CITY FARMERS

Est. 1783

MARKET

HAGERSTOWN

VENDOR APPLICATION

CONTACT INFO:

Jen Young
Events & Programs Assistant
301-739-8577 ext. 270
events@hagerstownmd.org

Dear Prospective Vendor,

Thank you for your interest in becoming a vendor at the **Historic City Farmers Market!** The Historic City Farmers Market is an outdoor, seasonal Market located at 25 W. Church Street, Hagerstown, MD. It offers space to vendors who sell locally grown and locally produced products. The 2023 annual Farmers Market will be held on the third Thursday of every month from May to October.

DETAILS:

HISTORIC CITY FARMERS MARKET

Third Thursdays, May through October
25 W. Church Street, Hagerstown, MD
3:00pm – 6:00pm

Please indicate the dates you plan to attend as a vendor for the Historic City Farmers Market:

- ☐ May 18
- ☐ Jun 15
- ☐ Jul 20
- ☐ Aug 17
- ☐ Sep 21
- ☐ Oct 19

When filling out the application, please be specific about your products and list all of the items you intend to sell at the Market.

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 events@hagerstownmd.org.

Sincerely,

Jennifer Young
Events and Programs Assistant
Community Engagement
1 E. Franklin Street
Hagerstown, MD 21740
301-739-8577 x270
events@hagerstownmd.org

CITY OF HAGERSTOWN
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:

Name:

Name of Business (if applicable):

Address:

City/State/Zip:

Phone:

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:

☐ **Farmer** (grows and/or produces agricultural products)

☐ **Food Truck** (locally prepared and/or prepared at the Market)

☐ **Farmer Representative** (resells agricultural products purchased directly from farmers; representatives must be able to show verification of purchase from farmer, including name and contact information of farmer)

☐ **Artisan Foods** (hand-crafted products such as cheese, bread, preserves, beverages, baked goods)

☐ **Ready-to-Eat Food** (locally prepared, including prepared at the Market)

☐ **Flowers/Plants** (cut or living plants)

☐ **Arts and Crafts** (handcrafted items)

Do you intend to cook? ☐ Yes ☐ No
(Vendors are to comply with all Fire Safety Codes. See attached guidelines)

Number of 10' x 10' Spaces Desired: Spaces

Do you intend to use a tent? (Staking not allowed) ☐ Yes ☐ No

Payment Methods Accepted: (Circle all that apply)
☐ Cash ☐ Check ☐ Credit ☐ SNAP/EBT ☐ WIC ☐ FMNP ☐ SFMNP

List all the products you intend to sell. We encourage the submission of photographs to show your products. Vendors are only permitted to sell that which is listed on this application.

Why do you want to sell your products at the City Market?

Are the items you intend to sell at the Market made and/or grown by you?

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.

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

Vendor Fee
No charge

An annual application is required. We will notify you when we have made a decision on your application. This application relates only to the Market to be held at 25 W. Church Street, Hagerstown, MD, every third Thursday May through October from 3:00pm – 6:00pm. Any additional Markets held in conjunction with holidays or special events may require separate applications and possible fees.

REQUIRED ATTACHMENTS:

Hold Harmless Agreement (signed)
Copy of current Washington County Health Department Permit (if applicable)
Certificate of Insurance (food vendors only) – See Attached Guidelines

I have read, fully understand, and agree to abide by the Historic City Farmers Market Guidelines (attached to this application), as well as any future additions, modifications and/or amendments to the Guidelines. I understand that my failure to comply with any and all Guidelines may result in the loss of all Market privileges, and termination of the Vendor Agreement. I understand that I am not entitled to any refund, whether partial or full, if I lose Market privileges, this Vendor Agreement is terminated, weather requires the Market to close, or anything else prohibits my participation in part or in full.

_____ _____

Signature Date

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

_____ _____

City of Hagerstown Date
Jennifer Young

Return this application, the Hold Harmless Agreement and Required Attachments to:

Jen Young
Events and Programs Assistant
Community Engagement
1 E. Franklin Street
Hagerstown, MD 21740
events@hagerstownmd.org

CITY OF HAGERSTOWN
HOLD HARMLESS AGREEMENT

Vendor:
Event/Use: Hagerstown City Farmers' Market
Location: 25 W. Church Street, Hagerstown, MD 21740
Dates of Use: Thursdays (Market Days) and all other special Market times

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

Vendor:

(print)

Signed:

(signature)

Address:

Email:

Telephone:

Return to:

Jen Young
Events and Programs Assistant
Community Engagement
1 E. Franklin Street
Hagerstown, MD 21740
events@hagerstownmd.org

Historic City Farmers Market
Guidelines

Annual Application/Vendor Fee Rates

An annual application is required. The Historic City Farmers Market is a rent free Market. We will notify you when we have made a decision on your application.

Season Schedule & Hours:

- The regular, annual season will be held every third Thursday from May – October 2023.
- Hours are Thursday from 3:00pm – 6:00pm.

Any additional Markets held in conjunction with holidays or special events may require separate applications and additional fees.

Allowed Market Products

1. 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:
    - Locally grown fruits and vegetables
    - Locally raised meat
    - Locally baked goods
    - Locally made artisan foods
    - Local dairy products
    - Handcrafted arts and crafts items
    - Locally prepared, ready-to-eat food (including prepared at the Market)
2. Vendors may only sell those items specified on their application. Vendors wishing to make changes to the products they sell must notify Market staff by emailing Jen Young at events@hagerstownmd.org.

Criteria for Selection of Vendors

1. The following criteria will be used to select vendors for the Market:
    - 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. **Food Truck**: locally prepared and/or prepared while at the Market
        v. **Ready-to-Eat Food**: locally prepared, and/or prepared at the Market
        vi. **Flowers/Plants**: cut or living plants
        vii. **Arts and Crafts**: handcrafted items
    - Availability of products throughout the season
    - Community needs
    - Uniqueness of the product
    - The manner in which the product will be presented

- Ability of vendor to promote their business

Market Hours of Operation

1. Market hours are from 3:00pm – 6:00pm

2. All vendors are required to be set up by 3:00 pm and not to leave prior to 6:00 pm, unless directed by Market staff.

3. Vendors will be notified by Friday if cancellation of the Market is needed due to conditions such as inclement weather. The Market is planning to be held rain or shine.

Booth Assignment

1. Vendor space is assigned by Market staff in the order applications are received. Vendors may request a particular space area when making payment, and Market staff will try to accommodate those requests.

2. Vendors bringing children under the age of 12 to the Market must keep them in their own booth area, unless accompanied by an adult.

Booth Relocation

1. The City reserves the right to relocate a vendor from one space to another. Vendor will be notified verbally and by email of such a move and provided with a reason for the move.

Booth Termination

1. The City reserves the right to terminate the Vendor Agreement for violation of the Market Guidelines. Vendor will be notified verbally and in writing of termination and provided with reason for termination. Vendor will not be allowed to return the remainder of that year's season. No refund of fees will be given.

2. The City reserves the right to terminate Vendor Agreements at any time, and for any reason, with at least 14 days' notice. Vendor will be notified verbally and in writing of termination. If the City terminates the Historic Farmer's Market Program, prorated refunds of paid fees will be provided as calculated by the City.

Prohibited Activities / Activities Requiring Permission

1. Solicitation or electioneering of any kind, including campaigning, distribution of election or religious literature, or panhandling, is not permitted at the Market, loading / unloading area, or within five feet of the Market (University Plaza) entrances.

2. Vendors are required to make all sales at their assigned booth area.

3. Alcoholic beverages are not allowed on the premises at any time.

4. 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

1. Vendors must notify Market staff of absences at least 48 hours in advance. Please email Jen Young at events@hagerstownmd.org or call 301-739-8577 x270.

2. Closure of the Market due to weather, or a city event, will not count as a vendor absence.

Market Maintenance, Cleanliness, and Booth Displays

1. Vendors are responsible for the cleanliness and maintenance of their area. Vendors shall keep their tables and area in a neat, clean, and sanitary condition.

2. 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.

3. All vendor table tops are to be covered with a cloth or plastic-type covering (not newspaper or contact paper).

4. Product displays and signage must be within the designated vendor space and may not impede access to adjoining vendors or pedestrian access in the walkways. All walkways must be kept open and clear.

5. All trash (including food trash) must be placed in the designated trash containers during Market hours. After Market hours it is the Vendors responsibility to take their trash with them for disposal elsewhere. NO Exceptions.

6. City staff cannot assist individual vendors in loading or unloading vehicles.

Equipment, Parking, Unloading, Loading

1. **Equipment** - Vendors will be responsible for their own tables, chairs, and other equipment. City staff will not provide equipment, nor assist with loading/unloading.

2. **Unloading** - All vehicles must be unloaded and moved from the designated area immediately upon completion. Vendors are allowed to unload between 1:30 pm and 2:45 pm. Please be courteous of time for other vendors also needing to unload.

3. **Loading** - Vendors are required to remain set up until the 6:00 pm (close of market), unless directed by Market staff. Please be courteous of time for other vendors also needing to load.

Health Permit

1. 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 visually displayed at all times.

Cooking and Fire Safety

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

2. Cooking cannot occur under a tent where people are assembled.

3. Propane tanks must be secured and protected from damage.

4. A fire extinguisher must be on hand.

5. Vendor will be responsible for taking away all grease from your vending operation. Dumping grease on the ground, in storm drains or park trash containers is strictly prohibited. Grease shall be stored in appropriate containers. Do not utilize trash barrels or boxes for grease.

Please contact the Fire Marshal directly to ensure compliance:

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

Tents

1. Tents must be properly anchored (above ground, without soil penetration) and supported to prevent uplift and collapse.

2. All tent material must be flame resistant and be properly labeled by an approved testing agency.

3. For tents under which there is cooking, a flame-retardant certification is required.

4. Tents are subject to Fire Marshal Inspections and shall comply with the appropriate requirements of the Fire and Life Safety Code as adopted and amended from time to time.

Business Requirements

1. 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. Additional registration, licensing, and taxing laws may apply. Vendors are responsible for understanding all applicable laws.

Good Standing

1. Vendors must stay in good standing throughout the Market Season. 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 14 days to become compliant.
   See **BUSINESS RESOURCES** section attached here for more information. If not compliant after 14 days, agreement will be terminated and the vendor will be asked to leave the Market for that year's Season. No refund of fees will be given. Vendors may not assume and may not rely on a lack of

notification from Market staff as an indication that they are in compliance.

Insurance

1. All vendors selling food of any type are required to carry product liability insurance no less than $1,000,000, and must provide a certificate of insurance naming the City of Hagerstown as additionally insured. The City reserves the right to require additional vendors to carry insurance as well depending on product(s) offered. Vendors are required to provide proof of said insurance upon request. All vendors are encouraged to obtain business insurance. All vendors must sign a hold harmless agreement, attached at the end of this document.

Photographic and Video Consent

1. The City of Hagerstown reserves the right to photograph or videotape vendors and their products for the purpose of promoting the Historic City Farmers. Any images or video is the sole property of the City of Hagerstown and is not available to vendors or third parties.

Business Promotion

1. 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

1. Market staff will update vendors on special events at the Market as well as other business issues that may affect vendors. Notifications will be made to the email address we have on file.

City Limits of Responsibility

1. 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. 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.

2. 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 laws.

HISTORIC CITY FARMERS' VENDOR COMMUNICATION & CHANGE FORM

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 Market Season.

Please describe your change and/or communications:

Jen Young
Events and Programs Assistant
Community Engagement
1 E. Franklin Street
Hagerstown, MD 21740
events@hagerstownmd.org

CITY OF HAGERSTOWN, MARYLAND

Department of Parks and Engineering

Park Rules

(Last Revised Feb 2021)

The following rules govern the use of the City of Hagerstown park properties and facilities by members of the public. These rules define the general privilege of use relating to the parks and recreation facilities and do not create rights of use. The Parks and Recreation Division retains the authority to modify these rules at any time, and the Parks management is at their discretion to revoke, suspend, or modify any person's privileges of use upon good cause.

1. Pets are permitted in designated areas only and must be on a lead and in full compliance with the Washington County animal control laws. Pets are not allowed in pavilions, on athletic fields, courts or playgrounds.
2. The use of any tobacco products, e-cigarettes, or vaping is prohibited in all of the parks of the City of Hagerstown.
3. Alcoholic beverages, illegal drugs and weapons are prohibited.
4. The sale of goods or services or the solicitation of donations in exchange for goods or services is prohibited unless such activity is approved by the City in advance or as part of a City-approved event.
5. Any motorized vehicles, motorized scooters, mopeds or any other like recreational motorized devices are prohibited.
6. Bicycles, skateboards, rollerblades, etc, are only permitted in designated areas.
7. Noise level restrictions will be enforced. No form of amplified sound is permitted except in Band Shells, University Plaza, or approved stages.
8. Inappropriate or indecent conduct, harassment and/or language that can create a public nuisance are prohibited.
9. Only the use of City provided grills is acceptable. All other grills or fires are prohibited.
10. Swimming is prohibited in any body of water except Antietam Creek.
11. Fishing is prohibited in any body of water except at Pangborn Park and Antietam Creek. Boating is only permitted on the Antietam Creek. State laws must be adhered to.
12. Tents, pop-up canopies and tarps are prohibited unless authorized in advance by the City. Inflatables are prohibited.
13. Metal detectors are prohibited.
14. Glass containers, gambling, and overnight camping are all prohibited.
15. Operation of hot air balloons, model aircraft, rockets and drones, remote controlled vehicles and all watercraft, etc, are prohibited unless approved by Mayor and Council.
16. Litter and refuse are to be placed in proper receptacles by the User. Confetti is prohibited.
17. Firearms, bows and arrows, devices creating a fire hazard, hunting, trapping, disturbing the wildlife, etc, are prohibited. Paintball activities are prohibited.
18. Interference with employee and/or volunteer duties is prohibited.
19. Parking or driving on turf or unauthorized areas is prohibited.
20. Alteration or installation of equipment (volleyball nets, etc) is prohibited.
21. Defacing of property (indoors or outdoors) is prohibited. Staples, nails, etc are prohibited.
22. Any other conduct that may jeopardize the safety of others is prohibited.
23. Being present on park property other than during the posted hours of operation of "sunrise to one-half hour after sunset" is prohibited unless such activity is approved by the City in advance or as part of a City-approved event.

In addition to facing any applicable civil or criminal penalties, any person who violates any of the foregoing rules may be issued a Letter of No Trespass and be prohibited from entering onto City of Hagerstown park properties.

Parks and Recreation Division
351 North Cleveland Avenue• Hagerstown, MD 21740
Ph: 301.739.8577 Ext. 169 • Fax: 301.790.0171

Engineering Division
1 East Franklin Street• Hagerstown, MD 21740-4817
Ph: 301.739.8577 Ext. 125 • Fax: 301.733.2214

BUSINESS RESOURCES

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. This can be done via the Maryland Business Express Portal: https://businessexpress.maryland.gov/; 888-963-3468.

Business owners may register their business by visiting https://businessexpress.maryland.gov/. From there, they can highlight "**START A BUSINESS IN MARYLAND"**, and click on the **"Register your business in Maryland"** to begin the process of registering as a Sole Proprietorship, General Partnership, Corporation, etc. Once on the next page, select "**REGISTER YOUR BUSINESS NOW"** to create an account and register a new business or trade name.

Once an account is created, businesses may select the Maryland business type they would like to register as (**Sole Proprietorship, General Partnership, Maryland Limited Liability Company, etc.**) along with further information on each type. Business owners are encouraged to read and understand each business type before finalizing their registration.

All filings through the Express website will be processed by the Maryland Department of Assessments and Taxation within seven business days. After completing the online registration process you will receive all the necessary licenses and account numbers for your business.

Registering your business with Maryland's Department of Assessments and Taxation helps to issue you an "SDAT identification number" which will begin with a letter ("D", "F", "W", "L", "T" or "Z"). This number serves as Maryland's unique identifier for your business. *Importantly, this is not the FEIN number issued by the IRS and required by financial institutions to open an account.*

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 being 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 valid 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.

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 Guidelines:

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