



Papillion Market Faire 2011 Rules and Regulations

Mission Statement:

The Papillion Market Faire (PMF) will support the partnership of growers, bakers, and local farmer production (within 100 miles in Nebraska & Iowa) to be marketed directly to the community to provide good health, natural benefits of eating fresh foods, and support our local providers. The Papillion Market Faire will also include a variety of artists to present an array of local art for the general public to purchase and enjoy.

Location & Times:

The Papillion Market Faire will be held Wednesdays from 5:00 p.m. – 8:00 p.m., May 18th through September 28th, 2011 at Papillion City Park located at Washington/84th Street and Lincoln Road. This location mixes the hometown feeling of Papillion with the relaxing feeling of family in City Park. Enjoy the trees, shade, park, and festivities right in the heart of Papillion. The Market Faire will **not** be held June 15th due to Papillion Days.

Vendor Types:

- I. Seasonal Vendors** are vendors that pay a one-time fee for an assigned stall throughout the season as designated by the City of Papillion.
- II. Weekly Vendors** are vendors that pay a drop-in rate and are assigned to a stall space depending on space availability, product mix, and management discretion. Weekly vendors are not guaranteed the same space each week they request to participate in the PMF. Requesting a date on the vendor application form does NOT guarantee a stall space for that day. Weekly Vendors will receive a confirmation by 4 p.m. on the Tuesday prior to the requested drop-in date.

Booth Space:

Both fees are:

- \$125.00 Standard (12' x 16') Seasonal in City Park grass area. Weekly \$25.00.
- \$135.00 Oversized (16' x 16') Seasonal in City Park grass area. Weekly \$30.00.
- \$135.00 Standard (12' x 16') Seasonal on parking lot surface (limited availability). Weekly \$30.00
- \$145.00 Oversized (16'x16') Seasonal on parking lot surface (limited availability). Weekly \$35.00

The PMF takes place primarily in Papillion City Park with limited booth space on the parking lot surface (to facilitate parking availability for customers). Seasonal applicants will be able to reserve a spot for the season on a first come basis. Reserved booth request will be taken starting April 4th 2011.

Booths in shady areas will not be guaranteed unless space is reserved prior to the May 18th PMF start date. It is highly recommended that all vendors have shade tents and bring appropriate assistance to set up displays/tents. **Sandbags and/or stakes or other appropriate safety equipment is required to ensure the stability and safety of all displays.**

Electricity:

Electricity will be available on a first-come, first-served basis. Duplexes outlets each provide 20 amps, 110v per Edison style duplex. Electricity must be arranged in advance by contacting the Papillion Recreation Department at (402) 597-2041. If vendors are approved to use electricity it is their responsibility to provide a heavy-duty extension cord and heavy-duty mats to cover the cord. It is recommended that vendors accomplish a site survey prior to their first setup to ensure they have the right equipment for their electrical requirements.

Market Specific Regulations

- The PMF will be held rain or shine and refunds are not given unless the PMF is cancelled prior to opening and at the determination of management. In this case, refunds will only be considered for Weekly Vendors.
- All vendors **MUST** be onsite by 4:45 p.m. Vendors that are not onsite by 4:45 p.m. may have their space reallocated to another vendor.
- **NO public sales before 5:00 p.m. or after 8:00 p.m.**
 - Customer and vendor safety is essential during operations of the PFM. Ensuring a safe pedestrian zone and that customers are not in the way of arriving or departing traffic is the reason for the 5:00 -8:00 only sale times. Failure to follow these rules will result in expulsion from the PMF without refund of fees paid.
- **NO smoking in vendor stalls.**
- **All Stalls MUST BE KEPT CLEAN.** Failure to leave the area clean at the end of the sales day will result in expulsion from the PMF for the remainder of the 2011 season without refund of fees paid.

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.

- The Special Events Coordinator arrives by 3:30 p.m. each Wednesday. Vendors are allowed to drive onsite between 3:30 p.m. and 4:45 p.m. Vendors arriving after 4:45 p.m. will have to handcart items to their stall.
- No vehicles are allowed to enter or exit the site between 5:00 p.m. and 8:30 p.m. If there is an emergency, please work with the Special Events Coordinator.
- Vendors are not allowed to leave before 8:00 p.m. even if they sell out of product.
- Vendors may **NOT** sell promotional or commercial items such as t-shirts, calendars, compact discs, etc. The sale of non-original promotional or commercial items is prohibited.
- No items offered for sale maybe be jobbed or commercially made. All products must be the original art work or produce of the vendor.
- The City of Papillion reserves the right to conduct on-site inspections of farms, kitchens or other workshops or spaces.
- No amplified music is allowed in the artists booths.
- No displays can be set outside the front of booth or in patron walkway.
- Non-produce vendors are responsible for collecting, reporting and paying sales tax. Papillion's current tax rate is 7%.
- Papillion Recreation reserves the right to invite food or community vendors at no charge. These vendors will be assigned available reserved spaces (if necessary) at 4:45.

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 (unless otherwise stated above):

- First violation results in a verbal warning, which may be issued by the Special Events Coordinator.
- Second violation results in a written warning issued by the City of Papillion Recreation Director.
- Third violation results in expulsion without refund for the remainder of the Papillion Market Faire season.

For Grower/Produce & Other Food Vendors ONLY:

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 wrapped. 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 PMF. 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'.
- Only products in compliance with the regulations of the Nebraska Department of Agriculture may be sold at the PMF.
- Vendors are responsible for securing all necessary permits and approvals.
- Vendors selling meat products must display proof of USDA inspection and a current manufacturer's license/permit on-site during the PMF each week.
- 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 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. For example, "Food items were prepared in a kitchen that is not subject to regulation or inspection by the Food Division of the Nebraska Department of Agriculture." Only certain items (mainly baked goods) are eligible for this option, please contact the Nebraska Department of Agriculture for details.
- Vendors selling items produced in a regulated kitchen must display their license at the PMF. Only water-processed jams and jellies are allowed—NO paraffin topped.
- Sampling must meet the requirements of the Nebraska Department of Agriculture.

Resources:

- Nebraska Department of Agriculture, Plant Industry (402) 471-2394.
- Department of Agriculture, Weights & Measures (402) 471-4292.
- State of Nebraska Department of Revenue (402) 595-2065.

For Artists/Crafters ONLY

The Papillion Market Faire would like as many local and regional artists to participate as possible. The City of Papillion will use the following standards to guide their decision in filling available spaces:

- Work is original and made by hand.
- Work is produced in quantity or as an individual piece.
- Work is well-conceived, expertly executed with out technical faults.
- Work shows originality of design.
- All work must be original work of the accepted artist. No artwork from molds, kits or other commercial methods is allowed.
- All work displayed must be for sale.
- Limited edition prints are accepted in editions of 500 or less, provided each is individually signed and numbered.
- All developing and printing of photographs must be made from the artist's original negative and under the artist's direct supervision.

Acceptance of Offer:

Step (1): Each applicant is asked to submit at least four (4) images along with their completed application to the Papillion Recreation Department, 1100 W Lincoln Road, Papillion, NE 68046.

The images must be of individual pieces of work. Images must portray work that is current, original and representative of the work you will display and sell on-site at the Papillion Market Faire.

Images are considered solely on the merits of the work pictured. NO other criteria are considered.

Step (2): The Papillion Market Faire will notify all applicants whether accepted, rejected, or on the waiting list within seven (7) business days.

Step (3): If notified of acceptance, the applicant may accept the invitation to exhibit by submitting their booth fees to the Papillion Market Faire as per the fee schedule above.

Failure to respond by the deadline may result in forfeiture and the space will be filled by an alternate from the waitlist.

Cancellation:

Seasonal vendors wishing to withdraw from the Papillion Market Faire must submit a written request to the Papillion Recreation Department, 1100 W Lincoln Road, Papillion, NE 68046

No refunds will be made for cancellations received after May 18th, 2010.

Sales:

Each artist is responsible for collecting and paying Nebraska sales tax. It is the responsibility of each artist to return payment to the Nebraska Tax Revenue Service per state statute. Papillion's current tax rate is 7%. For more information, please contact State of Nebraska Department of Revenue (402) 595-2065.

For artists only check ONE category for your entry:

_____ Ceramics

_____ Leather

_____ Metal

_____ Fiber

_____ Glass

_____ Wood

_____ Sculpture

_____ Jewelry

_____Photography

_____Drawing/Pastels

_____Painting

_____Mixed Media 2D

_____Mixed Media 3D

_____Graphics/Printmaking

Please describe your work including slide/photo images:

Media Descriptions:

- Ceramic: original clay work, excludes jewelry
- Drawing: two-dimensional works in pencil, chalk, pastel, charcoal, pan and/or ink
- Fiber: work crafted from fiber including fabric and paper, excludes jewelry
- Glass: works made of glass that have been crafted by glass blowing, molding, casting, or kiln-forming, excludes jewelry
- Jewelry: metal, glass, clay, fiber, paper, or plastic
- Leather: any work crafted from leather, excludes jewelry
- Metal: work crafted from metal, excludes jewelry
- Mixed Media 2D & 3D: single works that incorporate more than one type of physical material in their production (ceramic/fiber; wood/metal; etc), excludes jewelry
- Painting: two-dimension; works in paint including acrylic, oil, watercolor, etc.
- Photography: photographic prints created from the artist's original negatives that have been processed by the artists or under the direct supervision of the artist
- Printmaking/Graphics: original works created using traditional printmaking methods including lithograph, block, serigraph, etc, as well as computer generated art
- Sculpture: three-dimensional original work created in any medium, excludes jewelry
- Wood: original works in wood that are hand-tooled, machine-worked, turned or carved, excludes jewelry

Contact Information:

Papillion Recreation Department
1100 West Lincoln Road
Papillion, NE 68046
PH: (402) 597-2041
FAX: (402) 597-2041

Frequently Asked Question

What foods can be sold without a permit?

- Fresh fruits and vegetables, especially home-grown items;
- Certain baked goods, limited to non-potentially hazardous baked goods, breads, cookies, and fruit pies; Prepackaged, commercially prepared snack items, such as canned pop, candy bars, and potato chips; Popcorn and other seeds;
- Fresh or dried herbs; and Jams and jellies.

What items cannot be sold at a farmers' market?

- All low acid canned foods in hermetically sealed containers, including pickles and salsa;
- Unpasteurized milk, cheese, yogurt;
- Cream pies; and

- Foods from unapproved sources.
- Contact the NDA Foods Division for specific items. (402) 471-2536 www.agr.ne.gov

How are products to be sold? By count? By the pound?

- For specifics, contact: the Weights and Measures Division, at (402) 471-4292.
- **You may be required to have a certified scale to weigh your products.**
- **Note:** Most vendors choose their prices after conducting market research at local grocery stores, and price by piece or package, thus preventing need for a certified scale.

What is the placard requirement for farmers' market sales?

- A clearly visible placard is required at the point of sale stating: **Food items were prepared in a non-inspected, non-licensed food preparation area.**
- A placard is not required if the foods were prepared in an inspected, licensed facility.

What foods require a permit and inspection of the preparation area?

- The Nebraska Pure Food Act states that no person shall operate a food establishment without a valid permit which sets forth the type of operation occurring in the establishment.
- A "food establishment" is an operation that stores, prepares packages, serves, sells, vends, or otherwise provides food for human consumption.
- Although many vendors at the farmers' markets fall into the "food establishment" definition, there is an exemption for the sale of fresh fruits and vegetables at farmers' markets and roadside stands.
- Permits and inspections are required for all commercial establishments, such as stands that sell fountain pop and sandwiches, and for operations selling potentially hazardous foods, such as meat, poultry, and game animals.
- These vendors must meet the requirements for their particular type of operation, as found in the Nebraska Pure Food Act and the Nebraska Food Code.

How is a permit obtained?

- Persons needing a food establishment permit should contact the NDA Food Division at (402) 471-2536.
- The area sanitarian will meet with you to discuss your operation, inspect the preparation area for your product, and offer you the permit application, if necessary. All permits have a one-time permit fee, in addition to an annual inspection fee. Annual inspection fees are due on August 1, regardless of when the permit was issued.

The types of operations that may be found at a farmers' market requiring a permit include:

- **Temporary Food Establishment:** Persons selling foods for immediate consumption such as fountain pop, hot dogs, and other sandwiches.
- **Itinerant Food Vendor:** This category includes the sale of foods prepackaged at a permitted facility. This would include fresh or frozen meat and poultry which is processed/packaged in an inspected facility.
- **Mobile Food Unit:** A vehicle-mounted food operation selling prepackaged items and foods requiring limited preparation.
- **Pushcart:** A non self-propelled unit selling prepackaged items.

What are the requirements for the sale of red meat (beef and pork)?

- All red meat must be processed in a USDA-inspected facility and carry the federal marks of inspection.

- The packages must bear a label with the USDA establishment number, the net weight, price per pound, total weight, total price, and name and address of the producer, packer, or distributor.
- This type of sale would require an itinerant food vendor permit.

What are the requirements of the sale of dressed poultry?

- Poultry is usually processed under USDA inspection. However, there is a USDA exemption that allows individuals to process poultry they have raised and sell it through commercial channels.
- The poultry must be processed in either a USDA establishment or in a facility under state inspection.
- Poultry raised and processed, under the terms of the exemption, must be labeled with the USDA exemption statement, name and address of processor, weight, price per pound, and total price.
- A processor's permit is required at the processing location; an itinerant food vendor permit would be required at the point of sale.
- Poultry processed in a state inspected facility may not be sold interstate.
- Contact the Food Division to discuss the exemptions.

What are the requirements for selling processed game animals?

- Game animals must also be processed under State inspection.
- Game animals (rabbits, fish, buffalo, pheasants, etc.) are not amenable to USDA regulations; therefore, inspection by the USDA is not required.
- Similar to poultry processing, the processing area must meet food safety and sanitation requirements, including smooth, cleanable work surfaces, walls, floors, and ceilings, adequate clean-up facilities, hand sinks with hot and cold water, and adequate refrigeration facilities.
- This area would be permitted as a Processor.

What about selling shell eggs at the farmers' market?

- Eggs must be clean, graded, must be kept refrigerated to 45°F or below, and be labeled with the Nebraska Egg Code number, grade, size, packaged date, and name and address of the packer.
- The Egg Code number is a registration number provided, at no charge, by NDA.
- Contact information: (402) 471-2536 www.agr.ne.gov
- A person may sell eggs of their own raising at a farmers' market, to stores, restaurants, and institutions without a permit, as long as they are properly labeled.

What labeling is required?

- All packaged foods must be properly labeled with the common name of the product, name and address of the producer, packer or distributor, net contents, and list of ingredients in descending order of predominance by weight.
- Meat labels must also have the USDA identification number on the package.

Are hand washing facilities required?

- Hand washing is required when exposed foods are handled, such as slicing or cutting fruits or vegetables for sampling purposes.
- Hand washing facilities are required for vendors offering sandwiches, fountain drinks, or other foods that may have direct hand contact.
- For additional information, please contact Nebraska Department of Agriculture Bureau of Dairies and Foods (402) 471-2536 [www.agr.ne.gov/Food Safety Farmers Markets 2009_071009.doc](http://www.agr.ne.gov/Food%20Safety%20Farmers%20Markets%202009_071009.doc)



City of Papillion
2011 Market Faire Application

Name: _____ Date: _____

Name of Partner: _____ Team Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____

Email _____

Please circle one vendor type:

Art Vendor

Food Vendor

Please check the appropriate fee:

Seasonal

- _____ \$125.00 Standard (12' x 16') City Park grass area.
- _____ \$135.00 Oversized (16' x 16') City Park grass area.
- _____ \$135.00 Standard (12' x 16') parking lot surface (limited availability).
- _____ \$145.00 Oversized (16'x16') Seasonal on parking lot surface (limited availability).

Weekly

- _____ \$25.00. Standard (12' x 16') City Park grass area.
- _____ \$30.00 Oversized (16' x 16') City Park grass area.
- _____ \$30.00 Standard (12' x 16') Seasonal on parking lot surface (limited availability).
- _____ \$35.00 Oversized (16'x16') Seasonal on parking lot surface (limited availability).

Briefly describe the items to be sold at the PMF: _____

Please provide the price range of your art work: _____

Please provide any additional information you would like the PMF to have on record about your business or comments you would like the Papillion Market Faire to have on file: _____

Important Dates:

- **April 4, 2011:** Booth reservations accepted
- **April 29, 2011:** Deadline for assigned booth request & vendor applications.
- **May 18, 2011:** First Market Faire day
- **September 28, 2011** Last Market Faire day
- **June – Aug** **Bands Performing on Stage 6:30 pm – 7:30 pm**

Checklist for vendors

_____ Completed and signed application.

_____ Check or money order for booth fee of either (\$125) for the season, valid May 5-September 29, 2010 made payable to the City of Papillion or weekly vendor fee of (\$20) per week.

_____ Copy of Applicable Licenses and Nebraska Tax Certificates

_____ Minimum of four (4) labeled images- (Artists only).

RELEASE ACKNOWLEDGMENT

Please read and sign the following.

I am making application to be a vendor in the Papillion Market Faire and agree that acceptance of my application commits me to participate in the Papillion Market Faire. I have read all the rules and agree to abide by them, as well as any other rules as may be established and, further understand that failure to do so may result in the loss of my space at the Papillion Market Faire, forfeiture of my application fee and liability for any actual or consequential damages.

By signing this application, I do agree to follow the stated rules and regulations of the Papillion Market Faire. Required paperwork must be mailed or submitted in person, fee included, and approved by the Papillion Recreation Director before participating in the Papillion Market Faire.

I certify that all submitted and displayed works will be original (or reproduced as defined in the rules) and produced solely by myself or by my registered partner. I understand that the City of Papillion staff reserves the right to use my submitted images and/or other photos taken at the Papillion Market Faire for promotional purposes.

I understand that the Papillion Market Faire, the City of Papillion, all sponsoring organizations, and their directors, officers, elected officials, employees, agents and volunteers are not responsible for any loss or damage to property owned, displayed, or sold by all vendor registrants or any injury resulting to others. I agree to hold each of them harmless from any such claims of damage, loss or injury arising out of my participation in the Papillion Market Faire.

Applicant Signature

Partner Signature (For artists participating as a team)

Date

Date

Tax ID Number

Completed applications should be returned to: (fee included, made payable to the City of Papillion)

Papillion Recreation Department
c/o Papillion Market Faire
1100 West Lincoln Road
Papillion, NE 68046

OFFICE USE ONLY

Date received: _____ Initials: _____

Accepted: _____ Declined: _____

Notes: _____

Director Signature: _____

Date: _____

