

# **Sunday Farmers' Market at College View**

## **Vendor Rules and Regulations 2019**

**Sundays, April 28 through October 27**

10:00 a.m. – 2:00 p.m.

Parking lot of Seventh-Day Adventist Church at College View

Prescott and 48<sup>th</sup> St, Lincoln, Nebraska

[www.sundayfarmersmarket.org](http://www.sundayfarmersmarket.org)

Sunday Farmers' Market at College View is an integrated institution in the community. We are committed to sustainably produced food for food security and a strong, healthy community. We support local farmers and producers by providing profitable direct market opportunities, education, and organizational stability.

Sunday Farmers' Market at College View provides access to high quality, fresh food produced with integrity by local family farmers and producers, bringing value to the social, environmental, and economic fabric of our community.

*Vendors: Please read the following information carefully before you agree to follow the Rules and Regulations as stated. If you are in agreement, you must complete and sign the enclosed application. Your signature on the application verifies that you have carefully read, understood, and agreed to all provisions of the Agreement, Rules and Regulations.*

## General Requirements for Vendor Approval

1. **Sunday Farmers' Market at College View (SFM) is a membership organization and as such, all Category I and II vendors must become members to participate in the market.** Each membership receives one vote at the Annual Meeting.
2. **Vendors must live and produce the product(s) for sale within Nebraska or within 200 miles of Lincoln, NE.** You must be the main producer, a family member, or an employee who is *directly* involved in the production of the products you are offering for sale. The Board must approve any exception before being permitted to vend.
3. **Vendors are expected to conduct themselves** at all times with the highest levels of respect for the law, other vendors, SFM customers and market management staff and volunteers. The quality of our market is a direct result of the skill and diversity of our vendors, and we hope to only enhance these aspects through vendor conduct. Free market competition can and should occur respectfully, such that the quality and integrity of our market is maintained and strengthened.
4. **Farmer and Farmer-Processor Vendors** selling meat products must own and raise (participate in care and feeding, etc) the animals. Small animals (poultry, water fowl, and rabbits) shall be owned and raised for a minimum of 90% of the animal's life. Large animals (pork, beef, goat, bison, etc) shall be owned and raised from weaning to finish OR no less than 70% of the animals' life days up to and including days to finish.
5. **SFM is a sustainable green market and 501(c)3 organization.** As such, our goal is to provide a market where the percentage of farmers and farmer-processors to all other vendors is greatly exceeded. Farmers and farmer-processors constitute at least 37 of the stalls at the market at all times. Bakers, Non-farmer Processors and Wild-Crafters will constitute no more than 17 of the stalls, and Concessionaires/Temporary Vendors may occupy no more than 7 stalls at each market. SFM's goal is to maintain a balance between unprocessed farm products and value-added food products, and to feature locally-grown products wherever possible. Alcohol sales at the SFM are prohibited.

*Priority is given to Vendors whose products meet the goals of SFM, including products that are sustainably grown, high quality, unique or unusual, made from scratch, and if processed, contain ingredients purchased from SFM farmers. See Vendor Matrix, page 8.*

6. **Vendors** must show good product knowledge and the ability to communicate this with customers.
7. **Products must be in compliance** with all of the following that apply to your business: Locally produced; verification of processing in a licensed facility; verification of FDA and/or USDA approved meat and poultry inspection and processing; Lincoln-Lancaster County Health Department permit for home baking; State Department of Agriculture Weights and Measures requirements; Nebraska Nursery License; and adherence to the Sunday Farmers' Market at College View Rules and Regulations. Copies of all permits and licenses are required upon submission of application.
8. **Vendors are responsible for:** attending required classes/workshops, and for obtaining permits, licenses, a sales tax number and liability insurance. All vendors selling taxable products (cut flowers, non-edible plants, etc.) are responsible for collecting, reporting, and paying the sales tax. Prominently post all permits and have your tax number in your booth. **It is the vendor's responsibility to carry property and product liability insurance** for off-farm and outside home

sales for a minimum of one million dollars. Proof of insurance is required upon submission of application.

9. **The vendor application must be submitted fully complete**, including all documentation (see 7 & 8 above) and your signature to indicate you understand and will follow the Rules and Regulations.
10. **On-site Reviews** may be held at your farm/business if the Market Manager and Board feel one is needed to verify your practices. SFM reserves the right to make on-site reviews of any member or place of business. An on-site review may be deemed necessary if a written complaint is filed against a vendor alleging rules violations. The resale of any products that are not grown or produced by the member is strictly forbidden and is a cause for TERMINATION of membership. A notice and hearing procedure has been established by the Board and will be used if a member or customer believes a violation is occurring.
11. **SNAP/DEBIT/CREDIT CARD program:** The Market provides a token program for customers to use Credit, Debit, or SNAP/EBT cards to purchase tokens to exchange with participating vendors. In order to accept ANY tokens, vendors must complete the training requirements and submit a signed agreement form.
12. **Pricing:** Vendors are generally free to set their own prices and to decide whether and how much prices need to be adjusted between the opening of the Market day and the close of the Market day. However, SFM strongly discourages the practice of “dumping” goods. Dumping is disrespectful to other vendors, unsustainable to the market in general, and is contrary to appropriate Vendor Conduct, described elsewhere in these rules. As a result, if the SFM Board of Directors determines that a vendor is dumping its goods, that vendor may be subject to disciplinary action up to and including exclusion from SFM under these rules and regulations.
13. **Sales Reporting:** The Market requires all vendors to submit anonymous reports of total weekly sales from SFM.

### **Attendance and Set-up Policies**

1. **Set-up time:** Season Vendors should arrive between 8:30 a.m.- 9:30 a.m. Weekly Vendors can check in for stall assignments no earlier than 9:00 a.m. and no later than 9:30 am. Please be considerate of fellow vendors by arriving within the designated time to expedite set-up.
2. **Vendors must be in their stalls** no later than 9:30 a.m., and ready to sell by 10:00 a.m. Your stall must be manned for the entire duration of the market, even if you sell out of your product. You cannot leave the market until 2:10 p.m. Please tear down courteously so as not to cause concern to any lingering customers. Exceptions can be made if the Market Manager is notified of an emergency and proper precautions can be taken for safe tear-down.
3. **The Market starts at the sound of the market whistle**, promptly at 10:00 a.m. Early sales to customers are prohibited. At 2:00 p.m., the close of Market whistle will be blown.
4. **You must notify the Market Manager if you are unable to attend the market** on a given day. You may mark those dates on your application or you may notify the Market Manager at least *one week* before the date of non-attendance. **In case of an emergency, please notify the Market Manager as soon as possible.** There are no refunds. Vendors who do not notify the Market Manager of an absence for a second time either forfeit their stall assignment or pay an additional fee equal to the weekly stall fee rate per stall for that week's absence.

5. **Vendors with additional vehicles/trailers** that will not be parked in their market stall during market hours, must NOT use primary customer parking during market hours of 10am-2pm. Vendors with limited mobility or extenuating circumstances may notify Management and request an exception prior to the start of market season or the vendor's first day at market.
6. It is at your discretion to attend in case of inclement weather. There are no refunds or rollovers if the market is in operation on a day you had selected to attend and you decide not to attend. If there is a storm warning issued by the National Weather Service during the hours of the market, the market will close at the discretion of the Manager.

### **Stall Assignment, Size and Guarantee**

1. Local Farmers and Farmer-Processors receive priority for available stalls. As we are a modestly sized market and strive to be a high quality, green farmers' market, we will take into consideration the quality and variety of produce and value-added products you will be vending at the market. Priority will be given to value-added products that contain ingredients from Nebraska small family-farms (for example, apple pie made with locally grown apples), and in particular to value-added items that utilize ingredients from SFM farmers. Priority will be given to returning, quality local season vendors and to those quality, short-season vendors who filled the seasonal market needs in the past. *There is no absolute guarantee that a vendor from past years will receive a stall in subsequent years, but a vendor in good standing and who meets the goals of the market, who submits their application on time, will most likely receive a stall.*
2. Stall type and placement within the market is determined by the needs of the market and your need for space.
3. Stall sizes are 10' x 23'; 10' x 25'; 18' x 18' (limited to one stall total); and 27' x 18'. Stall dimensions are exact measurements and must be strictly adhered to. There will be no spill-over space. Vendors are required to stay within the assigned stall space. This includes your vehicle, display, generator, shade device, signage, etc.
4. Weekly Vendors are not guaranteed to be in the same location for all weeks you select. The Market Manager will endeavor to place Weekly Vendors in a stall location that fits your needs.
5. If a paid Season or Weekly Vendor has a scheduled absence from the market on any given market day, the market has the right to use the stall(s) for another vendor(s) on that day. It is the vendor's responsibility to notify management of attendance if previously scheduled to be absent at least one week before the Market date.

### **Display Requirements**

1. Post all required permits prominently.
2. Packaging of all prepackaged and packaged-at-market produce must be with NEW food-grade paper or plastic bags, or plastic food wrap. Trash, garbage, or leaf bags cannot be used for produce or other foodstuffs at any time. Packaging that ends up in the SFM's compost bins must meet compostable standards as outlined below. If your products are not meant to be consumed on-site, but your packaging ends up the SFM compost bins, you may be asked to source compostable packaging materials. All ready-to-eat, prepared foods sold at market by concessionaires must be served, packaged, or otherwise contained in compostable materials as

defined by the ASTM D6400 or ASTM D6868 standards. It is the vendor's responsibility to ensure their disposable materials meet these standards. Materials required to meet these standards include, but are not limited to: straws, utensils, clamshells, cups, lids, labels, etc. In 2020, this list will be expanded to include t-shirt bags used or supplied by any vendor.

3. It is the vendor's responsibility to bring all tables, chairs, shade devices, power sources and cords, display equipment, hand washing station, cash box and cash, signage, etc. If using a power source, D/C inverters are required unless special permission is given. If you have an open flame, you must bring a fire extinguisher.
4. All products should be displayed on well-constructed, well-maintained, and clean tables. Produce should be clean and attractive. The Market Manager may request that you remove a product from your table if it does not meet the market's standard of quality.
5. Food products offered for sale must be displayed or stored at least six inches above the ground.
6. Only legal scales with up-to-date State permit stickers will be allowed at SFM. 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, you may weigh and package items at home, but sell 'by the bag' or 'by the package'. You must have a label or sign stating the weight or count of the package.
7. Required signage: One large sign stating who you are (your business name) and your location (example: Your Small Family Farm, Local Town, NE). This sign should have 2" or larger lettering and be posted/hung more than one foot off the ground. In addition, you should post small signs stating the product, unit of sale, and price. These should be attached to the container of each product sold. You may also have a large sign/board stating products and prices. Signage must include sufficient information to satisfy Weights and Measures requirements.
8. Vendors are responsible for keeping their area clean during and after the market. Maintaining the parking lot is part of our agreement with the lot owners. You are expected to provide your own broom, dustpan, and container.
9. Absolutely NO SMOKING during the market or within a 40-foot area surrounding the market from 9:30 a.m. to 2:15 p.m. If you take a break to smoke outside the area you must wash your hands before returning to the market or have a washing facility in your stall where you wash immediately when you return.
10. Pet Policy: Discourage market shoppers with pets from coming close to your products. Do not pet or handle pets during operation of the market.
11. **Producers who choose to market, label, package, advertise, or otherwise claim their products as "organic", "organically grown", "fed organic feed", etc. must either 1) submit proof of organic certification to the market manager, or 2) request, review and sign our Organic Grower's Affidavit (online at [www.oldcheneyroadfarmersmarket.com/become-an-ocrfm-vendor](http://www.oldcheneyroadfarmersmarket.com/become-an-ocrfm-vendor)).**

## Payment

1. See Application for fees and payment schedule. Vendors are responsible for making payments on time. **The first payment and application are due March 13, 2019.**
2. Returned checks: On the first occurrence, you will be charged an additional \$25 and your acceptance to the market will be delayed until the check has cleared, or you pay in cash for the stall to the Market Manager. After a second occurrence, you will be expelled from the market.

## **Grounds for Exclusion from the Sunday Farmers' Market at College View**

Vendors may be excluded from SFM upon decision of the SFM Board of Directors that the Vendor has violated these Rules and Regulations, or otherwise engaged in conduct that is contrary to the purpose and goals of the SFM. Such grounds for exclusion include, but are not limited to:

- Product and/or display does not meet the standards of the market.
- Non-cooperation with fellow vendors, customers, Manager or Board.
- Non-payment or a second bad check.

First violation: You will receive a verbal warning from the Manager and a request for you to re-read the Rules and Regulations and let the Manager know if you will comply with them. The Manager will note to the Board that the vendor has received a first warning.

Second violation: You will receive a written warning from the Manager and will be dismissed from the market for three (3) market days. You will receive a written notice stating what violation/s occurred and at what date you may return. The Manager will note to the Board that the vendor has received a second warning. No refund will be given for the market days the vendor misses, nor will the fee be extended to another date.

Third violation: You will receive a written notice from the Manager stating that you are no longer a member or vendor of the SFM and no refund will be given. The Manager will note to the Board that the vendor has received a third and final warning and has been expelled from vending at the market for the duration of the season, and no refund is to be given. Vendor appeals should be made in writing to the Board President within one week of dismissal from the market.

## **Grounds for Immediate Exclusion from the Sunday Farmer's Market at College View**

Vendors may be immediately and permanently excluded from participating in SFM, in any manner, upon decision by the Board of Directors that the Vendor has engaged in conduct sufficiently harmful to the interests and operation of the SFM to justify immediate exclusion. The Board shall have sole and exclusive discretion to determine whether Vendor misconduct is sufficiently harmful to the interests and operation of SFM to justify immediate exclusion, which discretion it shall exercise in good faith. Upon decision by the Board that grounds for immediate exclusion exist, the Manager shall provide the Vendor written notice stating that the Vendor has been expelled from vending at the market and that no refund is to be given. Vendor appeals shall be made in writing to the Board President within one week of receipt of such written notice.

## **Management Statements**

- Sunday Farmers' Market at College View reserves the right to deny stall space to any vendor at any time, without prior notice.
- Sunday Farmers' Market at College View does not discriminate against any applicant for stall space because of race, color, religion, sex, disability, national origin, sexual orientation, age or marital status.
- Stall assignments, determination of suitability of items offered for sale, and collection of stall rental fees and membership are the sole responsibility of the Sunday Farmers' Market at College View
- No guarantee of exclusivity of products is made or implied.

## **Contact Information**

Sarah Smith, SFM Manager, [sundayfarmersmarket.manager@gmail.com](mailto:sundayfarmersmarket.manager@gmail.com)

phone: (402) 937-1630    address: PO Box 85653, Lincoln, NE 68501

## **Definitions of Market Members for the Sunday Farmers' Market at College View**

Market Members must live in Nebraska or within 200 miles of Lincoln, NE or have received a waiver from the SFM Board to be a temporary vendor.

You must have all the appropriate permits, licenses and insurance to participate.

**Category I:** Vendors who fit the following three (3) definitions must pay the fees associated with Category I Vendor Stall fees. Full Season Vendor Stall Fees for Category I vendors are \$521 (10' x 23'), \$550 (10' x 25'), \$806 (18' x 18') or \$1,209 (27' x 18'); Weekly Vendor Stall Fees are \$31/week.

**Farmer:** someone who sells vegetables, fruit, plants, fresh-cut or dried flowers, eggs, fish or meat that they produced themselves, or managed the growing of if there are employees, within Nebraska or 200 miles of Lincoln, NE. The land may be owned or rented.

**Farmer-Processor:** someone who produces the raw ingredients and then either processes them on their farm or sends them out for processing. Examples include jelly, pies, salsa, cheese, value-added meat, herb blends, honey, etc.

**Baker:** someone who offers non-hazardous, not previously frozen and thawed, fresh baked, from scratch products. Priority will be given to vendors who use Nebraska-grown ingredients in their products.

NOTE: A Farmer or Farmer-Processor may also sell baked goods or non-farm processed items if these items constitute no more than 25% of your gross sales in any given week. These items must be specified in your product list on the application and be produced by the Farmer or Farm-Processor (no third-party sales).

**Category II:** Vendors who fit the following three (3) definitions must pay the fees associated with Category II Vendor Stall fees. Full Season Vendor Stall Fees for Category II vendors are \$858 (10' x 23'), \$906 (10' x 25'), \$1,326 (18' x 18') or \$1,989 (27' x 18'); Weekly Vendor Stall Fees are \$37/week.

**Wild-crafter:** someone who collects non-hazardous wild plants or fruit in Nebraska or within 200 miles of Lincoln, NE (including wild fruit, fresh or dried wild flowers and grasses) and further processes them into an original handmade product - one that may contain purchased materials (a vase, wreath, ribbon, etc.) only as a form or minor addition to the product.

**Non-Farmer Processor:** someone who buys the raw ingredients for their product and makes a product for sale, either at their permitted residence or at an inspected facility. This could include jelly, salsa, value-added meats, home/personal care items (soaps) etc. We will give stall preference to vendors who buy ingredients from local FARMERS rather than wholesalers.

**Concessionaire:** someone who has the required State and Lincoln Lancaster County permits for selling food and drinks to be consumed on-site.

**Category III:** Vendors who fit the following definition must pay a Weekly Stall Fee of \$58/week.

**Temporary Member/Non Wild-Crafter:** someone that lives and/or produces their product outside of Nebraska or a 200 mile radius of Lincoln, NE. You must have the approval of the Market Board and have a written waiver to be permitted to vend.

## **Sunday Farmers' Market at College View Vendor Matrix**

The matrix is intended to assist the SFM Board of Directors when making decisions about accepting vendors to the market. It is not necessarily the final say on all decisions if other circumstances warrant it, but it does reflect the market's mission and our vision for the future. A minimum score of 12 out of 24 points must be achieved to be accepted to the market. Notice will be given to vendors who do not meet this requirement. Vendors can request information regarding what practices need to be implemented in order to meet the required score.

## Sunday Farmers' Market at College View Vendor Matrix

This matrix is intended to assist the SFM Board of Directors when making decisions about accepting vendors to the market. It is a tool for the Board to use as needed, but is not necessarily the final say on all decisions if other circumstances warrant it.

		1	2	3	4	Goals Met
<b>A</b>	<b>Product Type and Source</b>	Baker, Non-Farmer Processor, and/or Concessionaire who currently does not use local ingredients.	Baker, Non-Farmer Processor, and/or Concessionaire who currently uses some local ingredients OR Wildcrafter of products collected/grown locally	Baker, Non-Farmer Processor, and/or Concessionaire who currently features local ingredients in all or most of their products	Farmer, Farmer-Processor, Baker, Non-Farmer Processor and/or Concessionaire who features local ingredients from SFM vendors as a significant ingredient in all or most of their products	<i>Strengthen local farm economies; Preserve local farmland</i>
<b>B</b>	<b>Product Sales</b>	Farmer: sells out of state or over 50% wholesale; Baker: sells over 50% to retail outlet (not farm stand); Concessionaire: locally owned and operated.	Sales are through both wholesale and direct market outlets; regional or out-of-state sales	Majority of sales are local & direct to customer; out-of-state and wholesale sales constitute little or none of their business	Family-owned business focused on local and direct to customer sales.	<i>Support small family farms; Improve local food security</i>
<b>C</b>	<b>Environmental Stewardship</b>	No current sustainable production practices or sustainably produced ingredients.	Some sustainable production practices in place(i.e. documented practices; continuously improves practices), or sustainably produced ingredients.	Many sustainable production practices are used (i.e. IPM, Low-spray, heirloom varieties, record keeping). Or many sustainably produced ingredients.	Third-party certified as organic/sustainable/humane/etc.	<i>Foster environmental stewardship</i>
<b>D</b>	<b>Vendor Distance from Market</b>	Located over 120 miles from the market site	Located 61-120 miles from the market site	Located 31-60 miles from the market site	Located within 30 miles of the market site	<i>Reduce food miles; Reduce fossil fuel consumption; Improve local food security</i>
<b>E</b>	<b>Vendor Availability</b>	Non-applicable-Temporary Vendor	Able to attend less than 80% of market days	Able to attend at least 80% of market days	Able to attend for full season, including early and late	<i>Full market at all times-encourage season vendors</i>
<b>Possible Bonus Points</b>						
<b>F</b>	<b>Product Variety</b>	Provides a variety of products to Market.				<i>Provides high-quality, unique products to the community.</i>
<b>G</b>	<b>Market Diversity</b>	Unique product that meets a market need.				<i>Market balance</i>
<b>H</b>	<b>Returning Vendor</b>	Returning vendor in good standing.				<i>Promote long-term support for Market.</i>
<b>I</b>	<b>Market Support</b>	Supports SFM with service on the board, as a volunteer, or other in-kind service.				<i>Promote long-term support for Market.</i>
<p>Farmers and Farmer-Processors must constitute a minimum of 37 stalls at all times. Non-Farmer-Processors, Bakers and Wild-crafters may constitute no more than 17 market stalls, and Concessionaires may constitute no more than 7 of the market stalls in any given week. When using the matrix to determine eligibility, these percentages must be maintained. A Farmer or Farmer-Processor who scores lower than a vendor in another category may only be excluded after the 37 stall minimum has been met. A minimum score of 12 out of 24 possible points must be achieved to be accepted to the market. Notice will be given to vendors who do not meet this requirement of practices they need to implement to be approved.</p>						