

**Hester Properties, LLC
53 Bear Mountain Place
Pagosa Springs Co, 81147**

**RENTAL AGREEMENT FOR
EAST SIDE MARKET**

Hester Properties hereby agrees to provide vending space to the following Vendor subject to the provisions herein:

Vendors Name

DBA or business name

Mailing Address

Cell Number

Alternate Number

Email Address

Lease Dates

Electricity Required?

Approved Merchandise

Attach a separate sheet if more space is needed to list items.

Please read the following information carefully.

MARKET RULES AND REGULATIONS for 2022

I. Market Management - East Side Market, 225 East Pagosa St., Pagosa Springs is owned and operated by Hester Properties, LLC, 53 Bear Mountain Place, Pagosa Springs, CO 81147. Market Manager Jeff Hester can be contacted at (970) 264-0002, (970) 507-0321 or esmpagosa@gmail.com. Space reservations should be made with Jeff. The Onsite Managers are Tom and Chris Councilor and they can be contacted at (970) 731-1338 or (623) 203-4542. You will find them at their metal arts booth at the front of the Market. Call Tom and Chris if you are arriving late, unable to come at the last minute, or have a market related emergency.

II. Market Hours – East Side Market will run from May 19th through October 1st in 2023. Hours of operation will be limited to 9:00 AM - 3:00 PM except for Food Vendors. Market Days are Friday, Saturday and Sunday.

III. Acceptable Merchandise

- 1) Beverages and food prepared onsite by licensed food vendors.
- 2) Food products produced and packaged elsewhere. All products must be approved by Market Manager.
- 3) This is a “makers market”, meaning that the merchandise must be designed or made by the vendor. Arts, crafts and other merchandise produced by the vendor are acceptable.
- 4) Market Manager retains the right to approve or deny merchandise at his sole discretion.

IV. Market Operation

- 1) **SET-UP** – On Market Days vendors must arrive by 8:00 AM. for set up. Vendors who are set up already may arrive no later than 8:45 AM and must be ready to open on time. **Late arrivals will not be tolerated. Failure to arrive on time will result in a \$10.00 fine. Repeated offenses will result in the vendor losing their space.**
- 2) **RENTS** for reserved spaces will be paid at least one week in advance and must be mailed to the business office for Hester Properties or delivered to the Onsite Market Manager at their booth prior to closing on Sunday afternoon. Last minute vendors may pay the Onsite Manager on same day **BEFORE** setting up.
- 3) **SELLING HOURS** are between 9:00 AM - 3:00 PM except for Food Vendors who may set their own hours of operation. All vendors **MUST** stay until closing unless approved by Market Manager. No early breakdown is allowed!
- 4) **SHADE STRUCTURES** must be 10' X 10' and anchored to withstand wind. Permanent fixed anchors are provided by ESM. Vendors **must** anchor to these cable loops with ratchet straps at each corner. We also recommend staking the feet of your tent with 6” spikes, or securing the tent legs to the cable anchors with straps to prevent scooting.
- 5) **SIGNS** are limited to one per Vendor, with a maximum of ten square feet. All signs must face into Market area.
- 6) The Market is full and has a waiting list. **Vendors must notify the Market Manager of changes in their schedules at least one week in advance to avoid charges for your reserved spaces. After that we will try to fill the space to avoid charges if possible.**
- 7) Vendors must park at the rear of the parking area or at designated offsite areas after unloading.
- 8) This is a non-smoking Market. Please be considerate and smoke away from the Market area.
- 9) Pets are allowed in vendor spaces only with approval from Market manager. Pets must remain leashed at all times within the Market area.

IV. Covid 19 regulations

- 1) Vendors will not attend the market if they are sick or have recently been exposed to someone sick.

2) Vendors will cooperate with current CDC recommendations regarding Covid at the Market.

3) Vendors will assist in bathroom maintenance by wiping down touch surfaces with cleaner after every visit.

4) Vendors will hook bathroom doors open after use.

5) Vendors will arrange their booth to minimize contact with customers.

V. Compliance with the Law

1) No illegal products or controlled substances will be sold. Vendors selling products which require testing or licensing are responsible to provide copies of test results and certification to the Market Manager.

2) It is the Vendor's responsibility to obtain all permits and licensing required by local, state, or federal laws. **You must provide a copy of your Town of Pagosa Springs business License and your Colorado sales Tax Certificate.**

3) Vendors will collect all sales taxes due on every sale and remit to the State of Colorado as required by law.

VI. Enforcement

1) Violations should be reported to the Market Manager.

2) Market Manager shall have the option of issuing one verbal notice regarding a violation, or may issue a written notice if the violation is serious or concerns safety issues.

3) If a written notice of violation is issued, Vendor must immediately correct the violation or submit a written appeal to the Market Manager.

4) Failure to comply with the Market Rules and Regulations may result in the suspension or removal of the Vendor from the Market without refund of paid fees.

VII. Insurance

1) East Side Market carries only general liability for the Market premises.

2) Vendor must carry any additional property, general or product liability insurance needed for their protection.

3) Vendor agrees to hold harmless and indemnify Hester Properties, LLC against any liability for Vendor's products or activities at the market.

4) East Side Market does not provide security services and is not responsible for the safety of vendor's products from damage or theft while at the market.

Agreement

I have read the Market Rules and Regulations and agree to abide by them.

Print name

Date

Signature