

huttleston marketplace

141 Main Street, Fairhaven, MA, 02719

HuttlestonMarketplace@fairhaven-ma.gov or FairhavenTours@fairhaven-ma.gov
508-979-4085 Market Manager: Christopher Richard/Fairhaven Office of Tourism

NEW RULE ON PLASTIC BAGS & FOOD SERVICE ITEMS: READ RULES & GUIDELINES 2024 VENDOR APPLICATION FORM

Your name: _____

"Business Name" to be listed: _____

Address: _____

Email: _____

Facebook page or Instagram name: _____

Website or Etsy page: _____

Phone: _____

The Huttleston Marketplace does not accept consultants/representatives for commercial direct sales products.

If your booth requires electricity for food prep or other equipment, check here: _____

Description of products sold: _____

NOTE: The marketplace may limit the number of vendors selling similar products on the same date.

FEES

Frequency: **Week**, \$25/week ____ **Full Season**, \$200, due in advance* ____ **Half Season**,** \$150, due in advance ____

*Full season may split payment \$100/\$100 **Half season = 9 to 10 weeks

Food vendors may be required to pay a permit fee to the Fairhaven Board of Health (see Rules & Guidelines).

Fees are not refundable. In the event the Marketplace itself cancels due to weather, an attempt will be made to let vendors choose another date, space permitting.

CIRCLE THE DATES LISTED BELOW when you wish to participate. You may sign up for any number of Saturdays during the season. Because of the size and popularity of the market, you might not be able to add additional dates later. Dates will be filled based on the order that application forms are received. **THERE WILL BE NO WAITING LISTS ONCE DATES.**

Dates for 2024: May 18 25 June 1* 8 15 22 ~~NO JUNE 29~~ July 6* 13 20 27

August 3* 10 17 24 31 Sept. 7* 14 21 28

***June 1, July 6, August 3, and September 7 will feature special Kids Day activities and entertainment.**

PAYMENTS: Booth space must be paid for in advance with checks payable to "Town of Fairhaven." Payments may be mailed or dropped off at Fairhaven Office of Tourism, 141 Main Street, Fairhaven, MA 02719.

I have read and agree to abide by the marketplace rules: _____

Signature

The Huttleston Marketplace is operated by the Town of Fairhaven, MA, Office of Tourism.

GUIDELINES & RULES

Please read all rules and guidelines carefully.

The following guidelines must be followed for the categories of items sold. If there are any questions about what can or cannot be sold or any other guidelines, please call the Office of Tourism at 508-979-4085 or email HuttlestonMarketplace@fairhaven-ma.gov.

NEW RULE ON PLASTIC BAGS & FOOD SERVICE ITEMS

Beginning in 2024, no vendors may use thin-film single use plastic bags to give merchandise to customers, except to contain produce. You may only use recyclable paper bags or heavier reusable checkout bags.

No vendors can give food to customers in expanded polystyrene (foam) disposable food service ware—cups, plates, clamshell containers, etc.

No vendors of food or beverages may automatically provide customers with single-use plastic straws, stirrers, splash sticks, or knives, forks, and spoons. They may only be provided if requested. These items may be displayed for customers to take themselves.

These rules do not apply to plastic wrap, thin plastic bags for produce, clear plastic food containers, and food or products prepared or packaged outside of Fairhaven to be given to customers in Fairhaven.

GENERAL RULES

Days: The Huttleston Marketplace is held **Saturdays** from late May through the last Saturday in September, except for the last Saturday in June.

Weather: This is an outdoor marketplace and is held **rain or shine**. Vendors shall decide individually whether or not they wish to set up in the event of rain. There is no penalty for absence on a rainy day. The market may be canceled if extreme weather is forecast.

Fees: Fees for space must be paid in advance. Fees are not refundable. In the event the Marketplace itself cancels due to weather, an attempt will be made to let vendors choose another date, space permitting.

Attendance: You must give advance notice by email or phone if you cannot attend on one of your chosen dates. **Failure to attend without advance notice or multiple non-weather absences may result in the cancellation of your remaining dates.**

Booth Space: Booth spaces are about 11'x11' to accommodate a 10'x10' canopy. Vendors must supply their own tables, chairs, canopies, tents or umbrellas. A map and booth numbers will be emailed to vendors each week.

Canopy weights and stakes: **All pop-up style canopies, umbrellas, or tents MUST be weighted AND staked on all four legs.** This is not either/or. You need a long stake at the bottom of each leg (or ropes with long stakes) AND a weight on each leg, either at the bottom or hanging.

Weights may be commercially made bags filled with sand or stones, commercially made slotted weights that slip on the bottom of the leg, or homemade weights such as hanging jugs or buckets of water or sand, concrete blocks secured to the legs, etc.

Canopies will be inspected as you set up, and if they are not weighted you will be asked to take down the canopy or to leave. (You will have the option to stay without your canopy.)

That said, canopies are not required. On days when wind gusts are likely, you might consider not using your canopy.

Set Up and Take Down: The Marketplace is open to the public from 10:00 a.m. until 3:00 p.m. Set up may begin after 7:30 a.m. and should be complete by 9:45 a.m. **Booths must remain up until 3:00 p.m.**

Parking: Vendors may park in the lot close to the marketplace or in the front driveway of Fairhaven High School to unload, **but should then move their vehicles further away for the day** in order to allow the public to park in the near lot.

The Huttleston Marketplace does not accept vendors who are agents, representatives, or consultants for commercially produced, direct sales/multi-level marketing products (such as Papparazzi, Young Living, Tupperware, LuLaRoe, Tastefully Simple, etc.)

General guidelines for all vendors: Location of booth space is at the discretion of the Office of Tourism. Vendors may be in different locations from week to week. (In certain cases, special needs will be accommodated.) Booths should be set up before the opening time and should be kept up until the closing time. Each booth should be staffed by at least one person, except for brief periods of time needed for bathroom breaks, etc. **All items to be sold should be priced clearly** with a sticker or attached tag, or in the case of multiple items being sold at the same price, with a sign. Vendors should comply with local, state, and federal laws and regulations.

Smoking and/or consumption of alcoholic beverages is not allowed anywhere on the property.

Failure to abide by these guidelines or in the additional guideline list below may result in being asked to remove products from the booth or being asked to close the booth entirely. Repeat offenders will not be allowed to set up at the marketplace in the future. There is limited availability of electricity, with first priority provided to food vendors needing to use heating or cooling equipment.

Liability/Responsibility: Vendors are responsible for the security of their booths, products and equipment. The Town of Fairhaven shall not be liable for theft or damage to vendors' property. Vendors are responsible for the collection of sales tax as required by the MA Department of Revenue. (Note: Exempt from MA sales tax are sales of **food for human consumption** (other than meals sold by a restaurant) and **clothing costing \$175 or less**. For clothing items that cost more than \$175, sales tax is only due on the amount over \$175 per item.)

RULES FOR SPECIFIC PRODUCTS & "FARMERS MARKET" GOODS

The Huttleston Marketplace does not accept consultants/representatives for commercial direct sales products.

ARTS & CRAFTS must be handmade, assembled, or decorated in New England by the vendors themselves with the exception of photographic or art prints which should be the work of local artists but may be printed outside of New England. Artists and photographers may sell prints, cards, calendars, books, etc. that feature their own work. Works from more than one artist or craftsperson may be mixed in a booth. See additional note at "CLOTHING."

All art, images, logos, photos or other graphics appearing on crafted pieces (signs, plaques, glasses, mugs, clothing items, etc.) **must be original work created by the vendors or by artists commissioned by the vendors**. This means that "clip art" or premade designs used for digital cutters such as Cricut or embroidery machines are no longer allowed. Vendors must use original art.

EXCEPTIONS: The following graphics are allowable in the creation of crafted items

- Images appearing on fabrics, ribbons, notions, etc. that are used to create other products
- Officially licensed charms or other parts used for assembling jewelry, keychains, etc.
- Stencils used to hand apply images with paint on another media such as wood or fabric
- Found printed materials used to create original collages
- Official logos for local schools or local non-profit organizations
- Images of flags (US, Pride, pirate, etc.) applied to another media, such as wooden plaques

To put it simply, using commercially produced digital graphics to automatically reproduce images with a machine is no longer acceptable at the Huttleston Marketplace. However, using a machine to reproduce your own original art is allowable.

If you have questions about specific items, ask first.

CLOTHING must be New England made (sewn, knitted, crocheted, woven) or be locally decorated (painted, embroidered, appliqued, beaded, tie dyed, etc.) OR may be imprinted or embroidered with **an original design that is**

the work of the seller or relates to a southeastern Massachusetts community (T-shirts, sweatshirts, caps, etc.) Vendors will be asked to stop selling clothing that does not meet these requirements. See the rule above regarding original graphic images.

LIMITED ALLOWABLE COMMERCIAL ITEMS may be added in lesser amounts if items are compatible with the handmade items in a booth. For example, a vendor who sells pet treats that they make as their primary product, may add a small number of other pet accessories from reputable dealers. The items produced by the vendors themselves must make up the larger percentage of products being sold.

LOCAL AUTHORS may sell new books that they have written and more than one local author may share a booth.

ANTIQUES (50+ years old) and VINTAGE COLLECTIBLES (25+ years old) should have value to a collector and should not be common used items of the flea market or garage sale nature. Items are not allowed if they can be currently purchased at gift shops or department stores, or are currently manufactured as “collectors’ items.” Items should not be severely damaged or dirty. Old wood should be free of wood boring insects. Mechanical or electrical items that do not operate properly must be so noted on a label or tag. **No reproductions, counterfeit, bootleg, or “knock-off” items allowed.** Antiques/collectibles booths may sell used books and magazines.

GENERAL FOOD VENDORS are allowed as follows: fresh farm produce (see specific farm vendor guidelines below), food products produced locally by the vendor, baked goods, ready-to-eat food including food cooked or heated onsite.

Fresh, whole, raw, uncut produce that is locally grown may be sold without a food vendor permit. Sale of prepared or packaged foods may or may not require a permit from the Fairhaven Board of Health. **Except for fresh, whole, raw, uncut produce, food vendors must check in advance with the Town’s Health Agent** by calling 508-979-4023, Ext. 8130, emailing jdossantos@fairhaven-ma.gov, or by visiting Fairhaven Town Hall. A Health Inspector will be on site at set-up time.

Commercial food vendors and food trucks are responsible for their food permit fees, paid to the Board of Health. The Fairhaven Board of Health charges no fee for food permits for **NON-PROFIT groups** with a Federal ID number.

PROPANE: The Fairhaven Fire Department requires a (free) permit in advance for the use of propane for cooking at a public event. A fire inspector will check the hook-up on the morning of the marketplace. Contact the Fire Department at 508-994-1428.

ELECTRICITY is available on a limited basis for those who require it for heating or refrigeration.

Commercially manufactured food products, herbs, teas, etc., that are not packaged or prepared in Southeastern Massachusetts or nearby Rhode Island are not allowed. Please check with the Office of Tourism about any products that you have questions about. There is limited availability of electricity for food preparation that requires heating or cooling. Vendors must specify in advance if they will need electricity.

The following section applies to farmers selling fresh, local produce and related farm products.

FARMERS, whether or not certified by the Massachusetts Department of Agricultural Resources, must abide by the rules listed below. All farmers are encouraged to become certified by MDAR so they may accept Farmers Market Nutrition Program coupons from qualifying customers. For information about becoming certified to participate in the program, call or email Rebecca Davidson, Program Coordinator, Division of Agricultural Markets, MDAR, Phone: 617-626-1744, Cell: 857-202-7699, Email: rebecca.davidson@state.ma.us.

FARM PRODUCTS SOLD:

- A. Farmers must sell **locally grown items** (as defined below) and/or products from their own farms.
- B. Farmers may also sell items **locally produced by other supply farmers** on a cooperative or consignment basis.

LOCALLY GROWN: Produce sold at the Huttleston Marketplace **must be grown within Massachusetts or in states that border Massachusetts** (these are limited to New York, Vermont, New Hampshire, Rhode Island and Connecticut). With no exceptions shall produce grown elsewhere be considered to be locally grown. Produce must be clearly labeled as to origin. If vendors are selling produce that is not from their own farms, that produce must be marked or labeled as to its source. **WIC and Seniors coupon programs only allow locally grown produce sold by authorized farmers.**

PRICES, QUALITY, SIGNS:

- A. Farmers **must post prices for all items** on sale at all times. Prices must be prominently displayed on signs that are easily seen and read by customers.
- B. Products offered for sale, which are not of the highest quality, must be posted as such (e.g. "seconds").
- C. Massachusetts certified farmers participating in WIC and Senior coupon programs must **post a sign (to be supplied by the MDAR) stating that farmers' market coupons are accepted.**
- D. Farmers selling the produce of other local supply farmers **must label the farm of origin** of those items.
- E. Vendors should comply with local, state, and federal laws and regulations.

ACCEPTING FARMERS MARKET COUPONS: Farmers accepting WIC and Seniors FMNP coupons **must present the Huttleston Marketplace with proof that they are certified to do so** by the Massachusetts Department of Agricultural Resources.

OTHER FARM PRODUCTS: Prepared food products other than whole, uncut vegetables and fruit may require a food handling permit from the Fairhaven Board of Health. See FOOD VENDORS information elsewhere in this application.

UPDATED: 12/14/2023