



CITY OF HAGERSTOWN, MARYLAND

Department of Community & Economic Development

Dear Prospective Vendor,

Thank you for your interest in becoming a vendor at the Historic City Farmers Market. The application and guidelines are attached.

The Historic City Farmers Market is an indoor, year-round, rent-free market located at 25 West Church Street. It offers booth space to vendors who sell locally grown and locally produced products. The Market hours are from 6 am-12 pm every Saturday.

When filling out the application, please be specific about your products and list all of the items you intend to sell at the Market. We ask for photographs of your items and of your merchandising setups so that we can understand your product.

Again, thank you for interest in the City Farmers' Market. We look forward to reviewing your application. If you have any questions or concerns, please call 240-675-5965 or email cmiller@hagerstownmd.org.

Sincerely,

City of Hagerstown

Cathleen Miller
Farmers Market Coordinator
240-675-5965
cmiller@hagerstownmd.org

**City of Hagerstown, Maryland
Historic City Farmers Market**

VENDOR APPLICATION and AGREEMENT

Please complete this application in full. Market staff will review the entire application and notify you when a decision has been made on your application.

Date: _____ Desired Market Start Date: _____

Name: _____

Name of Business (if applicable): _____

Address: _____

City/State/Zip: _____

Phone: _____ Cell: _____

Email: _____

Website: _____

Social Media: _____

Maryland Business Registration #: _____
(Number from Department of Assessments & Taxation)

Check the vendor categories that apply to the products you intend to sell:

If not, where and by whom are they made or grown? Do they contain local products or components? Are they unique from products found in retail stores? Please describe fully.

Are you able to supply products year-round?

Please tell us ways in which you intend to promote your business.

REQUIRED ATTACHMENTS:

- Photos of the products you intend to sell and photos of your booth setup at other events, if available.
- Hold Harmless Agreement (signed)
- Copy of current Washington County Health Department Permit (if applicable)
- Copy of Maryland Sales and Use Tax License
- Certificate of Insurance (food vendors only)

We will notify you when we have made a decision on your application.

I have read, fully understand, and agree to abide by the Historic City Farmers Market Rules and Regulations (attached to this application). I understand that my failure to comply with any and all Rules and Regulations may result in the loss of all Market privileges.

Signature

Date

This application becomes an accepted Agreement when countersigned by the City of Hagerstown.

City of Hagerstown
Cathleen Miller

Date

Return this application and the Hold Harmless Agreement to:

Cathleen Miller, Farmers Market Coordinator
cmiller@hagerstownmd.org
14 N. Potomac St., Suite 200A
Hagerstown, MD 21740

Rev. July, 2019

**CITY OF HAGERSTOWN
HOLD HARMLESS AGREEMENT**

Lessee/User: _____
Event/Use: Hagerstown City Farmers' Market
Location: 25 W. Church St. (Market House) and all related special Market locations
Dates of Use: Saturday (Market Days) and all other special Market times

The Lessee/User agrees that it shall indemnify the City of Hagerstown and Hagerstown City Farmers' Market and hold harmless the City of Hagerstown and Hagerstown City Farmers' Market against any and all fines, suits, claims, demands, expenses, actions, losses, alleged losses, or liabilities of whatsoever nature or kind incurred either directly or indirectly either in law or equity, paid, suffered or incurred as a result of the acts, activities, or omissions of the Lessee/User, its agents, servants, or employees, due to the operation and use of the premises. It is further agreed that the Lessee/User shall in addition to holding the City of Hagerstown and Hagerstown City Farmers' Market harmless from any and all liabilities or damage or injury to both persons and property, occurring as a result of the use of said premises, shall defend The City of Hagerstown and Hagerstown City Farmers' Market at Lessee's/User's expense against any and all claims, suits, demands, of whatsoever nature or kind.

Lessee/User: _____
(print)

Signed: _____
(signature)

Address: _____

Email: _____

Telephone: _____

Witness: _____

Return to:

Cathleen Miller
Farmers Market Coordinator
14 N. Potomac Street, Suite 200A
Hagerstown, MD 21740
cmiller@hagerstownmd.org

Historic City Farmers Market Application and Guidelines

Rental Rates

1. The Historic City Farmers Market is a rent free market. Booth space is assigned on a first come, first served basis, at no charge.

Allowed Market Products

2. The City Market provides the community with the opportunity to shop for a wide variety of locally grown and produced products. We accept vendors selling:
 - o Locally grown fruits and vegetables
 - o Locally raised meat
 - o Locally baked goods
 - o Locally made artisan foods
 - o Local dairy products
 - o Handcrafted arts and crafts items
 - o Locally prepared, ready-to-eat food (including meals prepared at the Market)
3. Vendors may only sell those items specified on their application. Vendors wishing to make changes to the products they sell must notify the Market Staff in writing by filling out a "Vendor Communication & Change Form" (attached) These changes must be approved by Market Staff BEFORE the new changes may be implemented. Each vendor is limited to TWO changes in inventory per calendar year. Frequencies greater than 2 will be reviewed by Market Staff.

Criteria for Selection of Vendors

4. The following criteria will be used to select vendors for the Market:
 - o Proposed products fit in one or more of the following categories:
 - i. **Farmer**: grows and/or produces agricultural products
 - ii. **Farmer Representative**: resells agricultural products that have been purchased directly from farmers; representatives must be able to show verification of purchase from farmer, including name and contact information of farmer
 - iii. **Artisan Foods**: hand-crafted products including cheese, bread, preserves, beverages, baked goods
 - iv. **Ready-to-Eat Food**: locally prepared, including meals prepared at Market
 - v. **Flowers/Plants**: cut or living plants
 - vi. **Arts and Crafts**: handcrafted items
 - o Availability of products throughout the year
 - o Community needs
 - o Uniqueness of the product
 - o The manner in which the product will be presented
 - o Ability of vendor to promote their business

Market Hours of Operation

5. Market hours are 6:00 am-12:00 pm, every Saturday, year round.
6. All vendors are required to be at Market between 8:00 am and 12:00 pm and have the option of being present from 6:00-8:00 am..

Booth Assignment

7. Booths are assigned at no cost to vendors for Saturdays only. Booths are assigned on a first come, first served basis. Vendors may request particular booths and Market Staff will try to accommodate requests.
8. As a courtesy, the City permits vendors to leave things at the Market House during the week. All merchandise left at the Market House shall be removed from top of booth or covered at conclusion of business hours. No merchandise shall be left uncovered on top of booths.
9. Vendors may be required to remove their merchandise from booths if the City needs the space for an event held at a time other than Saturdays, 6 am-12pm. Vendors will be given at least 1 week's notice to remove their merchandise if this is required. The City is not responsible for vendors' wares if they are not removed.
10. Stalls are not transferable. Allowing adjacent vendors use of a Market stall when absent is not permitted, unless approved by Market Staff. If use of empty stall is allowed by Market Staff, unassigned booths must be cleared within 24 hours of notice from Market Staff.
11. Vendors bringing children under the age of 12 to Market must keep them in their own stall area, unless accompanied by an adult.

Booth Relocation

12. The City reserves the right to relocate a vendor from one stall to another. Vendor will be notified verbally and in writing of such a move and provided with a reason for the move.

Booth Termination

13. The City reserves the right to terminate the Vendor Agreement for violation of the Market Rules and Regulations. Vendor will be notified verbally and in writing of termination and provided with reason for termination.
14. In the event of termination of Vendor Agreement for any reason, all property shall be removed by the vendor within twenty-four (24) hours of receipt of notice to so remove. If not removed, the City shall dispose of said property in whatever manner it deems appropriate at vendor's cost.

Prohibited Activities / Activities Requiring Permission

15. Solicitation or electioneering of any kind, including campaigning, distribution of election or religious literature, or panhandling, is not permitted in the Market House, loading dock, or within five feet of the Market House Door.
16. Vendors are required to make all sales at their assigned booth area. Selling outside the Market House (in parking lot or on loading dock) is prohibited, except with permission from Market Staff.
17. Alcoholic beverages are not allowed on the premises at any time.

18. Fastening or affixing things to walls is prohibited, except by permission from Market Staff.
19. Defacing, damaging, or theft of City property shall not be permitted and shall result in loss of Market privileges and/or legal action.

Attendance Policy

20. Vendors are permitted up to 6 absences per year. After 6 absences, vendors may be asked to leave the Market.
21. Vendors must notify Market Staff of absences in advance. After two 2 weeks of consecutive absences without notification, the booth may be considered abandoned and provided to another vendor.
22. Vendors are permitted to have substitutes tend their booths in their absence, and should notify Market Staff of this situation. In the event of absence, and without a substitute person tending the booth, vendors must place a sign on their stall notifying customers when they expect to return to Market.

Market House Maintenance, Cleanliness, and Booth Displays

23. Vendors are responsible for maintenance and cleanliness of their booth and booth area, including floors. Vendors shall keep vendor areas in a neat, clean, and sanitary condition.
24. All places where food is stored, sold, sampled, or handled shall be maintained and operated in a sanitary manner in accordance with applicable local, state, and federal regulations.
25. All stall tops are to be covered with a cloth or plastic-type covering (not newspaper or contact paper).
26. Product displays and signage must be within designated vendor space and may not impede access to adjoining booths or pedestrian access in the walkways. All aisles must be kept open and clear.
27. All trash (including food trash) must be placed in the outside dumpster at the end of the market day. The dumpster key is available in the Market House by the sinks nearest the women's bathroom. Vendors who do not remove their trash may be charged for vermin control or be expelled from the Market.
28. All recycling must be placed in the recycling containers inside the Market House.
29. Hand-sinks must be kept clean by adjoining stall renters. Do not allow any food items or residue to remain in sinks. Towel and soap dispensers must be kept clean.
30. The maintenance worker on duty during Market hours is there to maintain the Market house. The maintenance worker cannot assist individual vendors in loading or unloading vehicles.
31. In the event of pest control fogging, vendors will be given notice of fogging no later than the preceding Saturday, and all stalls must be covered by the vendor for the fogging. Market Staff will not cover exposed stalls, and the City is not responsible for vendors' wares if they are not

covered.

Parking, Unloading, Loading

32. All vehicles must be unloaded and moved from the loading dock area immediately upon unloading and no later than 8:00 am.
33. Long-term parking in the fire lane behind Market building is not allowed. Please obey all posted signs.
34. Market cart shall be returned to the front of the Market as soon as merchandise has been carted to the stall. Carts shall be kept at individual stalls or on the loading dock.
35. Vendors using their own hand carts and wagons are asked to use the hooks to hold doors open, rather than pushing their carts/wagons into the door.

Security

36. The Market House doors are programmed to unlock at 5:55 am and to lock at 12:00 pm each Saturday.
37. It is the responsibility of vendors to ensure that Market House doors are closed properly when leaving the building.
38. Key fobs are available upon request for those vendors who need regular access to the Market House outside of Market hours. Other vendors who require occasional access to the Market House outside of Market hours may contact Market Staff to arrange to be met at the Market House.

Health Permit

39. All vendors selling food items shall comply with all applicable Health Department Regulations. Please contact the Washington County Health Department directly about obtaining a permit:

Washington County Health Department
Environmental Health Division
1302 Pennsylvania Avenue, Hagerstown, MD 21742
240-313-3400

The Health Permit needs to be kept current and displayed at all times in your stall in the Market. A copy of the permit needs to be provided to Market Staff.

Cooking and Fire Safety

40. The Market currently has three hood spaces for on-site cooking. If you are interested in cooking on-site, please note that you will need one of these hood spaces (a wait list is maintained) or you will need to show Market Staff that you have gained approval from the Hagerstown Fire Marshal to use alternate cooking methods inside the Market House.

41. All vendors cooking at the Market shall comply with all Fire Safety Codes.

Please contact the Fire Marshal directly to ensure compliance:

Hagerstown City Fire Marshal's Office
25 Church Street, Hagerstown, MD 21740
301-790-2476

Business Requirements

42. All vendors shall comply with state and county business regulations, as set forth by the Maryland Department of Assessments and Taxation (business registration), the Maryland Comptroller's Office (sales tax collection), and the Washington County Circuit Court (trader's license). Specific details about Business Registration, Sales Tax Collection, and Trader's Licenses can be found on the attached **BUSINESS RESOURCES** page.

Annual Good Standing Check

43. Once a year, Market staff will check that Market vendors are compliant with state and county business regulations and Health Department requirements (if applicable). Those businesses not found in compliance with State and County regulations and requirements will be notified and given 30 days to become compliant. See **BUSINESS RESOURCES** section attached here for more information.

Insurance

44. All vendors selling food of any type are required to carry product liability insurance and provide proof of said insurance upon request. All vendors are encouraged to obtain business insurance but this is not currently a requirement to be a City Farmers Market vendor. All vendors must sign a hold harmless agreement, attached at the end of this document.

Photographic and Video Consent

45. The City of Hagerstown reserves the right to photograph or videotape vendors and their products for the purpose of promoting the Historic City Farmers Market via Facebook, the City of Hagerstown website, or newsletter. Any images or video may be retained by, and will only be accessed by, Market or City of Hagerstown Staff.

Business Promotion

46. The City of Hagerstown does general promotion of the Historic City Farmers Market. However, vendors are highly encouraged to promote their individual businesses through social media, websites, and via other forms of promotion and advertisements.

Communication

47. Market Staff will update vendors on special events at the Market House as well as other business issues that may affect vendors. Notifications will be made by the email address we have on file and by hard copies left at each vendor's stall.

City Limits of Responsibility

48. The City of Hagerstown is NOT responsible for any accidents on the premises or for damage to vendor merchandise. Vendors operate at their own risk. Any items left in stalls are left at vendors' own risk. All vendors are required to sign a Hold Harmless Agreement with the City, and will not be permitted to vend without a signed form on file.
49. The City of Hagerstown reserves the right to refuse vendor space to, as well as suspend and/or expel, violators of the Market Guidelines and/or local, state, or federal ordinances and laws.

Below is information on establishing your business within the State of Maryland.

Business Registration:

All vendors must register with the Maryland Department of Assessments and Taxation:

www.dat.maryland.gov; 410-767-1170.

Sole proprietors can go to www.dat.maryland.gov, click on **FORMS**, and scroll down to **CREATE OR START A BUSINESS IN MARYLAND**. Click on **Application for Sole Proprietorship and/or General Partnership**. Completing this application will generate an 'L' number (L followed by 8 digits). There is no cost to register.

The number that you receive upon registration must be listed on your application.

To incorporate your business into an LLC or corporation, see the resources also available at www.dat.maryland.gov or call 410-767-1170.

The number that you receive upon registration must be listed on your application. Numbers for a sole proprietor will begin with L; numbers for LLCs will begin with W or Z; numbers for corporations will begin with D.

Numbers beginning with T are trade name registrations, which are different than business registrations.

If you want to register a trade name, that form is also available on the 'FORMS' page. The cost is \$25 and is good for 5 years.

Maryland State Sales Tax:

All businesses, regardless of whether incorporated or operating as a sole proprietor, are required have a Maryland Sales & Use tax account and may be required to collect Maryland state sales tax. The only exception is agricultural products sold by farmers, which are exempt from sales tax.

To apply for a Sales and Use tax account, visit the Maryland Comptroller's Office, www.marylandtaxes.gov, click on the **SEARCH** field, and type **Maryland Combined Registration Online Application**; or phone 410-260-7980 or 800-638-2937.

Your Sales and Use Tax license must be displayed at your booth.

Trader's License:

Some businesses may need to obtain a Trader's License from the Washington County Circuit Court. Please call 301-733-8660 or visit 24 Summit Avenue, Hagerstown, MD, to get more information about what is required for your particular business.

If you are required to have a Trader's License, it must be displayed at your market stall. Trader's Licenses must be renewed annually.

Washington County Health Department:

All vendors selling food items shall comply with all applicable Health Department Regulations. Contact the Health Department directly to find out which permits you may need.

Washington County Health Department
1302 Pennsylvania Avenue, Hagerstown, MD 21742
www.washcohealth.org
240-313-3400

STARTING, GROWING, AND PROMOTING YOUR BUSINESS

The following organizations may be helpful in the growth of your business and in maintaining compliance with Farmers Market regulations:

City of Hagerstown Fire Marshal's Office
25 Church Street, Hagerstown, MD 21740
301-790-2476

Maryland Business Express
Maryland Department of Assessments & Taxation
<https://businessexpress.maryland.gov>
410-767-1170

Maryland Comptroller's Office
www.marylandtaxes.gov
800-638-2937

SCORE
www.hagerstown.score.org
14 N Potomac St., Suite 200B, Hagerstown, MD 21740
(301) 766-2043

Small Business Development Center (Western Maryland)
888-237-9007
www.mdsbdc.umd.edu

The Washington County Chamber of Commerce
<http://hagerstown.org>
1 South Potomac St., Hagerstown, MD 21740
(301) 739-2015

Washington County Circuit Court
24 Summit Avenue, Hagerstown, MD 21740
www.mdcourts.gov/clerks/washington/business
301-733-8660

Washington County Health Department
1302 Pennsylvania Avenue, Hagerstown, MD 21742
www.washcohealth.org
240-313-3400

HISTORIC CITY FARMERS' VENDOR COMMUNICATION & CHANGE FORM
25 West Church Street
Hagerstown, MD 21740

Business/Vendor Name: _____

Mailing Address: _____

Telephone Number: _____

Email Address: _____

Date: _____

Type of Change:

- Change in Contact Information
- Other Change or Communications
- Change in Products to be Sold

Requested change of products must be approved by Market Staff BEFORE the new changes may be implemented. Each vendor is limited to TWO changes in inventory per calendar year. Frequencies greater than 2 will be reviewed by Market Staff.

Please describe your change and/or communications:

Return to:

Farmers Market Coordinator
City of Hagerstown
Department of Community & Economic Development
14 N. Potomac Street, Suite 200A
Hagerstown, MD 21740
cmiller@hagerstownmd.org