



## Market Policies

*Reviewed and approved by the EEMS Executive Committee, March 25, 2013*

*The East End Bazaar, a project of Charleston East End Main Street, located at 1428 Washington Street, East, is an open-air artisan market featuring an eclectic mix of functional and collectible art and hand-crafted goods. The project is an economic development effort spurred by the West Virginia Governor's Economic Innovation Awards, where EEMS received 1<sup>st</sup> place in the state in 2011 and 2012 to execute the construction and opening of a small business retail incubator and artisan market in Charleston. The Bazaar will provide an opportunity for local artists and artisans to showcase and sell their work, aid in economic development by encouraging entrepreneurialism and tourism, generally contribute to the East End's revitalization as a thriving, vibrant arts district, and create a destination by aesthetically enhancing the corner of Ruffner Avenue and Washington Street, East.*

### Bazaar Mission and Purpose

- \* To help aid East End economic development by promoting local businesses and tourism, and by encouraging entrepreneurship,
- \* Enhance the East End experience by providing a venue that offers cultural experiences for all members of the community, and
- \* Provide an opportunity for local artists and artisans to show and sell their work.

### Market Season and Hours of Operation

The East End Bazaar Artisan Market season runs from April through October. The market will operate each Saturday, rain or shine, from 10:00 AM- 3:00 PM, with occasional "special event" extended hours.

## Who May Sell at the Bazaar

Vending at the market is restricted to those actively engaged in the production/manufacture of accepted products or services. All items for sale must be produced by the vendor or persons with a close connection to the vendor. Buying products from another producer or wholesaler and re-selling them at the market is not permitted. Non-profit organizations who wish to raise awareness for an event or project will also be considered, though artisans actively engaged in the production of goods will be given preference. A vendor is defined as an individual or group of associated individuals who sell at the market. As the Bazaar is a family-friendly environment, all goods displayed should be suitable for viewing for all ages.

All potential vendors must be pre-approved to participate in the market. Selection is done by the East End Main Street Open Air Market Steering Committee ("Steering Committee"), which retains the right to approve or not approve applications at their own discretion. Once selected, market vendors may be evaluated on an ongoing basis, and the Steering Committee may revoke vending privileges of any vendor who fails to abide by the terms of the vending agreement or demonstrate their contribution to the overall mission of the market. Approval to vend is based on, but not limited to, the following criteria:

- goods produced by hand
- degree to which the vendor's business practices and products reflect the goals of the market
- contribution that the vendor's products will make to the overall product balance at the market
- quality of goods
- sufficient quantity of goods to fill allotted space
- consumer demand for the product
- ability of vendor to comply with all applicable permit and licensing regulations

Also, preference for use of the two larger anchor stalls will be given to vendors who can perform a live demonstration of their craft or process. The Bazaar also allows for food concessions and produce vendors (see below).

## Prohibited Items

No vendor shall be permitted to sell any of the following items: live animals, counterfeit merchandise, illicit drugs or drug paraphernalia, or any goods which the Market Manager deems unsuitable for the Bazaar.

## Application Process

All potential vendors must submit an application to the Steering Committee. The vendor application can be submitted online at <http://charlestoneastend.com/eastendbazaar/vendor-application-form/>, by email (requests can be sent to [NSavage@CharlestonEastEnd.com](mailto:NSavage@CharlestonEastEnd.com)), or picked up in person at the office of Charleston East End Main Street (1210 Smith Street, 3<sup>rd</sup> Floor, Charleston). Completed applications can be submitted via the website mentioned above, by email, in person, or by mail to P.O. Box 11255, Charleston, WV 25339. The application will include a minimum of three (3) photos of each type of a potential vendor's wares. Upon acceptance of a vendor application, the Steering Committee will assign each approved vendor a vendor number, which the vendor will use to register for all subsequent markets. If an approved vendor wishes to sell a new class of product or service, they do not need to submit a new application, but do need the approval of the Market Manager or member of the Steering Committee before they can display their new items, which can be done by email or in person the day of the market.

## Registration

Registration for pre-approved vendors can be done online ([CharlestonEastEnd.com/eastendbazaar/](http://CharlestonEastEnd.com/eastendbazaar/)), via email ([NSavage@CharlestonEastEnd.com](mailto:NSavage@CharlestonEastEnd.com); payment may not be sent via email – vendors must submit payment through another method), by mail (P.O. Box 11255, Charleston, WV 25339), in person (1210 Smith Street, Charleston), or by telephone at (304) 767-9800. Online registration is the preferred method, and online booth reservations will be given first preference of booth choice. Payment may be submitted online using PayPal (please follow the instructions given on the website). Registration is not complete until a vendor has submitted payment and received confirmation from the Market Manager. As registration is on a first-come, first-serve basis, vendors are strongly encouraged to register well in advance to reserve a stall. To encourage patrons to return to the Bazaar week after week, we will try to achieve as much variation in our vendors as possible.

## Stall Fees

Stall fees are \$25.00 per market day for a craft vendor. All fees are to be paid in full before 5:00 PM on the Wednesday before the market day for which vendors are scheduled (or if mailed, postmarked by the Tuesday before market day) to allow time for EEMS staff to properly advertise the week's vendors. Payments can be made online via PayPal at [CharlestonEastEnd.com/eastendbazaar/](http://CharlestonEastEnd.com/eastendbazaar/) (it is not necessary that vendors set up a PayPal account in order to submit payment online), processed over the phone (304-767-9800; credit cards only), in person at 1210 Smith Street, Charleston, or by mail to P.O. Box 11255, Charleston, WV 25339 (checks only). If paying with a credit card, whether online, by phone, or in person, vendors will need to add a \$1.00 processing fee to payments of \$25.00 and a \$2.00 processing fee to payments of \$50.00.

## Attendance Requirements

Vendors must occupy their booths on the days that they have registered for them, or inform the office no later than 5:00 PM on the Wednesday before the market that they will not be able to attend. Any vendor with an unannounced absence will forfeit all of their fees and reservations. Artisans are required to commit to the total time that the market is advertised to be open. This is a commitment that we make to our sponsors. Patrons who visit the market late in the day – and some return to buy goods at that time – need to be guaranteed the same access to the entire market as those who attend earlier. The only exception to this policy is if a vendor sells all of their goods before the market closes.

## Shared Stalls

No more than two vendors may share one stall. Both vendors must submit separate vendor applications, have them approved, and be assigned vendor numbers. If reserving a booth online, one vendor should log in, reserve the booth, and submit payment, but should inform the Market Manager (via email or phone) that they will be sharing the booth and whom they will be sharing with.

## Booths and Spaces

The market consists of 10 covered vendor stalls laid out in an “L” shape, with a performance stage at the intersection of the two lines of stalls. Each pre-constructed wood and corrugated metal stall measures 10 feet x 12 feet, excepting the two anchor stalls at either end, which measure 10 feet x 23 feet. The ceilings are 9’ tall at the back of the stall and 10’ at the front (11’ at the front of the anchor stalls). The stalls are numbered 1-10, with the anchor stall closest to Washington Street being #1, the one immediately next to it being #2, etc., and terminating with the anchor stall closest to Ruffner Avenue being #10. In the instance that all ten booths are full, we allow

additional vendors to set up in 10’ x 10’ pop-up style tents, which the vendor must provide. The pop-up tents will be placed around the perimeter of the market near Washington St. or Ruffner Ave. There will be a limit of six tent vendors on any given market day. Registration for a tent space is the same as registration for a booth, and likewise costs \$25, but a vendor may only register for a tent space once all ten booths are full. When reserving a booth, approved vendors may choose which booth they would like, and we make every effort to provide vendors with their location preference, but the assigning of stalls is ultimately at the discretion of the Market Manager. The goal is to create a market layout that is complimentary to all vendors and to the market as a whole. The market does not provide water or



electricity to vendors. Running of gas-powered generators during market hours is prohibited, with the singular exception of one generator behind the stage to power amplifiers and other sound equipment. The Bazaar has a limited number of 6' x 30" plastic folding tables that vendors may rent for \$5 per market day. If a vendor would like to reserve a table, they should indicate as much at the time they reserve a booth to ensure a table will be available.

## Display

Vendors are responsible for providing their own tables, chairs, and display fixtures. The Bazaar has a limited number of 6' x 30" plastic folding tables that vendors may rent for \$5 per market day. Displays must be contained within the vendor's stall, and shall not use any portion of the walkway for display or seating purposes; this area must be kept clear for patrons. Displays must be neat, orderly, safe, and in good repair at all times. Skirted tables and professional-looking displays are encouraged. A live demonstration of a vendor's craft or process is also encouraged, especially in the two large anchor stalls. Vendors should be considerate of neighboring vendors when setting up displays. Vendors are responsible for keeping their displays free of clutter and trash and are responsible for cleaning their area prior to leaving. Vendors should be aware that wind may become an issue, and should plan to stabilize their displays accordingly.

## Vendor Responsibilities

Vendors are responsible for knowing and abiding by all market guidelines, rules, and policies. Vendors are expected to be courteous in their interactions with patrons and other vendors. All vendors are required to provide the Market Manager with the dollar amount of their total sales at the close of each market day. These individual figures will be kept confidential, but will be used to report aggregate sales figures for promotional purposes. Vendors shall not interfere with the business operations of another vendor, nor shall they engage in hawking, defined as (but not limited to) offering goods for sale aggressively, physically blocking a neighbor's space or being so loud as to disrupt a neighbor's business, or making market patrons feel personally confronted by wares. All vendors must have any applicable licenses and permits on hand with them at the market, though it is not necessary that they be displayed publicly (see PERMITS AND LICENSING, below). All vendors need to stay for the entirety of the advertised market hours (see ATTENDANCE REQUIREMENTS, above). The Market Manager has full authority to enforce all rules, and any vendor failing to comply will be denied the opportunity to sell at the market and will forfeit all fees.

## Site Management

During market hours, the Market Manager or members of the Steering Committee will collect fees, direct set-up, and decide any immediate issues affecting the overall market. The Steering Committee is

the final authority on all matters relating to the management of the Bazaar, including but not limited to vendor application, approval, and registration, market guidelines, rules, and policies, and grievances.

## Set-Up and Takedown

Vendors are not to start setting up their stalls until 8:00 AM. **Vendors are required to be on site by 9:30 AM in order to participate in that day's market.** Vendors are urged to arrive by 9:00 AM in order to be set up by 10:00 AM when the market opens. Vendors are urged to refrain from sales before 10:00 AM. It is in everyone's interest for the customers to learn that the market opens at 10:00 AM. All vendors must commit to the full time that the market is advertised to be open, and unless all goods are sold, may not take down their stall before market close (see ATTENDANCE REQUIREMENTS). Vendors are responsible for taking down their set-up, disposing of their own garbage, and leaving their spot as trash-free as they found it. Vendors may park vehicles on the Bazaar lot, accessible by the gate on Washington Street, in order to set up before 10:00 and to break down their booths after 3:00, but no vehicles are permitted within the Bazaar fence during market hours, excepting pre-approved food trucks. Vendors are permitted to drive nails and screws into the pallet walls in order to hang items, provided that they remove them at the end of the day and they do not drive nails into the 4"x4" structural beams.

## Vendor Parking

During set-up and takedown, vendors may park in the market area. However, vendors may not park on market grounds during market hours, unless they are a pre-approved food truck. Vehicles must be parked elsewhere during the market hours; vendor parking is available at the Religious Coalition for Community Renewal (1516 Washington St. E.) and West Virginia Health Right (1520 Washington St. E.). If you need help finding the correct place to park, the Market Manager can help you.

## Pricing

The East End Bazaar is a retail market. Prices charged should be fair to all vendors, and comparable to pricing in the community. Intentional undercutting will be considered unfair.

## Services

Services may be sold at the Market provided they are included in the vendor application, pre-approved by the Steering Committee, and performed on-site.

## Permits and Licensing

It is each vendor's responsibility to get and maintain any licenses or permits necessary for their particular operation, including but not limited to a Municipal License from the City of Charleston. This license may be obtained from the City Collector's Office for an annual cost of \$5.00, and must be obtained before selling any goods at the market. Vendors should check the 'Special Store' license (number 23). Vendors may contact East End Main Street if they have difficulty in attaining this or other licenses or permits. Vendors must comply with all Kanawha Charleston Health Department regulations and licensing requirements. All vendors must follow sanitary procedures. Any vendor found selling contaminated foodstuffs shall be suspended from selling at the market until satisfactory clearance has been obtained from the Kanawha Charleston Health Department. All vendors must wear shoes and shirts at the market.

## Taxes

All vendors are expected to report all income earned at the market and to pay all applicable taxes. In the City of Charleston, vendors are subject to Business and Occupation ("B&O") privileges taxes on the sales of their goods. B&O taxes are based upon the application of rates and classifications against gross income of each business activity. Generally, B&O taxes are due within 30 days after the end of the applicable reporting quarter; however, a vendor may elect an annual filing status if their expected annual tax liability is \$200.00 or less. Vendors are responsible for reporting their gross income under the retail classification and paying B&O taxes on one-half of one percent (0.05) of their gross sales. It is the responsibility of all vendors to collect and remit this, as well as West Virginia sales tax. The Bazaar will not be held responsible for any taxes on goods sold by vendors.

## Live Entertainment

Each market day the Bazaar will include at least one scheduled live entertainer for the enjoyment of patrons and vendors. During market hours, if at any point there is not a scheduled performer on stage, the Market Manager will operate the stage as an "open-mic". At the discretion of the Market Manager, any entertainer who wishes to perform will be allowed to do so, but the Market Manager will have the power to stop the performance at any point if he deems the act is not appropriate. The stage is located at the intersection of the two rows of stalls, between stalls 5 and 6. The stage will be equipped with a generator to power amplifiers and other sound equipment. As the market does not pay open-mic acts, there will be a tip jar and sign indicating the market's policy of encouraging patrons to tip entertainers. Entertainers are permitted to sell recordings of their work; if they sell recordings, entertainers must report the total dollar amount earned to the Market Manager at the end of the market day (see VENDOR RESPONSIBILITIES, above). Musicians and other entertainers interested in performing at the market should contact Market Manager Ned Savage at [NSavage@CharlestonEastEnd.com](mailto:NSavage@CharlestonEastEnd.com).

## Food Concessions

Food concessions are ready-to-eat foods that are prepared partially or entirely at the market. The Bazaar will consider admittance of no more than two food concessions each market day on a case-by-case basis. Additional specialty food vendors who have limited specialty offerings (e.g. ice cream, coffee, baked goods) will also be considered in addition to the two regular food concessions. Process and equipment must meet all standards set out by City of Charleston, Kanawha County, and State of West Virginia, and any permits required must be obtained and copies kept available on site. The individuals who hold each of these specific permits must be present at the market. The Bazaar will not provide food concessions with water, gas, electricity, trash removal, or any other amenity aside from a space to set up, and all food preparation must be self-contained in a trailer/truck/cart, which must be pre-approved by the Market Manager. Due to noise, food concessions are not permitted to run gas-powered generators during market hours. Food concessions will be located at designated locations on the Bazaar grounds adjacent to Ruffner Ave. The cost of renting the space to set up a food concession will be \$25 per market day, to be paid by the Wednesday before the market day a food concession intends to take part. Payments can be made by sending a check, made payable to Charleston East End Main Street, to P.O. Box 11255, Charleston, WV 25339 or with a credit card over the phone (304-767-9800).

## Produce

While the East End Bazaar is not a farmers' market, we permit no more than two produce vendors at each week's market. Produce vendors must be actively involved in the production of their goods and are not permitted to re-sell produce grown by other farmers. Produce vendors must be approved by the Steering Committee in the same manner as artisan vendors, and registration and payment for produce vendors shall be handled in the same manner as for artisan vendors.

## Weather

The East End Bazaar will operate rain or shine, and vendors should plan accordingly. However, the Market Manager will have the authority to close the market in the case of severe weather. If the forecast is particularly threatening, the Market Manager may choose to cancel the Bazaar in advance, and will inform all participating vendors of the closure by 5:00 PM on the day before the market. In the case that the market is forced to close, vendors will not be given a refund of their stall fee, but will receive a waiver of the stall fee for a market day in the future, to be scheduled with the Market Manager.

## Smoking and Alcoholic Beverages at the Market

Neither vendors nor patrons may smoke on the market grounds. Vendors may not be under the influence of alcohol or illicit drugs during market hours, nor have any alcohol or illicit drugs on the market premises.

## Pets

Vendors and patrons are permitted to have personal pets on the property, assuming they are on leashes and in compliance with all applicable city and county ordinances.

## Meetings of the Steering Committee

The East End Bazaar Steering Committee will include at least two vendors. The Steering Committee will meet at a regular time. All vendors are welcome to attend these meetings. The first working agenda item at every meeting will be "Vendor Concerns."

## Grievances and Concerns

Should a vendor at the East End Bazaar feel their rights as a vendor have been violated in some way, or feel that another vendor, committee member, or someone else has acted outside of their authority with the East End Bazaar or in a way that harms the market as a whole, the following steps should be taken:

- 1) The grievance or concern should be put in writing and include a clear and specific description of the problem and the name(s) of the person(s) involved, a description of the ways in which the person has attempted to resolve the matter (if appropriate), and at least two courses of action that would satisfy the writer (if appropriate). These should include, but not be limited to:
  - i) Mediation between involved parties.
  - ii) Forming a committee to hear all sides of the issue and recommend action to the Steering Committee.
  - iii) Determine that the issue does not warrant formal steps to resolve it and should be handled through other channels.
  
- 2) Copies of this correspondence should be sent to the Chairperson of the Steering Committee, the Market Manager, and to all persons involved in the grievance or concern. This must be signed correspondence.

3) The Steering Committee has final authority in deciding the outcome of grievances.

### *Sub-Committees of the Steering Committee*

The Steering Committee will appoint committees as needed to handle the business and operation of the East End Bazaar. These committees will be chaired by a member of the Steering Committee. These committees may be standing (ongoing) or ad hoc (set up for a single purpose and disbanded when the task is done).

### *Vendor Image Usage*

By applying, vendors acknowledge that the East End Bazaar will have rights to all submitted images of their work, or to take photos of their wares for use in promotional materials. If a vendor has any issue with images of their work being used for promotional purposes, they should contact the Market Manager. Vendors' contact information will be considered confidential and will not be distributed without a vendor's prior consent.

### *Logo Use*

Approved vendors are permitted and encouraged to use the Bazaar's logo in promoting their involvement with the market. Any vendor that wishes to imprint their products with the East End Bazaar logo, however, should apply to the Steering Committee in writing for approval and conditions of use. The Committee will reply in writing within 30 days of application. Vendors selling logo items will pay East End Main Street a 15% royalty per item sold.

### *Liability*

During set-up and take-down, vendors are encouraged to take every precaution against injury, including using hand trucks whenever possible. Vendors are not covered for damages customers may claim from their products or business losses. EEMS cannot be held responsible for damage, loss, or theft of a vendor's work. Vendors are encouraged to carry appropriate insurance.

## Disclaimer

While this document is intended to be an exhaustive resource for vendors and patrons, EEMS does not guarantee the correctness and completeness of the information provided. All information is subject to change without notice. If you have questions or concerns about any policy or guideline, please contact us.

## Questions or Concerns

All questions and concerns outside of the issues addressed in this document can be directed to Bazaar Market Manager Ned Savage in the EEMS office at 304.767.9800 or [NSavage@CharlestonEastEnd.com](mailto:NSavage@CharlestonEastEnd.com).