

Omaha Farmers Market

NIGHT MARKET at MIDTOWN CROSSING

2021 Rules & Regulations

Dates & Location

- July 16 & 30, August 13 & 27, September 10 - 6:00 p.m. to 10:00 p.m.
- The Night Market takes place in the circle drive at Midtown Crossing on the west end of Turner Park

Vendor Types

- The Night Market will include a mix of art, crafts, SOME prepared foods and SOME produce. The Market will include approximately 40 to 50 vendors each month. Vendors may choose to participate in one, a few, or all 5 of the market weeks.
- You may sign up as a “Monthly” or “Season” vendor. Season vendors will be in the same space each Market. Monthly vendors will be placed where there is space. You MAY sign up for a Season space (to ensure placement) and then let us know any dates that you will not be attending. You must still pay the full Season vendor rate.

Space / Stall Details

- Vendor spaces vary - some are approximately 10 x 10 spaces and others are odd shapes and sizes. Please work with management to determine which type of space will work for you. Vehicles will not be allowed on-site during market hours (you can't sell out of the back of your truck); however, some exceptions will be made if a vehicle is an aesthetically pleasing, crucial piece of a retail set-up.
- Subletting or sharing spaces is not allowed. **PLEASE** let us know if you are going to be absent by the Monday before the Market you are schedule to be at - 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 and weights, signage, cash boxes, etc. The Market does NOT have storage available. All tents MUST be properly weighted. (note: there is an VERY LIMITED option for SEASON VENDORS to rent a tent from the Market, if you qualify and are approved for that option, the tent will be properly weighted for you)
- Vendors are responsible for cleaning their own area before leaving.

Payments, Billing and Fees

- Returned checks: First occurrence the vendor will be charged an additional \$15 fee and must pay the entire amount in cash at the VGA office. Second occurrence, the fee will increase to \$25 and the vendor must pay in cash for the rest of the season.

Parking

- Parking structures are available for vendor parking. Please do NOT park at metered spaces (leave them for your customers!).

Information Booth & Other Amenities

- The information booth will be located in a centralized location that may change from month to month depending on the number of vendors. The on-site manager is available to help vendors and customers with things including lost and found, vendor locations, and other Market related questions.
- Portable restrooms will be available on-site.

Vendor Insurance Requirements – NEW

- If vendor is accepted into the Night Market, each vendor is required to submit a certificate of insurance naming the Omaha Public Market, Inc. as an additional Insured. The certificate needs to be submitted prior to the start of the market opening. If you do not submit a certificate, you will lose your deposit and will not be able to participate.
- The general liability policy must have a minimum coverage of \$1,000,000 individual/\$2,000,000 aggregate.
- If you are a farmer and have a farm insurance policy, then contact your insurance agent about adding a rider to your policy to cover the markets.

Additional Information:

- Per our Omaha Public Market's insurance agent, there are policies available for vendors who earn \$0-\$25,000 per year. The minimum premium cost is \$275 per year.
- You may reach out to your personal insurance agent to obtain this insurance policy or below is the information on the Omaha Public Market's insurance agent who does specialize in farmer's markets insurance.

Larry Spilker | Campbell Risk Management | (800) 730-7475 ext 203 | www.campbellriskmanagement.com

General Policies & Information

- It is the vendors' responsibility to be familiar with the local, state and federal regulations and permits that govern the products that 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. Categories are: Art / Craft Items, Food and Other. More information on these categories is in the "Permitted Products & Category Descriptions" sheet.
- The Night Market is generally a local makers market. Some commercially made items may be allowed to include, vintage boutique items, repurposed creations, etc. The Market staff has discretion on how to curate the Market and which vendors are offered space.
- Vendors are not allowed to arrive at the Market on "stand-by," hoping for a spot.
- The Market is held rain or shine.
- 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 assisted in production of items available for sale.
- OFM Management reserves the right to conduct on-site inspections of workshops or spaces, kitchens and/or farms.
- **No smoking in or near vendor stalls.**
- Vendors are responsible for collecting, reporting and paying sales tax. Omaha's current tax rate is 7%. Some food items are exempt, please contact the Nebraska Dept. of Revenue with any questions. (402-595-2065)

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 scheduled Markets.
- Violations resulting in a police report or protection order being filed against a vendor may result in said vendors immediate and permanent expulsion from the Market without refund of vendor fees.

Food & Produce Specific Policies

Food Displays and Packaging

- 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.
- All food items must be stored and displayed at least 6 inches above the ground. All food items must be free from harmful pesticide residues and free from insects and spoilage. All produce must be washed.
- Only legal scales with state permit stickers are allowed at Market. Vendors without legal scales must sell by piece or per quantity.

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.*
- 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 41 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 (primarily baked goods) are eligible for this option, contact the Health Department for clarification and details. DO NOT assume that your product is covered by this exemption just because you bake it.***
- Vendors selling items produced in a regulated kitchen must display their license at Market. **All** food items (except produce & **eligible** baked goods) must be prepared in a licensed kitchen.
- Sampling must meet Douglas County Health Department code.

Food & Produce Resources

- Douglas County Health Department, 402-444-7480
- Nebraska Dept of Agriculture, Food Safety & Consumer Protection, Weights & Measures (402) 471-3422.
- Nebraska Dept of Agriculture, Plant Industry (402) 471-2351.

Contact Information

- Heidi Walz, Market Manager, 402-345-5401 x)104, or via email hwalz@vgagroup.com | omahafarmersmarket.org