

# Omaha Farmers Market

## 2010 Rules & Regulations

### Dates & Location

- 🍎 Saturdays 8:00 a.m. – 12:30 p.m., May 1<sup>st</sup> – October 9<sup>th</sup>
  - Absolutely no public sales before 8:00 a.m. or after 12:30 p.m. There will be a bell signaling the opening of the Market and a closing bell signaling its end.
- 🍎 The Market takes place in the Old Market Parking Lot between 10<sup>th</sup> & 11<sup>th</sup> Streets on Jackson Street and surrounding areas on 11<sup>th</sup> Street & Howard Street. New for 2010, the Market will be closing 11<sup>th</sup> Street from Howard to Jackson Street.

### Vendor Types

- 🍎 **Season Vendors** are vendors that pay a stall fee for the full season. They are assigned a particular stall that they are permitted to set-up in each Saturday of the Market. Season vendors are generally granted “first right of refusal” to reserve their stall from season to season. New season spaces are available on a limited basis each season. Please call Vic Gutman & Associates for more information.
- 🍎 **Weekly Vendors** are scheduled for stall spaces depending on space availability, product mix and market management discretion. Weekly vendors should expect to be in a different stall each week they are scheduled. Requesting a date on the vendor application form does NOT guarantee a stall space for that day. You will receive a confirmation phone call the week of the market. Your schedule flexibility is appreciated as we continue to fill last minute cancellations up until Friday evenings.

### Space / Stall Details

- 🍎 Each space is approximately the size of a parking stall, roughly 8 foot wide by 16 foot deep. Vendors are allowed additional depth at the discretion of market management. Most stalls are large enough to allow for a vehicle and a sales table, however there are some spaces that are not able to accommodate vehicles. Market Management will confirm if a vehicle is allowed when contacting weekly vendors for stall placement.
- 🍎 Please be courteous to your neighbors and remember when you encroach on aisles you are taking space from your customers!
- 🍎 Subletting or sharing spaces is not allowed. If a season vendor is absent from the Market, OFM management has the right to fill the space with another vendor. Please let us know if you are going to be absent - - this policy allows us to keep our vendor fees low and it helps us to keep the Market full and energized.
- 🍎 Vendors are provided an empty stall space. You are responsible for bringing your own items for set-up including, but not limited to: tables, chairs, tents / umbrellas and necessary weights, signage, cash boxes. The Market does NOT have storage available.
- 🍎 **Vendors are *required* to have a sign with their name and location (city or town); growers must also list prices. Signs must be prominently displayed each week.**

### Payments, Billing and Fees

- 🍎 Please see the Vendor Application for a complete breakdown of stall, health department and electrical fees.
- 🍎 Season vendors are billed in a three-payment installment plan. Installments are generally due in February, April and June. Season vendors are required to pay the *entire* season fee and associated health department and electrical fees, no exceptions and no discounts if you are absent.
- 🍎 Returned checks: First occurrence the vendor will be charged an additional \$25 fee and must pay the entire amount in cash at the VGA office. Second occurrence, the fee will increase to \$35 and the vendor must pay in cash for the rest of the season.

### General Policies

- 🍎 **It is the vendors’ responsibility to be familiar with the local, state and federal regulations and permits that govern the products of which they sell. The notes and guidelines included in this document are included as a courtesy, but do not take precedence over governmental policy.**
- 🍎 Vendors must apply in one of three categories. More information on these categories is provided in the attached “Category Descriptions & Permitted Product Information” sheet. Only one category of product is allowed per stall space. Categories are:
  - Farm & Nursery Products and Processed Farm Products
  - Value Added Food
  - Craft Items
- 🍎 The Omaha Farmers Market is a “green market” and priority will be given to the Farm & Nursery Products and Processed Farm Products and Value Added Food categories.
- 🍎 Vendors must complete the application process through the office before being allowed at the Market.
- 🍎 The Market is held rain or shine and refunds are not given unless the Market is cancelled prior to opening and at the determination of OFM management. In this case, refunds will only be considered for Weekly Vendors.

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🍏 The OFM Onsite Manager arrives at 6:00 a.m. each Saturday. Vendors are allowed to drive onsite between 6:00 a.m. and 7:00 a.m. Vendors arriving after 7:00 a.m. will have to handcart items. All vendors **MUST** be onsite by 7:30 a.m. this includes vendors with direct street access. Vendors that are not onsite by 7:30 a.m. may have their space reallocated to another vendor. No vehicles are allowed to enter or exit the site between 7:00 a.m. and 12:30 p.m. If there is an emergency please work with the Onsite Manager.

🍏 Vendors are not allowed to leave before 12:30 p.m. even if they sell out of product.

🍏 No items offered for sale maybe be jobbed or commercially made. All products must be the original work or produce of the vendor.

🍏 Definition of “Vendor” – Vendor shall be defined as the producer of goods sold and shall include spouse, siblings, children, parents and employees of the applicant who assist in the cultivation of the same property or assist in the production of items available for sale.

🍏 OFM Management reserves the right to conduct on-site inspections of farms, kitchens or other workshops or spaces.

🍏 Electricity is available on a limited basis in a small section of the Market and must be arranged in advance by contacting the office. If vendors are approved to use electricity it is their responsibility to provide a 100-foot heavy-duty extension cord and heavy-duty mats to cover the cord.

🍏 No smoking in vendor stalls.

🍏 Non-produce vendors are responsible for collecting, reporting and paying sales tax. Omaha’s current tax rate is 7%.

🍏 Vendors selling woody plant material or perennials must be licensed with the Nebraska Department of Agriculture, Plant Industry.

### **Parking Lot Rules**

🍏 Use of the parking lot is donated through an arrangement with Mercer Management and Central Parking Systems. It is exceptionally important that we follow these rules and be courteous “tenants” each Saturday.

- You may park in your stall space, but vendors are asked **NOT** to park in any other area of the parking lot or in the alleyway. If you choose to ignore this request, you are responsible for paying for the parking space (even during Market hours) and for any subsequent tickets issued by Central Parking Systems.
- Trash, including produce debris and food items, must be swept up and disposed of after each market. Vendors are responsible for cleaning their own area before leaving. Brooms are available through the information booth.
- Vendors must vacate the parking lot no later than 1:30 p.m.

### **Food Displays and Packaging**

🍏 All food items must be free from harmful pesticide residues and free from insects and spoilage. All produce must be washed.

🍏 All food items, including produce, must be stored and displayed at least 6 inches above the ground.

🍏 Pre-packaged produce must be in **NEW** food-grade plastic bags or plastic food wrap. Produce sold by piece or per quantity may be sold in **NEW** paper or plastic bags.

🍏 Only legal scales with state permit stickers will be allowed at the Market. Vendors without legal scales must sell by the piece or per quantity. If you wish to sell produce by weight, but do not have a legal scale, consider weighing and packaging items at home, but sell 'by the bag' or 'by the package'.

### **Douglas County Health Department**

🍏 Only products in compliance with the regulations of the Douglas County Health Department may be sold at the Market. *Vendors are responsible for securing all necessary permits and approvals.*

🍏 New for 2010, **Season** vendors pay fees directly to the Health Department. **Weekly** vendors will continue to pay prorated weekly fees through the Market.

- **SEASON** Vendors - The fees that you pay directly through the Douglas County Health Department **may** cover you for other Douglas County Farmers Markets held during different hours or on different days but the fees **do NOT cover you for other markets that take place on overlapping days and times** nor do they cover you for other Douglas County public events. Please contact the Health Department for additional policy information and to secure your necessary permits.
- **WEEKLY** Vendors – The prorated fees that you pay through the Market Management only cover you for a single session of the Omaha Farmers Market. They do not cover you for any other events or markets.

🍏 Vendors selling meat products must display proof of USDA inspection and a current manufacturer’s license/permit on-site during the market each week.

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- 🍏 Perishable produce and other food items must be maintained at appropriate temperatures with heating and cooling devices. Eggs must be kept in a cooler at 45 degrees.
- 🍏 Vendors selling *approved* products prepared in a non-regulated, non-inspected kitchen must clearly display a sign at their stand indicating such. The sign must be clearly visible and clearly worded. A sample of acceptable wording is: "Food items were prepared in a kitchen that is not subject to regulation or inspection by the Foods Division of the Nebraska Department of Agriculture". *Only certain items (mainly baked goods) are eligible for this option, please contact the Health Department for details.*
- 🍏 Vendors selling items produced in a regulated kitchen must display their license at the Market. Only water-processed jams and jellies are allowed--no paraffin-topped.
- 🍏 Sampling must meet Douglas County Health Department code.

### **Information Booth & Other Amenities**

- 🍏 The information booth is located on the west edge of the parking lot. The onsite manager and assistant manager are available to help vendors and customers with things including lost and found, vendor locations, souvenir sales and other Market related questions.
- 🍏 Market vendors have an opportunity to donate produce and baked goods to Omaha's less fortunate through the donation cart located near the information booth. Market management arranges with the Open Door Mission and the Siena Francis House to pick up the donations on a rotating basis.
- 🍏 Public restrooms are available at Upstream Restaurant, in the Passageway Building (North side of Howard) and in the City Park 4 parking garage just South of Jackson Street. Many other shops and restaurants have restrooms available on a limited basis for their own customers.
- 🍏 OFM Management asks that vendors park vehicles and drop trailers at least 2 blocks away from the Market in order to leave prime parking spots available for customers.

### **Resources**

- 🍏 Douglas County Health Department, Jere Ferrazzo (402) 444-7480 or Christine Scott (402) 444-7243.
- 🍏 State of Nebraska Department of Revenue (402) 595-2065.
- 🍏 Department of Agriculture, Weights & Measures (402) 471-4292.
- 🍏 Nebraska Department of Agriculture, Plant Industry (402) 471-2394.
- 🍏 OFM strongly encourages qualifying produce and food vendors to accept WIC Program and Senior Nutrition Program coupons for qualifying purchases. For more information on becoming a participating vendor in these programs please contact (402) 471-2781 (WIC) or (402) 471-4623 (Senior Nutrition).

### **Rule Violation Policy**

- 🍏 Violation of any of the Rules and Regulations or policies laid out in this or future notices will be handled as follows:
  - 1) First violation results in a verbal warning, which may be issued by any member of the OFM Management team including the Onsite Manager.
  - 2) Second violation results in a written warning issued by the Executive Director of the Market.
  - 3) Third violation results in expulsion from the Market without refund for that day.
  - 4) Fourth violation results in expulsion without refund for the remainder of the Market season.

### **Omaha Farmers Market Contact Information**

- 🍏 Vic Gutman & Associates Office (402) 345-5401
- 🍏 Heidi Walz, Project Manager [hwalz@vgagroup.com](mailto:hwalz@vgagroup.com)
- 🍏 Vic Gutman, Executive Director [vgutman@vgagroup.com](mailto:vgutman@vgagroup.com)
- 🍏 [www.omahafarmersmarket.org](http://www.omahafarmersmarket.org)
- 🍏 Facebook, search "Omaha Farmers Market" to become a fan
- 🍏 Omaha Farmers Market  
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