

COUNCIL OF THE TOWN OF LA PLATA
Ordinance 11-4

Introduced By: Mayor Roy G. Hale, by request
Date Introduced: April 26, 2011
Date Adopted: May 24, 2011
Date Effective: June 9, 2011

1 **An Ordinance** concerning

2
3 **Farmers Market**

4
5 **FOR** the purpose of amending the Code of the Town of La Plata to eliminate reference to the
6 Farmers Market Commission; making other revisions relating to the administration and
7 operation of a Farmer's Market in the Town of La Plata; and all matters generally relating
8 thereto.

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10 * * * * *

11 **BY** repealing and reenacting with amendments
12 Chapter 98 – FARMERS MARKET
13 Sections 98-1, 98-2, 98-3, 98-4, 98-5, 98-6, 98-8.B. and 98-10
14 Code of the Town of La Plata
15 (1998 Edition as amended)

16
17 **BY** repealing
18 Chapter 98 – FARMERS MARKET
19 Section 98-9
20 Code of the Town of La Plata
21 (1998 Edition as amended)

22
23 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA**
24 **PLATA,** That Section 98-9 of the Code of the Town of La Plata (1998 Edition as amended) be and
25 it is hereby repealed.

26
27 **SECTION 2: AND BE IT FURTHER ENACTED** that Sections 98-1, 98-2, 98-3, 98-4, 98-5,
28 98-6, 98-8.B. and 98-10 of Chapter 98, FARMERS MARKET, of the Code of the Town of La
29 Plata (1998 Edition as amended), be and they are hereby repealed and reenacted, with amendments,
30 to read as follows:

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32 **Chapter 98 FARMERS MARKET**

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34 **Section 98-1 Definitions.**

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36 As used in this chapter, the following terms shall have the meanings indicated:
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38 FARMERS MARKET -- A designated area where, on designated days and times, sellers may
39 sell directly to the public, in accordance with applicable state and town regulations. The town
40 shall have the right to relocate or discontinue the market, to specify the days and times of its use
41 and to stipulate what goods may be sold.
42

43 MARKET SALES SPACE – AN AREA WITHIN THE LA PLATA FARMERS MARKET
44 WHICH IS THE EQUIVALENT OF TWO PARKING SPACES AND WHICH IS INTENDED
45 FOR THE USE OF SELLERS HAVING SEASON OR DAILY PERMITS TO SELL
46 PERMITTED ITEMS AT THE LA PLATA FARMERS MARKET.
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48 SELLER – Any person offering for sale articles for human consumption, cut or potted flowers,
49 handcrafted items, antiques and secondhand items, AND OTHER ARTICLES APPROVED BY
50 THE MARKET MASTER. ((Those articles for human consumption, cut or potted flowers or
51 handcrafted items must have been raised, produced or made by the “seller”,.)) Except for fresh
52 seafood caught by the “seller”, the sale of meat, poultry and refrigerated dairy products ((shall be
53 prohibited)) IS REGULATED BY THE CHARLES COUNTY DEPARTMENT OF HEALTH,
54 AND ALL PERSONS DESIRING TO SELL SUCH PRODUCTS MUST DISPLAY THE
55 PROPER PERMITS REQUIRED BY THAT AGENCY.
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57 **Section 98-2 Market Master.**

58 A. A Market Master shall be appointed by the Chief Executive Officer of the Town of La Plata
59 and shall serve at the pleasure of the Chief Executive Officer ((at such compensation as
60 the Farmers Market Commission shall fix from time to time)).

61 B. The Market Master shall review the application of any seller offering articles for sale, issue
62 permits and collect fees therefor, assign spaces to sellers, maintain the market's cleanliness,
63 enforce the market regulations under the direction of the ((Farmers Market Commission)) CHIEF
64 EXECUTIVE OFFICER and establish a system of bookkeeping for the market in conjunction
65 with the system used by the Town Treasurer of the Town of La Plata.

66 C. COMPENSATION FOR THE MARKET MASTER WILL BE A FIXED DAILY RATE
67 OR HOURLY RATE, AS DETERMINED BY THE CHIEF EXECUTIVE OFFICER.
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69 **Section 98-3 Permit required; fees.**

70 A. No seller shall sell or offer for sale any product without first having obtained a permit
71 therefor. Each permit shall be valid for one (1) season. The seasonal fee for such permit shall be as set
72 forth in Chapter 101, Fees. ((No seller shall be eligible for more than one (1) permit.)) A permit granted
73 hereunder is nontransferable.
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77 **Section 98-4 Display of permit.**

78 Licenses and permits shall be conspicuously displayed to the public((, as governed by
79 the Farmers Market Commission)).

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Section 98-5 Contents of permit application.

An applicant for a permit to sell goods within the market shall BE ((submit)) SUBMITTED to the Market Master, together with the required fee, an application, in writing, containing the following information:

- A. The name, address and phone number of the applicant.
- B. The products for which a sale license or permit is sought.
- C. The source of the products.
- D. A warranty that such products are fit for human consumption or use.
- ((E. A certificate of production as provided in § 98-6.))

Section 98-6 Assignment of spaces((; certificate of production)).

((A.)) Spaces shall be assigned in accordance with the order in which permit applications are filed with the Market Master. Permit fees shall be paid in advance of occupancy.

((B. Sellers shall submit, in advance of occupancy, an affidavit certifying that articles offered for sale are of the sellers' own raising or production.))

Section 98-8 Violations and penalties.

B. Enforcement officials. The following officials are hereby authorized and empowered to enforce this chapter:

- (1) The Market Master.
- (2) Any officer of the La Plata Police Department.
- (3) The Chief Executive Officer of the town.
- (4) TOWN CODE ENFORCEMENT OFFICERS.

Section 98-((10)) 9 Market Fund.

There is hereby created a Market Fund. All fees and other revenue derived from the farmers market shall be accounted for and immediately turned over to the Town Treasurer and deposited in the Market Fund. Expenses for the farmers market shall be approved by the ((Farmers Market Commission)) CHIEF EXECUTIVE OFFICER and paid by the Town Treasurer from the Market Fund.

SECTION 3: AND BE IT FURTHER ENACTED that this Ordinance shall become effective at the expiration of fifteen (15) calendar days after its approval by the Council.

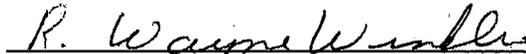
ADOPTED AND APPROVED by the Council of the Town of La Plata on May 24, 2011.

SEAL:

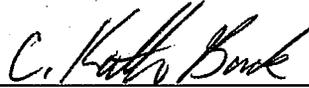
COUNCIL OF THE TOWN OF LA PLATA



Roy G. Hale, Mayor



R. Wayne Winkler, Councilman



C. Keith Back, Councilman



Paretta D. Mudd, Councilwoman

ATTEST:



Danielle Mandley, Town Clerk

Date 5/24/11



Joseph W. Norris, Councilman

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

((Double Parenthesis)) indicate matter deleted from existing law.

* * * indicates existing law not depicted in bill and not being altered by bill

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.