

CAESAR CREEK FLEA MARKET

7763 St. Rt. 73W Wilmington, OH 45177

(937)382-1660 Market Office

THE EMPIRE OF SAVINGS! - AT THE INTERSECTION OF I-71 AND STATE ROUTE 73

VENDOR RATES AND RULES - OUTDOORS

Revised April 2016

The following rules are intended to standardize operations and to benefit each vendor at Caesar Creek Flea Market. Vendors will be notified of any changes or additions to these rules. Your cooperation is needed and will be appreciated in helping to make Caesar Creek Flea Market the finest market in the Midwest.

BOOTH RATES:

<i>Location of Space</i>	<i>Size</i>	<i>Saturday/ Space</i>	<i>Sunday/ Space</i>	<i>Reservation Fee</i>
Near building entry doors	10x20	\$19.00	\$19.00	\$5/ wk
Blacktop Space	12x14	\$19.00	\$19.00	\$5/ wk
Between Shelter Space	10x14	\$19.00	\$19.00	\$5/ wk
Covered Shelter Space	10x14	\$23.00	\$23.00	\$5/ wk

- Terms: Cash only – no checks.
- Outdoor spaces may be reserved in advance or rented on a first come first served basis.
- There is a \$5.00/day surcharge on all candy and gum sales. If over half the booth is candy- then the surcharge is \$10/day.
- The charge for selling puppies and/or exotic birds is \$50.00 per day. (See the section below on “Pet Sales”.)
- Each outdoor space has a parking space behind it. If you choose to use your parking space as a selling space the charge is \$16.00 per day, per space.

BUSINESS HOURS: The Market is open to the public from 9:00 AM until 5:00 PM Saturday and Sunday YEAR ROUND, with the following exceptions:

- If Christmas falls on a Saturday, the Market will be open for shoppers on Friday, December 24 from 9:00 AM to 4:00 PM and Sunday, December 26 from 9:00 AM to 5:00 PM.
- If Christmas falls on a Sunday, the Market will be open for shoppers on Friday, December 23 from 9:00 AM to 5:00 PM and Saturday, December 24 from 9:00 AM to 4:00 PM.
- If New Year’s Day falls on a Saturday or Sunday, we will be open for shoppers that day from 10:00 AM to 5:00 PM.
- Regular rental rates will still apply for changed or reduced hours.
- If any other Holidays fall on the weekend, we will be open our regular hours of 9:00 AM to 5:00 PM.

The Market office is open:

- Saturday and Sunday..... 8:00 AM to 5:00 PM.
- Monday, Tuesday, Thursday, and Friday*.....9:00 AM to 5:00 PM.

(for vendors who wish to make inquiries, rent a space, pay rent, set-up, tear-down, and booth maintenance.)
*If a Holiday falls during the week, please see the office for any revised weekday hours.

The Market and Market office are closed on Wednesday. For the safety and security of everyone, no vendors are permitted on the property at all on Wednesdays.

OUTDOOR SET-UP: Unreserved outside spaces are available first come, first served. Vendors may set-up on any space that is not marked “Reserved” or does not already have merchandise on the space. A Rent Associate will come to the space to collect the rent for that day and will issue a receipt. Vendors must keep the receipt as proof of payment. Any vendor that can not produce a receipt for payment will be assumed to have not paid. Vendors must pay the rent promptly when the Rent Associate comes by to collect. No Excuses. Anyone that does not pay promptly will not be permitted to do business at Caesar Creek Flea Market.

The earliest you may set up is Friday after 9 AM. When setting up please secure your merchandise. The market is not responsible for stolen or damaged property.

Vendors may not move another vendors’ set-up under any circumstances. If you feel a set-up needs to be moved, please contact the market office. Anyone that moves another vendors’ set-up may be asked to leave for the day.

Please hang on to your receipt.

RESERVATIONS: In order to make reserving outdoor spaces easy, we offer space reservations for only \$5 per space. Pay the \$5 and your space will be reserved for you until 9 am Saturday and Sunday. Your normal space rent will then be paid each morning when the rent collector comes around. In this way you can ensure that you will have

your favorite selling spot with a minimal risk of losing out because of poor weather or other reasons because you will only be paying the \$5 reserve fee up front.

If you reserve a space you will have the first rights to reserve it for the following week until the close of business on Sunday. If no one is currently reserving a space it is available for anyone to reserve for future weeks on a first come first served basis. Check at the office for availability. The cut-off for reservations for the following weekend is Tuesday at 5:00 PM.

On Saturday and Sunday vendors have until 9:00 am to set up on their reserved spaces. If a vendor is not set-up on their reserved space by 9:00 AM, that space becomes available to any other vendor for the day. Vendors with reservations that show up after 9 AM and their space is occupied by another vendor, may set up in any other available booth for the day. Any space rent payments they have made in advance will be applied toward that booth.

Anyone reserving under the shelters and leaving items on the spaces all week (tables, merchandise, shelving, trailers, storage containers, vehicles, etc.) must pay rent and reservation fee at least 1 week in advance. The only exception is vendors who also maintain an indoor space and authorize the outdoor rent to be added to their indoor bill and pay in the office. Merchandise left on a reserved shelter space must be neatly secured for the following weekend.

Absolutely NO items may be left on blacktop areas after Sunday night. Any item(s) left on blacktop areas as of Monday morning are assumed to be abandoned, will be disposed of immediately, and are subject to a fine.

All vendors please keep your payment receipt for the day! If you cannot produce it when asked you will have to pay again. No excuses.

PET SALES: You must make arrangements in the market office to sell puppies/dogs. All puppy/dog sellers must have a permit issued by the market. The permit must be prominently displayed where the puppies/dogs are being sold. The charge for selling puppies/dogs is \$50.00 per day, plus normal rent for space taken beyond 10' x 12'. All puppies must be at least 8 weeks old, have their first round of shots and have a health certificate from a licensed veterinarian. The seller must give each buyer their name, address, phone number, a written warranty (good for a minimum of 2 weeks) and copies of the shot records and health inspection. All puppy/dog sales arrangements and payments must be made at the market office prior to setting up. A driver's license, state I.D. card, military I.D., or other comparable form of identification is required.

The charge for selling exotic birds is \$50.00 per day, plus normal rent for space taken beyond 10' x 12'.

No animals may be given away free. Permission from the office is required to sell any animals.

Any animal sold must stay with the selling vendor until the buyer is ready to leave the market.

GUNS: Gun and ammo sellers at Caesar Creek Flea Market must observe the following rules:

- All guns must be unloaded, tied, and the magazines removed.
- All ammo must be in sealed containers.
- No loaded magazines allowed.
- You must demand proper ID on all firearm sales. 21 to buy handguns, 18 to buy long guns.
- You may buy, sell, or trade only with residents of this state unless the individual is a licensed FFL dealer.
- No straw purchases.
- It is a violation of federal law to sell or otherwise dispose of any firearm or ammunition to a person you know or have reasonable cause to believe – is under indictment for a crime punishable by imprisonment for a term exceeding one year (felony), has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year (felony), is a fugitive from justice, is an unlawful user of or addicted to any controlled substance, has been adjudicated as a mental defective, has been committed to any mental institution, who, being and alien, is illegally or unlawfully in the United states, or has been admitted to the United states under a nonimmigrant visa, has been discharged from the armed forces under dishonorable circumstances, who, having been a citizen of the United States has renounced his citizenship, is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, has been convicted in a court of a misdemeanor crime of domestic violence.
- It is a violation of federal law to transfer, sell, trade, give, or deliver any firearm to a person you know or have reasonable cause to believe does not reside in the state in which you reside.
- It is a violation of federal law to engage in the business of dealing on firearms without a federal firearms license: You are considered to be engaging in the business of dealing in firearms if you devote time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. You are not considered to be engaging in the business of dealing in firearms if you make occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or if you sell all or part of your personal collection of firearms.

VEHICLE / POD / SHED STORAGE: There is no charge for vendor's vehicles or trailers left on market property from Friday night through Sunday.

There is a storage fee of \$15.00 per week for pods, storage sheds, vehicles or trailers left on the premises during the week, and are restricted to vendors with a permanent indoor booth space or outdoor vendors that regularly reserve in advance. Arrangements must be made in the office and permission granted before any of the above items may be stored on the property. The vendor must provide make, model, and plate number for all vehicles. Unauthorized vehicles or other items will be removed at the owners' expense. Be sure to check with market management as to

where the stored vehicle must be parked. Be sure to see the section below titled "DELINQUENT ACCOUNTS" as it refers to items stored on market property.

Anything stored on market property must be kept neat and orderly at all times. Nothing may be stored or mounted on top of any storage unit, including signs and /or fixtures. Nothing may be stored on the ground outside storage units. Stored vehicles must have current license plates and all tires must be in good repair.

ALL VENDORS MUST OBSERVE MARKET OPENING AND CLOSING TIMES: We advertise the hours that the market is open to the public. It is therefore necessary that you are set up and open for business by 9:00 AM and that you remain open until 5:00 PM on the days the market is open to the public. Any reserved spaces that are not occupied by 9:00 AM will be rented to another vendor for that day.

AISLE SPACE: RENTAL PAYMENTS COVER ALL MERCHANDISE DISPLAYED WITH-IN THE DESIGNATED AREA OF THE BOOTH. In order to maintain good customer flow and an attractive selling environment, as well as to comply with safety requirements from the fire department, no merchandise, signs, or other displays are permitted beyond this boundary.

SUBLETTING: No vendor may sublet their space to another vendor, nor transfer or "sell" the space to another vendor when leaving the market.

PAYMENT: CASH ONLY IS ACCEPTED FOR OUTDOOR RENT TRANSACTIONS UNLESS PAID IN ADVANCE IN THE OFFICE. In the office we also accept credit/debit cards. There is a 2% processing fee for Visa, MasterCard, Discover payments with a \$3 minimum; 3% for American Express with a \$3.00 minimum. NO CHECKS ARE ACCEPTED FOR OUTDOOR TRANSACTIONS.

DELINQUENT ACCOUNTS: Rental payments must be made on a timely basis for vendors to sell at the market. If rent is not paid on a timely basis, the vendor will not be permitted to continue doing business at the market. For any vendor who has entered into a vehicle/pod/shed storage agreement with the market, a lien is reserved against all merchandise, fixtures, contents of storage containers, vehicles, or trailers and other property left at the market when the storage rent is unpaid. If a vendor's storage rent is delinquent and/or if the storage unit is abandoned, Caesar Creek Flea Market, after making a reasonable attempt to notify the vendor and receive payment, has the option of moving said merchandise/property to market storage, at the vendor's expense. After 30 days, said merchandise/property will be subject to sale for payment of storage rent, moving and cleaning expenses, or any other outstanding balance. If the sale of these items does not cover the amount owed, the vendor is liable for any outstanding balance.

No items may be left on blacktop areas Monday through Thursday.

WEATHER OR OTHER EMERGENCY RELATED CLOSURES: If emergency conditions force the closure of the market, management will notify the following local TV stations and websites to inform both the public and the market vendors of the closure. Websites: www.newstalkradiowhio.com, www.k99online.com, www.953theeagle.com, www.whiotv.com, WDTN- channel 2.

REFUNDS AND CREDITS: There are no refunds given after the payment has been received for a space. No refunds or credits will be issued due to weather or any other condition beyond the control of Caesar Creek Flea Market. Anyone wishing to set up indoors due to weather conditions can apply the amount paid outdoors toward an indoor space when available. Check at the office for availability.

PARKING: Each outdoor vending space has one parking space behind it. For safety purposes any vehicles or trailers that are too large for the parking space must be parked in a customer parking area where they will not interfere with the flow of traffic. Any vendor that brings extra vehicles that will not fit into the parking space(s) behind a rented vending space(s) must park them in the customer parking area. These extra or oversized vehicles may not be parked in empty vending spaces which must be kept clear for vendors wishing to set up.

After 9 AM all vehicles entering the grounds will be charged the general parking fee of \$1.25.

ELECTRIC USE: A fee of \$5.00 per day, per space will be added to your daily rent if you need electric under the shelter. Limited to 600 Watts. A surcharge will be assessed for power usage over this amount. There is a \$15.00 charge for each approved commercial refrigerator or freezer that runs all week.

All other electric in the booth must be turned off at the close of business Saturday and Sunday. This includes all showcase lights, radios, fans, displays, etc. If electric is left on after the close of business, market personnel may enter the set-up to turn it off and a \$5.00 service charge will be added to the next rent bill.

ELECTRIC HEATERS, HOT PLATES, MICROWAVES, COFFEE POTS, AND MINI REFRIGERATORS ARE NOT PERMITTED UNDER ANY CIRCUMSTANCES.

COOKING GRILLS: Use of cooking grills is not permitted.

EXTENSION CORD USE: Extension cords are not permitted.

COUNTERFEIT MERCHANDISE: The selling of counterfeit merchandise is not permitted at the market. This includes counterfeit merchandise of any kind, including but not limited to: counterfeit – Handbags and wallets – DVDs – T-shirts – Sports Jerseys – Tennis Shoes – CDs – Sunglasses – Baseball Caps. Selling illegal items is bad for the market and any vendor caught selling such merchandise may be subject to eviction. Please, be extremely cautious when purchasing stock.

MERCHANDISE: The following items are not permitted: baby food, infant formula, fireworks, alcoholic beverages, illegal items, bootleg or counterfeit items, crushed or ground incense, coin operated gumball or candy machines, petition signings, and any item deemed objectionable (at the sole discretion of Caesar Creek Flea Market). Games of chance are not allowed. Adult and X-rated materials are not allowed. The following items require special permission from the office: Dogs, cats, any other animals, food or drink items of any kind, guns, ammo, electric scooters, upholstered furniture, and mattresses. Additional rent may be required for certain items.

The market may not be used to further political agendas, parties, elections, issues, or candidates.

In order to sell any gas powered motorized vehicles (includes scooters, motorcycles, ATVs, autos, RVs, etc.) other than casual sales of a personally owned used vehicle, you must be licensed by the State of Ohio to sell motor vehicles at this location and each salesman must be a licensed motor vehicle salesman. Contact the Ohio Department of Dealer licensing @ (614)752-7600 for more information.

All homemade food items require proper packaging and labeling. Call the Ohio Department of Agriculture at 614-728-6250 or visit www.ohioagriculture.gov for more information. With proper packaging and labeling, the following items allowed are: fresh unprocessed fruits and vegetables, maple syrup, sorghum, honey, cookies, brownies, cakes, pies, breads, jams, jellies, fruit butters, all other non-potentially hazardous baked products. No individual servings may be sold - all food items must be packaged in quantities "to go" (ex.: whole pies, whole cakes, whole loafs of bread, cookies and brownies packed as at least ½ dozen, etc.). The following information must be included on each unit of homemade food product offered for sale:

- 1) The name and business address of the "Cottage Food Production Operation".
- 2) The name of the food product.
- 3) The ingredients and sub ingredients of the food product, in the descending order of predominance by weight.
- 4) The net weight or net volume declared in both U.S. Customary System and the SI (metric system) of the food product.
- 5) The following statement in ten-point type: "This Product is Home Produced".

The following items are considered potentially hazardous products and Ohio requires special licensing, production and handling methods, and/or USDA/Ohio Department of Agriculture approval: home canned items, including salsa and pickles, eggs, cooked or raw meats, snack food, fried foods, candied fruits, cheese, cream pies, pumpkins pies, cheesecake, meringue, dried foods and cider. Please feel free to pick-up a complete packet of rules from the Ohio Department of Agriculture in the office in Aisle 4.

All over the counter medications (anything with drug facts listed) sold must be with-in the expiration date.

Under Ohio law, used or second hand articles of bedding, upholstered furniture, and stuffed toys must be sanitized with a sate approved product such as Steri-Fab before it can be sold. The product is sprayed on the item until it is soaked, then allowed to dry. The item then must be tagged with a red "second hand article" tag before being offered for sale. This red tag requires a state registration license number that costs \$50 to obtain from the Ohio Department of Commerce.

The Department of Commerce is authorized to seize articles that are not in compliance and the seller can be fined.

The Ohio Department of Commerce is out in the market enforcing their policy so make sure you are in compliance. For more information please call the Ohio Department of Commerce at (614)644-2236. The market office has Department of Commerce informational packets for anyone needing one.

SIGNS: In order to maintain a uniform appearance, no signs, banners, or any thing else may be placed anywhere outside on the ground or on the shelter buildings unless approved by the General Manager. All vendors are encouraged to use merchandise signs within their set-ups. However any sign found to be objectionable must be removed immediately. The market logo may only be used with the permission of management.

WAIT LIST REQUEST: If you wish to expand, move to a different area, or to a specific booth, fill out a wait list request in the office. The request will be honored as quickly as possible. Not all requests can be honored in the order in which they are received due to merchandise mix or other factors.

EXCHANGES & REFUNDS: If merchandise is defective in any manner, then the customer is entitled to a refund or exchange. If merchandise is not defective, and there is no expressed or implied condition of returnability, then the request for a refund or exchange is a matter of good will and not a legal requirement. It is suggested that vendors post their return policy in their booths. Posting a "NO REFUND OR EXCHANGE" sign does not absolve the vendor from observing the market policy regarding defective merchandise. All vendors are encouraged to resolve all customer complaint issues. Customers are left with a negative impression of the market when they have to consult with the market office to resolve a complaint.

SECURITY: Anyone who enters the building on Monday, Tuesday, Thursday or Friday is required to sign in and out at the main entrance doors. Caesar Creek Flea Market falls under the jurisdiction of the Clinton County Sheriff Dept. (937-382-1611). At night, the market utilizes a burglar and fire security system monitored by ADT which automatically notifies local police and fire departments if smoke or fire is detected, if any door is opened, skylight tampered with, or if movement or sound is detected in any aisle. The market utilizes security cameras in the aisles to help prevent and detect certain activities, and to monitor the market 24 hours a day. In addition, armed private security is on site weekends. If you need security at your booth call the office at 937-382-1660. Tell them your booth number and the nature of the problem, and help will be on the way.

It is every vendor's responsibility to secure their merchandise and other property. We encourage all vendors that leave anything at the market on the weekends to stay with their set-ups over night. The market is not responsible for lost or stolen items.

INSURANCE: The market does not insure vendor's merchandise. The market, market ownership, market management, and market employees are not responsible for lost or stolen merchandise, loss by fire, windstorm, flood, power outage, or any other condition or event beyond their control. We suggest that you obtain insurance for these risks, as well as liability insurance that will cover customers injured while they are in your booth. The market is not responsible for accidents that occur inside vendor booths. It is further recommended, and is a basic rule of good merchandising, that boxes and merchandise not be displayed or stored directly on the ground, as this makes them susceptible to water, dirt, and creates a tripping hazard. The market is not responsible should these or other types of damage occur.

TRASH: The dumpsters located around the market are for vendors to deposit packing materials and trash only. Vendors must take all unwanted merchandise and tables, fixtures, pallets, etc. with them when they leave and dispose of them elsewhere. ALL cardboard boxes MUST be broken down or cut up and put into the dumpsters. If the dumpster nearest your booth is full, then you must carry these items to another dumpster. Do not leave anything on the ground around any dumpster. No person is to remove items from the dumpsters on the market property for any reason.

The 50 gallon trash cans located in the aisles are for customer use and vendors' food service trash only.

An appropriate fee, minimum \$25 up to a maximum \$100, will be assessed to any vendor who does not observe the trash policies.

HIRING MARKET EMPLOYEES: Vendors may not hire any Caesar Creek Flea Market employee for a period of 90 days after the employee leaves our employment, unless written permission from management is given. This includes hiring for work at a location other than the market.

PET POLICY: No customer or vendor pets are permitted at the market indoors or out. The only animals permitted are service animals and animals for sale (with permission from the office).

SMOKING: Per Ohio law, smoking is not permitted indoors. Outdoor vendors who wish to smoke are responsible for any litter associated with their smoking (cigarette butts), and smoking areas must be kept neat and clean.

VENDOR LICENSES AND SALES TAX: Temporary vendors who are re-selling items that were originally purchased for personal use (in other words "garage sale" items) are not required to have a vendor's license or collect sales tax.

Ohio law stipulates that professional vendors must keep a vendor license number on file with the market. Caesar Creek Flea Market recommends that vendors follow all state regulations regarding vendors' license and sales tax collection and remission. In order to comply with state regulations, all sales taxes must be collected in addition to the selling price. Example: You are selling an item for \$1 and you have a large sign that says "\$1- tax included", your sign must also say ".93 + .07 tax" somewhere on it. If you don't have a sign, and you are asked by a customer what the price is, by law you must tell them "it is .93 cents plus .07 cents tax". If you issue receipts, they must also indicate price plus tax. For more information contact the Ohio Department of Taxation (888)405-4039 www.tax.ohio.gov or the Clinton County Auditor (937)382-2250. The current sales tax rate in Clinton County is 7.25%.

CHILDREN: Vendors who bring children to the market must supervise them at all times. Children under 12 yrs. old must remain in the parents booth at all times unless accompanied by an adult. Children are not permitted to play in or around the dumpsters, in the parking areas, in hallways, empty booths, or in other vendors' booths (unless permission is granted by that vendor in advance). Older children who become a nuisance may be restricted to their booth unless accompanied by an adult. Vendors are fully responsible for the actions of their children.

PRINTED MATERIALS: You may distribute business cards, printed sales aides or brochures, bounce back coupons, etc., freely from your booth. If you wish to distribute or circulate printed materials to other vendors, solicit signatures, or to pass out materials from a location other than your booth, you must obtain permission from the Market General Manager in advance.

CODE OF CONDUCT: All vendors at Caesar Creek Flea Market are representatives of the market. Your behavior towards customers, other vendors, and market staff affects their experience here and helps determine the success of yourself, other vendors, and the market. Everything we do must be centered on making the market a positive, pleasant, and ethical place to buy, sell, and work. Please do not verbalize negative thoughts about a competitor or their products as it is degrading to the market, other vendors, and yourself. We encourage friendly, positive attitudes, and sales presentations based on the "features and benefits" of doing business with you and buying your products. Vendors who do not conduct themselves in a courteous and professional manner will not be permitted to continue operating at Caesar Creek Flea Market.

A satisfied customer is one that has had a positive experience and our philosophy is that "a satisfied customer is one that is likely to return".

RULES REVISIONS: Occasionally, rule revisions and/or additions are required. As these revisions and additions are made, they officially become a part of this document. Vendors will be notified of rule revisions through memos delivered to each booth. An up-to-date Vendor Rates and Rules- Outdoors along with recent vendor memos are posted in the market office and copies are available upon request. It is the responsibility of each vendor to stay informed about changes.

CODE ADAM ALERT: To help protect children in our facilities, Caesar Creek Flea Market has instituted the “CODE ADAM” program to help find missing children in the market. This is a fast response program utilized by thousands of public facilities across the United States.

In the event that a parent approaches you and says their child is missing:

- 1) Obtain a detailed description of the child.
- 2) Contact the office by dialing (937)382-1660 – Keep the parent with you until a market employee arrives with a radio. The parent or guardian of the missing child will assist in the search and should be accompanied by an employee with a radio so they can be contacted immediately to assist in identifying the child when found.
- 3) We will need to know:
 - a. Name, age, hair color, eye color.
 - b. Approximate weight and height.
 - c. What the child is wearing.
 - d. Shoe color and style (although the clothes may be changed, an abductor does not usually remove or change shoes).
 - e. Where the child was last seen.

If you hear a “Code Adam” alert announced, check the area around your booth for any child fitting the description. If you find the child contact the office right away so we can get word to the parents.

When the child is found we will announce “Code Adam Cancelled”.

Thank you all for helping to keep children safe at the market.

SUGGESTION LINE: In order to serve you better, Caesar Creek Flea Market has established a 24 hour “electronic suggestion box”. Using the email address below, you can submit ideas, suggestions, and comments directly to management whenever it is convenient. You will receive a reply acknowledging receipt of your submission. We look forward to hearing from you.

suggestion@caesarcreekmarket.com

**The most important thing we will do on any given day is to serve you.
You are our greatest resource.**

I have read, understand, and agree to all provisions of the foregoing Vendor Rates and Rules- Outdoors and to any and all revisions to such as they occur. I understand that failure to observe the rules of the market could result in a fine being assessed and/or expulsion from Caesar Creek Flea Market.

Vendor Signature

Date

Print Name