Farmers Market Ogden
Vendor Guidelines

(UDAF COVID-19 Policy and Guidelines starting on pg.7)

About us

Farmers Market Ogden is managed and produced by the Ogden Downtown Alliance, a 501(C)3 nonprofit organization. Farmers Market Ogden strives to provide awareness of, and access to, local agriculture while utilizing vendors, musicians, artists, and community partners to create an inclusionary culture of urban arts and community engagement. The Farmers Market Ogden series acts as a community drawing board for urban development and annually reflects a large economic impact.

Vendors permitted to participate in Farmers Market Ogden include:

- **Farmers/Growers** - Products sold must be grown and harvested on the vendor's owned or leased property. Any vendor sampling their product must obtain a permit from the Weber-Morgan Health Department.
  Farmers must register their farm with the Utah Department of Agriculture under the Utah Produce Safety requirements. Go to https://producesafety.utah.gov/tool/ and by answering a few questions, you can sign up to be an exempt produce grower, if applicable. After filling out the application, UDAF will send out a certificate.
- **Ranchers** - Products sold must meet Utah Department of Agriculture and USDA regulations. Any vendor sampling their product must obtain a permit from the Weber-Morgan Health Department.
- **Preserves** - All preserves (jam, salsa, syrups, etc.) must be prepared and, if applicable, packaged in a commercial or cottage kitchen that has been inspected and approved by the Utah Department of Agriculture.
- **Packaged Foods** - All packed food must be prepared and packaged in a commercial or cottage kitchen that has been inspected and approved by the Utah Department of Agriculture.
- **Prepared Foods** - Food must be prepared and served onsite. Cooking stations must be in compliance with the Weber-Morgan Health Department. Choosing to purchase from other vendors to prepare menu items is appreciated.
- **Artisan** - Handmade items must have been made by the vendor selling the item or their staff.

We do not accept multi-level marketing companies or resale items of any kind. All vendors must sell products made, grown, harvested, or raised by the vendor or their staff.

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Farmers Market Ogden is not a forum for political or religious organizations to fundraise, recruit, market, and/or advertise. No political or religious vendors will be accepted into the Farmers Market Ogden at any time.

To maintain the trust of our customers, and to ensure that we are a producer-only market, all vendors will undergo at least one inspection of their farm or production facility conducted by a market representative.

- Vendors will be chosen for inspection by random selection.
- Vendors will be given a minimum of 72 hours notice of the inspection.
- Inspections will not include financial records or personal property.
- Inspections may include material and ingredient invoices and any property related to the production of products sold at the market.

Vendor Participation

All vendors must understand their commitment to vending each week they have signed up for (see Fee Structure and Fines for more information regarding absences).

- **Full Season**- Vendors who choose to participate in the entire 17 week season must participate in online registration and are subject to the adjudication process outlined below. Their vendor fee is due in full at the time of acceptance, and they will receive a designated spot for the duration of the market.
- **Weekly (Summer Market Only)** - Weekly vendors will register online using the same application as full season vendors and are subject to the adjudication process outlined below. Vendors must select the day(s) they would like to vend and pay their vendor fee in full at the time of acceptance. Weekly vendors do not receive a designated spot to vend and will be assigned a different spot per week attending. If there is a request to switch a selected Saturday for a different week a request must be submitted 2 weeks in advance and will be reviewed by market staff.
- **Community** - Any vendor that is looking to provide information to the public while providing a community activity and not looking to sell may occupy a community booth space. Vendors must participate in online registration and are subject to the adjudication process outlined below. These spaces are free of charge and are limited throughout the market season.

Please note: *Electricity is in short supply at every market and will not be guaranteed to any vendor. Requests for electricity must be made on the online registration application, but are in no way guaranteed.*

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Fee Structure and Fines

The vendor application fee is **not** incorporated into the vendor booth fee for the market. The vendor application fee is required at the time of application and the vendor booth fee is required when accepted into the market. Both fees are non-refundable.

Vendors who have not made their vendor booth payment will not be admitted to vend during the market and will be charged a late fee (see ***Fines***). Each accepted vendor is responsible for the booth fee of their business, and cannot split, share, or pro-rate their fee to any additional vendors.

All fees are subject to change at the discretion of Farmers Market Ogden staff.

Summer Market Fees

- Registration Fee $35 (non-refundable)
- Full Season Vendor Fee $300 Produce – $595 Artisan/Other
- Weekly Vendor Fee $35 Produce – $60 Artisan/Other

Fall Market Fees

- Registration Fee $35 (non-refundable)
- Vendor Fee $120 Produce – $210 Artisan/Other

Winter Market Fees

- Registration Fee $35 (non-refundable)
- Vendor Fee $120 Produce – $210 Artisan/Other

Fines

All fines will be delivered in the form of an invoice and must be paid before vending the next week. Vendors who do not pay their fines will not be permitted to vend.

- Vendor booth payment late fee - $15/week
- Failure to notify Market Manager of absence 72 hours before that weeks market - $50
- Driving the wrong way down the street for loading and unloading - $25
- Unapproved driving on the street during market hours of operation - $25
- Failure to be set up and ready to operate at market opening time - $35
- Take down of booth space prior to market closing time - $35
- Failure to leave booth space clean - $25
- Use of permanent trash bins - $25
- Reselling - $50 first offense, suspension second offense, expulsion from market third offense

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Application and Jury Process

Applications are accepted online and are open for one month. All vendor applications will be reviewed and adjudicated through a jury process administered by Farmers Market Ogden management. This jury may include affiliates of Ogden Downtown Alliance. Selected vendors will be notified of their acceptance one week from the registration close date via the email provided on the application.

Prior participation in Farmers Market Ogden or in one of Ogden Downtown Alliance's signature events does not guarantee acceptance, nor does it provide specific placement within the Farmers Market. In order to be fair to all vendors, no vendor will have the same booth space that they had the previous year.

Applicants may be asked to submit photos or give more detail about their product to help with the jury process. Contact will be made through the email that was submitted on the application.

Some vendors may meet all requirements but conflict with other vendors, or on-street business products. In the interest of viable market vendors, multiples may not be accepted at the discretion of the jury and all decisions will be final.

The jury process is closed to the public and discussions that take place will not be shared outside of Farmers Market Ogden's management team at any time. The Farmers Market Ogden management team reserves the right to refuse any vendor application. The reasoning for non-acceptance will not be given.

Vendor Responsibilities and Disclaimers

Vendors may only display and sell those items described in their original application. Changes to saleable items and any activities are to be approved by the market management team in advance. Failure to receive such approval may result in removal from the market, without refund.

All accepted food vendors are required by the market to be permitted by the Ogden-Weber Health Department and/or the Utah Department of Agriculture and Food prior to participation in the market. **Obtained certificates must be visibly displayed at the vendor's booth.**

Vendors assume full responsibility for the products they market and sell. Ogden Downtown Alliance, its staff, sponsors, and affiliates will be held harmless against any claim of injury or damage by any buyer, seller, or other persons resulting from the use, consumption, display, or marketing of vendors' products.

Vendors are responsible to provide their own table, chairs, and shade/canopy. Canopies must be secured by a weight system that provides 25lbs per leg. Selected vendors will receive a 10'x10' space within which to display their goods. **All displays/booths must stay within the designated space. No signage is permitted in walkways.** Failure to comply with placement may result in additional fees and/or expulsion from the market, at the sole discretion of the market staff. **Canopies are not permitted at the Winter Market.**

A Special Event Temporary Business License from Ogden City is required for all vendors. **The business license fee is collected as part of the registration fee and will be paid to the city on your behalf.** There are two options for this required license:

- Weekly license per day - $5.00 daily rate. A new license is required for each day that you participate.
- Full season license - $25.00 for full market vendors. Nonprofits are the same rate, regardless of selling or not selling items.

Vendors are required to understand and follow all local, city, state, and federal laws and regulations. All required sales tax collections and remittances are the sole responsibility of the vendor.

SNAP/DUFB/Produce RX Token Program

Vendors who sell bread, packaged food, preserves, fruits, vegetables, meats, fish, poultry, seeds, and dairy products are required to participate in the SNAP (Supplemental Nutrition Assistance Program), DUFB (Double Up Food Bucks), and Produce RX program. Vendors will be reimbursed for all SNAP, DUFB, and Produce RX tokens received as payment for goods via check or direct deposit the week after they are turned into the Information Booth. Wood, green, and purple tokens are worth $1. Vendors are not allowed to spend tokens received to purchase other vendor's products nor should they accept wooden tokens from other farmers markets.

On-Site Procedures

Selected vendors will receive a detailed information packet including booth number (for full season vendors only), map, market guidelines, market procedures, and a temporary tax ID number. Market procedures will be given to vendors that are specific to the market they are participating in before the market starts. **It is the responsibility of the vendor to ensure that all staff are aware of, and abide by, these guidelines and procedures.**

Farmers Market Ogden staff has the authority to move and reassign vendor spots to enhance or facilitate market operations at our sole legal discretion. Farmers Market Ogden also has the authority to remove any vendor for any reason at any time, with or without prior notice and without a refund of their vendor fee.

Vendors are required to notify either by email or phone **72 hours in advance** if they will not be attending the market. **If proper notice is not given a fine will be issued (see *Fines*).** Non-compliance or repeated absences without proper notice may result in forfeiture of the vendors assigned spot and could result in denied participation at future markets.

Vendors are required to stay for the duration of the market. Load in to begin 2 hours before market start time, all vendors must be set up and ready to vend by market opening hour. Teardown to begin at market closing hour, with all vendors to be completely removed from the venue no later than 45 minutes after closing hour. Vendors will not be allowed to leave prior to the teardown time for any reason and are expected to have made arrangements to accommodate this in advance. **Vendors who set up late or begin tearing down early will be fined (see *Fines*).**

Farmers Market Ogden is a rain or shine event and will operate regardless of weather.

Going Green

- Vendors should limit packaging where possible and use alternative plant-based, recycled, biodegradable products where appropriate.
- The use of single-use plastic grocery bags and styrofoam are prohibited at all markets. We encourage customers to bring and use reusable bags or other alternatives.
- $1 reusable grocery bags will be available for purchase at the Information Booth.

Vendors are responsible for their own garbage and for keeping their area clear of debris throughout the market day. Vendors must clean up their selling spaces at the end of each day, this includes all paper, liquid, waste, etc., which must be thrown into the appropriate green garbage bin provided by the market staff. **If a vendor throws their garbage into one of the permanent black garbage bins on the street they are subject to a fine as it requires additional labor hours to remove the overflowing trash from the permanent bins (see *Fines*).**

Why it's important

We want everyone, including our vendors, to have the most enjoyable and successful market season possible. We truly believe that vendors are the most important part of the market and these guidelines help ensure that we are being fair to all of our vendors in maintaining a high-quality market.

We look forward to a successful season with you!

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UDAF's COVID-19 Food Establishment Permit Guidelines for Farmers Markets
UPDATE - Issued May 5, 2021

Please be advised that Food Establishment Permits for Farmers Markets do not supersede more restrictive city or county permitting authority or public health orders. Farmers Markets requesting Food Establishment Permits must meet with their local health department before Food Establishment Permits will be issued.

Farmers markets are an essential part of our local food systems providing direct sales outlets for farmers and ranchers to access potential consumers who can purchase safe, local produce and other locally produced agricultural products. Supplemental Nutrition Assistance Program (SNAP) users benefit from shopping at farmers markets as they are able to double the dollar value for fresh food purchases.

Because the Utah Department of Agriculture and Food (UDAF) will continue to issue "Food Establishment Permits" required by Utah farmers markets, we are distributing these guidelines.

For purposes of this directive, a "farmers market" means a market where a producer of a food product sells only a fresh, raw, whole, unprocessed, and unprepared food item UCA 4-5-102 (6). If a farmers market includes the sales of processed or prepared foods such as cheese, meat, or bottled foods, they are required to obtain a Food Establishment Permit from UDAF, and vendors selling processed or prepared foods must also be registered with UDAF, and display their company's Permit at their booth.

While UDAF is committed to affecting the state's most recent COVID-19 guidelines, be aware that these policies may be modified in the interest of public health or at the Governor's direction. Permit holders agree to be bound by the regulations currently in place, or any future guidelines established in the interest of public health or at the Governor's direction, and understand that failure to follow the guidelines may result in the loss of a permit.

Most of the state's restrictions have been lifted, but we believe that our guidelines are prudent and in the interest of public health.

- One handwashing station or hand sanitizer station is **recommended** per every five booths
- Booths **should** be 6' apart
- Farmers markets **should** continue to enforce CDC social distancing recommendations of at least 6' apart
- Farmers markets **should** encourage "tap" or online payment options when possible
- Vendors **should** change gloves and sanitize point-of-sale equipment between transactions
- The wearing of face masks by vendors and shoppers is at the **discretion of** the organization sponsoring the farmers market
- Farmers markets are **encouraged** to maintain their existing nutrition incentive programs (i.e. SNAP, Double-up Food Bucks).
- Vendors who do sell pre-package products are **required to** be registered with the Utah Department of Agriculture and display their company's current Food Establishment Permit at their booth.

- Homemade Food Act vendors are **required** to follow the guidance listed in Utah Code 4-5a, Home Consumption and Homemade Food Act.

For questions regarding these recommendations, please contact Travis Waller at twaller@utah.gov or Tim Lane at tlane@utah.gov or 801.317.7595