

FARMERS MARKET AGREEMENT
BYLAW 000-2021

THIS AGREEMENT made and signed in duplicate as of
the _____ day of _____, 2021.

Between

THE CORPORATION OF THE TOWN OF COBOURG
(Hereinafter called the
"Landlord")

of the FIRST PART

and

THE COBOURG FARMERS MARKET
(Hereinafter called the
"Tenant")

of the SECOND PART

**In consideration of the rents, covenants and agreements hereinafter contained the
above parties hereby agree to the terms as follows:**

Cobourg Farmers Market Season Rental Hours

The rental season for the Farmers Market shall be **Saturdays, 7:00 a.m. to 2:00 p.m., from Saturday, May 8, 2021 through to Saturday, October 30, 2021.** All vendors **MUST** vacate Rotary Harbourfront Park by **2:00 p.m.**

Cobourg Farmers Market Operational Hours

Operational hours for the Farmers Market are **Saturdays, 8:00 a.m. to 1:00 p.m., from Saturday, May 8, 2021 through to Saturday, October 30, 2021.**

All customers **MUST** vacate the rental facilities by **1:00 p.m.** at the latest.

All vendors **MUST** vacate the rental facilities by **2:00 p.m.** at the latest.

Rental Facilities

Rental Facilities for the Farmers Market will consist of ***Rotary Harbourfront Park (attached Schedule A).*** Municipal Address is 35 Albert Street, Cobourg, Ontario.

Set up cannot include the concrete pad in Rotary Harbourfront Park as the Oval Fountain will be in operation this year, but restricted to the South West Power Pedestal and the East property adjacent to the Parking Lot. Additionally, the grassed area to the south and west of the creek can be utilized to accommodate setup and operation for Day Vendors.

No Vendor Vehicles will be permitted in Rotary Harbourfront Park.

COVID-19 Restrictions and Guidelines

While operating on Rental Facilities, the Farmers Market will abide by and adhere to Federal, Provincial and Municipal COVID-19 restrictions and guidelines, along with Health Department restrictions and guidelines. These changes include, but are not limited to, screening Vendors and customers for COVID-19 symptoms; provide contactless service as much as possible; provide sanitizing stations; maintaining six feet of physical distance between Vendors; maintaining six feet of physical distance between Vendors and customers; utilize a safe, contactless system of cash handling; ensure customers are browsing and not touching produce/market items until after purchase; no sampling of food and/or alcohol on rental facilities; recommendation of Vendors and customers to wear masks. These restrictions and guidelines may also change during the Pandemic.

Acceptance of Premises

The Tenant agrees to accept all Rental Facilities on an “as-is” basis.

Rental Rate

The 2021 Daily Rental Fee for the Cobourg Farmers Market for Rotary Park Rental Facilities during the term of this agreement is **\$130.00 plus HST**.

Attached Account Schedule Report (**Schedule B**) details dates, times and Rental Facilities.

As this Rental Rate does not accurately reflect the current Fees and Charges Schedule (attached **Schedule C**), the Daily Rental Rate for Rotary Park Rental Facilities will be increased annually by a minimum of \$15 to achieve the established Rental Rate as per Fees and Charges Schedule by 2023. The proposed schedule increase follows.

Proposed 2022 Daily Rental Fee - \$145; Proposed 2023 Daily Rental Fee - \$160; HST is in addition to all Rental Fees.

Please note that these phased in amounts may be adjusted for any future Facility Rental Rate increases.

Site Plan

Cobourg Farmers Market Administration must provide a proposed site plan for all rental facilities to the Town of Cobourg prior to the Farmers Market start date.

Cobourg Farmers Market Administration must provide all changes and modifications to their site plan for all rental facilities. This information must be submitted to the Town of Cobourg Licensing Officer by 4:00 p.m. Fridays, prior to Saturday Market Days.

All site plans must illustrate the six feet physical distancing requirement between Vendors and the six feet physical distancing requirement between Vendors and Customers.

Loading & Unloading

No vehicles are permitted on the grassed areas of Rotary Harbourfront Park.

Cobourg Farmers Market Administration and Vendors must load and unload in the designated loading and unloading area.

Parking Passes

As Vendor Vehicles must park in designated Municipal Parking Lots with applicable passes. Only one (1) Municipal Parking Pass will be provided by the Town of Cobourg for each Registered Cobourg Farmers Market Vendor. These passes are valid in any Municipal Parking Lot on Saturdays between 7:00 a.m. and 2:30 p.m., from **Saturday, May 8, 2021 through to Saturday, October 30, 2021**. The Tenant will provide a list of Vendors to the Town of Cobourg Licensing Officer a minimum of five days prior to the **Saturday, May 8, 2021** start date.

Additional Cleaning and/or Damage Charges

At the sole discretion of the Town of Cobourg, an additional charge may be levied should extra cleaning be required and/or should any damage occur during Cobourg Farmers Market Facility Rentals.

Refuse and Recycling

The Tenant will be responsible for removal and disposal of all refuse and recycling generated from rental facilities.

Equipment

No equipment will be provided for Rotary Harbourfront Park.

Storage

No storage area will be provided for Rotary Harbourfront Park.

Refreshment Vehicles

All Farmers Market Food Vendors, operating as Refreshment Vehicles, must be located in a designated area, as approved by the Town of Cobourg. Vendors must comply with Refreshment Vehicle By-laws # 043-2015 & 090-2016. Vendors and Cobourg Farmers Market Administration must also complete and submit **APPLICATION FOR SPECIAL EVENT REFRESHMENT VEHICLE LICENCE (Schedule D)** to the Town of Cobourg Licensing Officer a minimum of one week prior to the start of the season.

Vendors and Cobourg Farmers Market Administration must also comply with Cobourg Fire Regulations concerning Refreshment Tents/Stands & Open Air Food Vendors (**Schedule E**).

Applicable By-laws

By-law 019-2015 Prohibit Smoking and the Use of Other Tobacco products in public places.
By-law 008-2009 Cobourg Sign By-Law which regulates Sandwich Board Signs.
By-laws # 043-2015 & 090-2016 regulating Refreshment Vehicles.
By-law # 043-2015 regulating Noise.
By-law # 043-2015 regulating use of Town of Cobourg Parks
By-law # 053-2009 regarding depositing of Waste.

Insurance and Indemnification

The Tenant shall maintain Public Liability Insurance in the amount of \$5 million for the lease of the facility rental. The Tenant shall indemnify and save harmless The Corporation of the Town of Cobourg and all persons for whom it is lawfully responsible, from any and all liabilities, damages, costs, claims, suits or actions arising out of any damage to property including loss of use thereof, and any injury to any person or persons (including death resulting at any time therefrom) occasioned by any act or omissions of the Tenant including its officers, agents, servants, employees, contractors, customers, invitees or licensees, arising out of the work performed or occasioned by any cause whatsoever.

The Tenant shall provide proof of insurance to the Town of Cobourg prior to the beginning of the Farmers Market Season.

On-Site Farmers Market Contact

The Tenant will provide the Town of Cobourg with an on-site contact for the entire rental period of the Farmers Market. The contact information will include the name, phone number and email.

This will be the sole source contact for any incidents, discrepancies and disputes that occur at any Farmers Market Events.

This contact information must be provided prior to the Market Start Date.

Should this information change during the Season, the Farmers Market Administration is required to notify the Town of Cobourg a minimum of five days in advance of the booked Farmers Market Events.

Legal Counsel

The Tenant acknowledges that he/she had an opportunity, prior to executing this Agreement, to review and seek independent legal advice with respect to the contents of this Agreement.

Term

This agreement will expire on **October 30, 2021**.

Attached Schedules

Schedule A	Rotary Harbourfront Park Rental Area
Schedule B	Account Schedule Report
Schedule C	Town of Cobourg Fees & Charges Schedule
Schedule D	Special Event Refreshment Vehicle Licence Application
Schedule E	Cobourg Fire Regulations concerning Refreshment Tents/Stand & Open Air Food Vendors
Schedule F	Cobourg Farmers Market Site Layout
Schedule G	Cobourg Farmers Market List of Vendors

In witness whereof the parties have affixed their signatures duly authorized.

Acknowledged and agreed this _____ day of _____, 2021.

THE CORPORATION OF THE TOWN OF COBOURG

Mayor, John Henderson

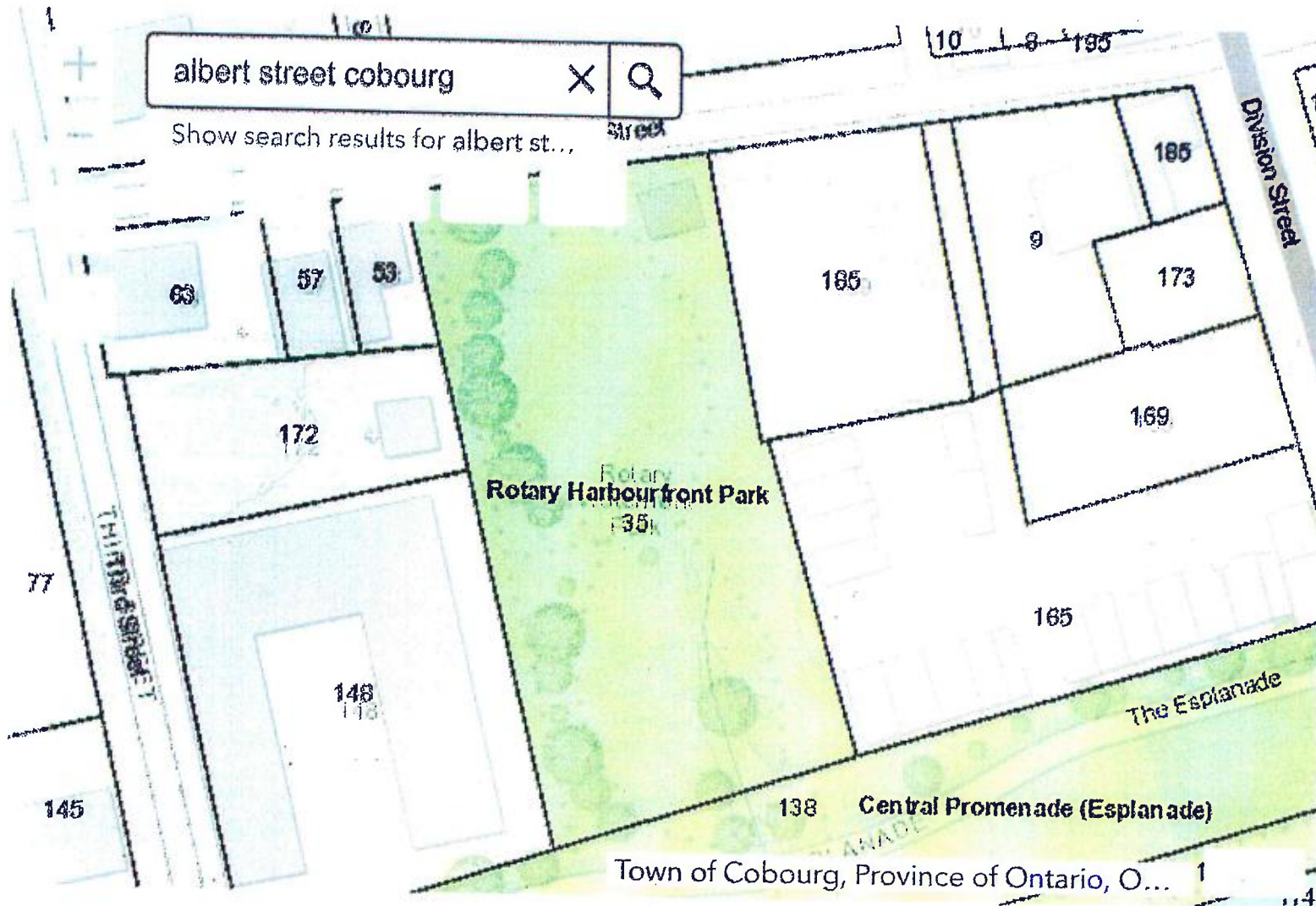
Municipal Clerk, Brent Larmer

COBOURG FARMER'S MARKET ADMINISTRATION

Association President, Joanna Bastas

WITNESS

Licensing Officer, Angela Stewart



Schedule A



Town of Cobourg Legislative Services

55 King Street West
Cobourg, ON K9A 2M2

Phone: 905-372-4301

Account Schedule Report

Cobourg Farmers Market
Laura Berman

Phone: 416-887-2655

Email: cobourgfarmersmarket@gmail.com

Account Schedule - By Date

5/8/2021 - 30/10/2021

Date	Day	Complex	Facility	Event Type	Event Time	Dur.	Rate	Other Chg	Tax	Total
5/8/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
5/15/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
5/22/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
5/29/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
6/5/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
6/12/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
6/19/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
6/26/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
7/3/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
7/10/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
7/17/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
7/24/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
7/31/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
8/7/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
8/14/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
8/21/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
8/28/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
9/4/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
9/11/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
9/18/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
9/25/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
10/2/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
10/9/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
10/16/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
10/23/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
10/30/2021	Sat	Harbourfro	Rotary Harbourfront Park	Rental	7:00 AM-2:00 PM	7/0	130.00	0.00	16.90	146.90
						182 (hrs) / 0 (min)	Sub Total		\$3,380.00	
							Tax		\$439.40	
							Grand Total		\$3,819.40	

Schedule G

Cobourg Farmers Market 2021 Seasonal Vendors

Business Name	Vendor name
Art Farm	Lenni Workman
Bee Good Honey Co.	Lauren Quinto
Blue Barn	Terry and Evelyn Canam Colborne
Buddha Belly	Joanna Bastas
Burnham Family Farm Market	Amy Burnham
Cardboard Reality	Bekky O'Neil
Casa di Rina	Rina Calleria
Cedar Hedge Farm	Chris Marcucci
Century Game Park	Rod Potter
Cranbrook Farm Maple Syrup	Don Patterson
Curry Mantra	Joachim Pinto
Doodoos Bakery	Diane Rogers
Dragonfly Design	Krista Goddard
Evermeadow Farm	Joshua Noiseaux
Every day Chef's Best	John O'Leary
Faye's Embroidery and Sewing	Faye Gaudet
Foragers Farms	Erin Bodashefsky & Tyler Davis
Green Moxie/Taste Buds	Nikki Fotheringham
Happy Beet	MariaLopez
Heathers Homemade Baked Goods	Heather Milne
Hunky Dory Smoked Fish	Barbara Walker
Jackson Family Farm	Terry and Stacy Jackson
Moore Orchards	Heidi Behan
Northumberland Soapworks	Nancy Gagne
Ontario Cheese Union	Heily Teasdale
Pasta Mirella	Eleonora Deini
Rice Lake Hard Cider	Jana Crawford
Ruby Approved	Taylor Igel
Shelter Valley Farm	Stephanie Ma
T'Nettie	Jeannette Heath
Tap That Sap	James & Leah Hogg
The Little Pastry Shoppe	Lisa Miller
Undercover Farm	Nadia Simard
Urban Garden	Nancy Robb
Victoria'ous Sausage Rolls	Victoria Gaynor

