal of all refuse such as vegetable scraps, husks, silks, signs, containers, etc. Growers are required to clean their spaces when they are finished for the day.
17. Weights and Measures, i.e. scales need to be certified by the county Weights and Measures office. Contact the Ross County Auditor’s Office at 702-3080 or the County Auditor in which county you reside.
18. In the event a vendor would sell a product on which sales tax is collected, he or she is required to obtain a vendors’ license.
19. Growers selling products labeled “ORGANIC” must have appropriate state of Ohio certification and must present a copy of their certification to the Market Manager.
20. Our markets are open rain or shine. Failure to attend on rainy or poor weather days may count towards your total absences and impact decisions for future market acceptance. The Market Manager has the authority to close a market early, open a market late, or cancel a market day due to severe or inclement weather. If inclement weather should occur, the Market Manager will make decisions to change market operations based on weather reports and on-site market conditions, and vendors will be notified of the change in a timely manner by email or phone. No refunds will be given if the market is cancelled or disrupted due to inclement weather.
21. Violation of any of the above Market Rules and Regulations may cause forfeiture of the right to continue as a Market participant. The Market Manager will give verbal notice of a violation to the grower. The vendor is expected to correct the violation immediately or face expulsion from the market.
22. All vendors are expected to conduct themselves courteously. Sellers should be neatly dressed. Arguments, harassment, name-calling, profane language and fighting in the Market area will not be tolerated.

23. Vendors who smoke cigarettes, smokeless cigarettes, electronic cigarettes (e-cigarettes), pipes, and cigars during Market hours may do so as long as they are at least a vehicle length away from all sales/product areas.
24. To protect the safety of the public, as well as the integrity of the Market, the Market Manager has the discretion and authority to immediately dismiss any vendor from the Market area, whether an Association member or a daily vendor, for violations of these Rules and Regulations. A daily vendor immediately dismissed for a violation will forfeit the day's rental fee and will not be allowed to rent space in the future unless appropriate assurances are provided to the Market Manager that the problem is resolved.
25. By renting a stall at the Market, the vendor agrees to settle disputes that cannot otherwise be resolved by arbitration. This form of dispute resolution will be the sole remedy for resolution of any and all disagreements or disputes arising under or related to the Market Rules and Regulations, the Association's Bylaws, or any membership agreement (including, but not limited to, any statutory or tort claims arising from the relationship between the parties). The arbitration shall be conducted in Ross County, Ohio, by one neutral arbitrator agreed on by the parties. If the parties cannot agree on an arbitrator, each party shall select and pay for its own arbitrator, and the arbitrators so selected will select an arbitrator to chair the proceedings. The costs of the neutral arbitrator (whether the sole arbitrator or the chairperson of an arbitration panel) will be shared equally by the parties.

Consistent with the expedited nature of arbitration, each party will, upon the written request of the other party, promptly provide the other with copies of documents relevant to the issues raised by any claim or counterclaim on which the producing party may rely in support of or in opposition to any claim or defense. Any dispute regarding discovery, or its relevance or scope, shall be determined by the arbitrator (or chairperson, if a panel), which determination shall be conclusive. Other discovery will not be permitted. All discoveries shall be completed within 60 days following the appointment of the arbitrator(s). The decision and award determined by the arbitration shall be final and binding upon the parties. Judgment upon the arbitration award may be entered and enforced in any court having jurisdiction. The parties agree that any arbitration shall be governed by the Federal Arbitration Act, 9 United States Code §§ 1-16, as now existing or hereinafter amended. These Rules and Regulations shall otherwise be governed by, and construed in accordance with, the laws of the State of Ohio (with the exception of the State of Ohio's conflict of laws statutes or case law).