

LEGAL JUNK

Please read this completely before applying.

SUBMITTING AN APPLICATION IMPLIES YOU AGREE TO ALL TERMS & CONDITIONS OUTLINED BELOW. EMAIL RAREFORMMARKETS@GMAIL.COM IF YOU HAVE ANY QUESTIONS. YOU WILL BE EMAILED A COPY OF THIS AGREEMENT WHEN YOU RECEIVE YOUR ACCEPTANCE NOTIFICATION FOR THE EVENT.

DATES + TIMES:

Rare Form Markets + Music and QUARTZ + COAL, LLC are excited to announce the following seasonal markets taking place in Morgantown, WV:

- Saturday, March 25, 2023 at the Mon. Co. Center from 10am-4pm
- Saturday, June 10, 2023 at the Mon. Co. Center from 10am-4pm
- Saturday, October 28, 2023 at the Mon. Co. Center from 10am-4pm
- Saturday, December 2, 2023 at the Hazel & JW Ruby Community Center at Mylan Park from 10am-4pm

VENUE DETAILS:

The Mon. Co. Center is located at 270 Mylan Park Lane, Morgantown, WV 26501. This facility offers an indoor showroom and an outdoor showering with a combined square footage of 19,260. There is limited access to electrical outlets and indoor restrooms.

The Hazel & JW Ruby Community Center at Mylan Park is located at 111 Mylan Park Lane, Morgantown, WV 26501. This large facility offers an indoor event space with indoor restrooms.

VENDOR GUIDELINES:

These events are exclusively for small business owners—artisans, makers, and designers who sell their own products or offer services like photography, equipment rentals or seasonal items.

Food & drink vendors are also encouraged to apply for these family friendly events. Alcohol is not permitted to be sold in open containers; however, bottled and sealed containers are allowed. Beer breweries may offer growlers and refills on tap, but no alcoholic beverages can be consumed on the premises during the events.

This event is NOT accepting applications from MLM vendors who sell direct sales merchandise like Avon, Pampered Chef, Health/Wellness supplements, DoTerra, Color Street, etc. and other manufactured products at this time.

All information collected in the application is kept confidential unless otherwise noted for marketing purposes.

Vendors are responsible for all business licenses and permits required by local, state and federal agencies including proper collection of taxes and other fees for their business operations at the event. Event and/or business insurance is also strongly recommended.

There is limited access to electricity for vendors who need it.

APPLICATION DATES + FEES:

A non-refundable application fee of \$25 is required for each market. This fee covers administrative costs associated with planning and promoting the event such as creating vendor listings on the event website, designing social media graphics and communicating with vendors leading up to the event.

Applicants receive an acceptance email once their application has been processed and approved. The acceptance email includes a link for the booth fee to secure your spot. Application and booth fees are due prior to the deadline before vendors are included on any promotional materials.

The applications and payments are due before the following dates for each event:

- Saturday, March 25, 2023 for the Spring Fling Market
- Saturday, June 10, 2023 for the Summer Shindig Market
- Saturday, October 28, 2023 for the Fall Festival Market
- Saturday, December 2, 2023 for the Winter Wonderland Market

If payment is not received by the deadline, your spot will be offered to another vendor on the waiting list. After all spots are filled, there will be 3-5 alternates notified in case someone has to cancel.

There are 2 space options available for your specific business needs. 10'x10' spots are \$150 and 10'x20' spots are \$300. Some spots offer access to electrical outlets.

A limited number of 8' tables are available at the Mon. Co. Center facility, and they will be assigned to vendors in the order their applications are received. Tables are available for all vendors at the Community Center. If you prefer a different size table, you are permitted to bring your own display pieces as long as they fit within your allotted space.

RESTROOMS:

Both facilities offer indoor restroom facilities on the premises. If a vendor has a medical or personal reason, and access to the restroom is needed, please include this request for this accommodation on the application to be factored into space assignments for setup.

SET-UP + VENDOR RESPONSIBILITIES:

Early set-up is available at the Mon. Co. Center inside the Showroom. Set-up for large items is permitted outside at the Showring; however, there are no secured entryways to guarantee your property will be protected. The facility does not have after hours security on site to monitor the area after hours.

Set-up the morning of the event begins 3 hours prior to the event start time at 7am. Please plan accordingly to ensure shoppers have complete access to your booth when the event begins. Additional details will be sent via email the week of the event.

Take down begins at the stated end time for each event. Early dismissal for sold out vendors may be permitted on a case by case basis as long as it doesn't disrupt the business of the other vendors.

Please be courteous and respectful of others. There will be multiple trash cans and extra trash bags available if you need one. Vendors who leave trash or personal items behind will not be considered for future events. Take responsibility for your actions and keep your space clean.

Vendors are responsible for all personal property brought to the events. Vendors are responsible for all trash, including cardboard boxes and small items like zip ties, tape and food or drinks, as well as, the space directly surrounding their booth to ensure no litter or property damage is caused by neglected trash or personal property.

All garbage must be put in trash bags and full trash bags and large items must be put in the dumpster by the facility. Items left in any vendor's designated areas will result in a clean up fee.

The venue and the event host, QUARTZ and COAL, LLC are not liable or responsible for any loss, damage, injury or illness that could occur at the event.

Vendors are encouraged to prepare for all weather possibilities including rain, snow, wind and other temperate factors that may impact their booth set-up, their products, and their personal property.

If you're bringing your own tent to separate your booth, even under the pavilion, please bring your own weights to secure your tent and any hanging signage. Side panels are also recommended.

Smoking is not permitted at or around the pavilion. There are designated smoking areas safely distanced away from the facilities. Cigarettes should be disposed of properly to prevent fires, eliminate litter and maintain the condition of the facility.

If you are using table(s) and/or chair(s) from the venue, you accept responsibility for any damage and all associated costs for replacing them.

COVID POLICY:

QUARTZ and COAL, LLC and the venues for Rare Form Markets + Music events comply with all local, state and federal mandates and CDC guidelines regarding masks, social distancing and health care recommendations. Masks are encouraged, but not required for vendors or guests unless noted at the facility.

There is hand sanitizer provided in multiple locations for all vendors and guests.

Please respect others personal space and stay in your booth during event hours to ensure your own safety and security. Vendors are free to access restroom facilities, shop and purchase food and drinks; however, soliciting sales from other vendors without their permission is strongly discouraged and will be factored into the decision to include your business in future events.

EVENT CANCELLATION AND REFUND POLICY:

This event is being planned to create positive opportunities and outcomes for local small businesses, artisans, makers, and designers, the venue and the host.

All efforts will be made to avoid the need to cancel the event at a later date. If the event must be canceled due to uncontrollable circumstances, or it is decided to be in the best interest and safety of any and all persons who may be in attendance including but are not limited to: extreme weather conditions, local, state, or national pandemic guidelines, gas leaks, water and/or power outages, local public health emergencies, and venue closure all vendors forfeit their booth fees.

If any vendors are faced with a situation that requires them to cancel their participation in the event, the vendor forfeits their vendor fee and their space at the event. Vendors are not permitted to sell or trade their space with another small business owner.

Due to the outdoor nature of these events and all efforts being made to promote these events, a second date will not be set in the event of a cancellation.

EVENT INSURANCE:

These venues require the host of the event (QUARTZ and COAL, LLC) to obtain event insurance.

All vendors are encouraged to purchase their own event insurance. Please let me know if you would like additional information about event insurance.

Please direct all questions about this event, the application and anything not covered in the application questions to Nicole Colton by emailing her at nicole@quartzandcoal.com or rareformmarkets@gmail.com and you will receive a response within 2-3 business days.

FOOD + DRINK VENDORS:

All vendors serving food and beverages for sale at the event or providing meals to the vendors are required to adhere to all local, state and federal safety guidelines. Food handlers licenses, WVDA permits and other requirements must be submitted and readily available in case an inspector attends the event.

PHYSICAL + VERBAL CONFRONTATION

QUARTZ and COAL, LLC has a zero tolerance policy for any and all physical or verbal confrontations, including but not limited to hate speech, bullying, arguing, harassment, name calling, yelling, derogatory and explicit language, physical contact, violence, use of a weapon, or destruction of property.

Merchandise displaying content that is vulgar, violent, abusive or in violation of this policy and people's basic human rights is not permitted at these events. This is a family friendly event. The use of hateful or judgemental language and any offensive political merchandise is not permitted at these events.

Vendors who violate this policy will be asked to leave, and they will not be considered for future events. The safety of all vendors, shoppers and facility staff is our top priority. We want these events to be a joyful experience in a neutral, kind, community oriented environment.

All issues related to matters covered by this policy should be immediately brought to the organizer's attention so they can handle the situation and dismiss anyone who has breached this contract.

WAIVER OF LIABILITY AND HOLD HARMLESS AGREEMENT

BUSINESS NAME: _____

(Hereinafter referred to as "Maker", being provided selling space at Rare Form Markets + Music Events at the Mon. Co. Center and the Hazel & JW Ruby Community Center at Mylan Park, agrees to the following terms and conditions:

DEFINITIONS:

1. Rare Form Markets + Music Events shall mean the market as an entity, its officers, agents, volunteers.
2. "Maker" shall mean any crafter, vendor, participant, volunteer or entity at Rare Form Markets + Music Events; maker's employees, agents, or volunteers, including family members; and its heirs and assigns.
3. Rare Form Markets + Music Events shall mean any market hosted by the QUARTZ and COAL, LLC in the year 2023.

INDEMNIFICATION:

Maker shall indemnify and hold harmless, Rare Form Markets + Music Events, its offices, agents and volunteers from and against any and all loss, damages, liability, claims, suits, costs, and expenses whatsoever, including reasonable attorney's fees, regardless of the merit or outcome of any matter connected to any act or omissions in going to, coming from, or performing services, work or activities at or in relation to Rare Form Markets + Music Events.

RELEASE:

Maker hereby waives, releases, and discharges any and all claims for damages for any accident, personal injury, death, or property damage which it may have or which may hereafter accrue as a result of its activity at Rare Form Markets + Music Events.

MARKET SAFETY REQUIREMENTS:

Maker hereby assumes liability and financial responsibility for any accident, injury to property damage resulting from failure to comply with Rare Form Markets + Music Events rules, specifically health and safety regulations.

INSURANCE:

I understand that Rare Form Markets + Music Events and QUARTZ and COAL, LLC does not provide any insurance coverage for vendor participants for any circumstances arising from their participation in this event or any activity associated with or facilitating the participation. As such, I am aware that I should review my own insurance portfolio.

I HEREBY STATE THAT I HAVE READ, UNDERSTAND, AND AGREE TO FOLLOW THE ABOVE PROCEDURES AS OUTLINED IN THIS COPY OF RARE FORM MARKETS + MUSIC EVENTS WAIVER OF LIABILITY AND HOLD HARMLESS AGREEMENT.

IN WITNESS THEREOF, this Agreement is executed this _____ day of _____, 2023.

Name of Business: _____

Signature: _____