

2026 Pendleton Station Market

Terms:

1. Permit is valid for the market year issued.
2. Failure to comply with rules and regulations listed in this application may result in cancellation of market agreement with vendor and removal of vendor from the market venue.
3. The undersigned further certifies that he/she is the responsible person and he/she is authorized to (1) Execute on behalf of the above company and (2) Accept legal process on behalf of the above business.
4. The undersigned also agrees to indemnify and hold harmless the Pendleton Station Market, Town of Pendleton, Town of Pendleton employees and elected officials, and market organizers it's heirs and assigns, from and against any and all liability, damage, expense, cause of action, suits, claims, penalties and/or judgments arising from injury to person sustained by anyone as a result of consuming any food or drink acquired from me, use of any item purchased from me, or from any negligent action on my part.
5. Vendors are responsible for all monies collected and applicable taxes from the sale of their goods. The Pendleton Station Market, Town of Pendleton, and market organizers are in no way responsible for any lost, damaged or stolen monies or items.
6. Insurance Requirements: All vendors must provide the following proof of insurance requirements and name the Town as both the Certificate Holder and must name the Town of Pendleton as additionally insured.
 - a) General Liability: The policy will include coverage for bodily injury, property damage, personal injury, advertising injury, contractual liability, products/completed operations. This insurance will be primary and noncontributory. Per Occurrence Limit: \$1,000,000.00
 - b) Automotive Liability: The policy will include coverage for all vehicles used on Town of Pendleton property that are owned, hired, non-hired, non-owned and borrowed by the Vendor. This coverage will be primary.

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Rules and Regulations

General Rules

- Market hours are from 9 am - 1 pm. All market vendors are expected to be set up and ready to go by 9 am and expected to remain until 1 pm. Vendors who leave early or arrive late may be subject to permit being revoked or suspended (unless cleared with Market Director).
- A minimum of 50% of products being sold at the market must be produced within the Western New York area.
- Market Director holds the authority to decline vendor enrollment at their discretion in the instance of duplicate vendors for the same market date. Enrollment will be approved based on a first-come, first-served basis.
- There will be hours allotted for setup and cleanup before and after market hours.
- Vendor location/placement, within the market, is not guaranteed each market date. Space is assigned on a first come, first served basis that day.
- Market space is located inside the Pendleton Community Center.
- Vendors are responsible for staffing their space during market hours.
- Vendors are encouraged to use tents, shades or approved cover in if setting up outside, but they are not required. If used, acceptable ballast is required to secure the structure in the event of high wind/wind gusts.
- The market organizers and the Town of Pendleton will not be responsible for any damaged or stolen products belonging to the vendor. All business owners must be responsible for the safety and security of their manned station and the products being sold.
- Vendors are expected to treat consumers in a kind and courteous manner. Absolutely NO DISCRIMINATION will be tolerated or permitted within the Pendleton Station Market.
- Vendors are encouraged to have a sign showing their business name, and all products should be clearly labeled and clearly priced. If priced by size or weight, ensure that it is clearly displayed somewhere in the design space.
- Sales Tax - All vendors selling taxable items are responsible for having a valid NYS Certificate of Authority on-hand during market hours and are solely responsible for collecting and paying said sales tax.
- **Proof of Insurance** - All vendors are responsible for providing proof of insurance, meeting listed limits, at time of submitting application.
- **Nursery License** - Vendors selling nursery and greenhouse crops are responsible for having a valid NYS Nursery License on hand during Market hours.
- **Prepared Food Guidelines** - Vendors selling hot, cold, processed or other perishable items shall do so in compliance with requirements set forth by the Niagara County Health Department and permits or compliance paperwork on hand during Market hours in case of inspection.

2026 Pendleton Station Market

- **Alcohol Vendors** - All breweries, wineries, distilleries and liquor companies providing samples, tastings or selling their products at the market, will comply with NYS rules and regulations and have appropriate licensing, on hand and conspicuously displayed, during market hours.
- Smoking and vaping within market grounds is strictly prohibited.
- Dogs must be kept on leash and waste must be disposed of in proper containers. They must not be close to vendors with food products and must remain outdoors. (With the exception of Service Animals)
- Outside solicitation (political, religious, etc.) is prohibited on market grounds.
- All trash must be disposed of within appropriate receptacles.

Market Vendors

- All vendors are responsible to make sure their employees know, understand and comply with the Market rules and regulations.
- All vendors and their employees shall maintain their stalls, tents and other areas of the Market in clean, orderly, and sanitary condition.
- All vendors and their employees shall respect all market personnel and property.
- Any vendor that violates any rule listed in this document is subject to a suspension of their permit privileges until their case can be reviewed by the town board.
- Vendors will keep their market space free from clutter and garbage during the market hours and will clean up their designated space and the space immediately in their surrounding areas at the end of the market day. All garbage must be bagged up and brought to the designated cans around the Market area. In the event the vendor's space was not cleaned after a market day, any accrued cleaning costs will be applied to the vendor.
- No one will be permitted to sell at the market unless they have an approved application and have fulfilled all requirements (i.e. applications, licenses, certificates and fees). You cannot designate your space to anyone but your business unless consulted with the Market organizers.
- All State, County, Town and Federal laws and regulations must be followed and is the responsibility of the vendor to ensure they are in compliance.

Food Trucks

- Food Trucks are permitted on Market grounds and will be required to abide by the same rules and regulations as all other Market Vendors.
- There will be a designated Food Truck area.
- Food Truck vendors may request a non-food truck location if space is available.