

THE CORPORATION OF THE TOWNSHIP OF ATHENS

BY-LAW #2010-06

BEING A BY-LAW TO ESTABLISH AND REGULATE A FARMERS MARKET

WHEREAS Section 113 of the Municipal Act, 2001, S.O. 2001, C.25 authorizes municipal councils to establish and regulate farmers markets within the municipality;

THEREFORE the Council of the Corporation of the Township of Athens Enacts as Follows:

1. Definitions:
 - a) "Clerk" means the Clerk for the Corporation of the Township of Athens.
 - b) "Market Permit" means the permit issued by the Clerk (or designate) pursuant to this by-law.
 - c) "Market Stall" means one parking space measuring approximately 2.7 meters in width by 6.0 meters in a location designated by the Council of the Corporation of the Township of Athens.
 - d) "Market Season" means the period of time commencing Victoria Day weekend through October 31st inclusive in a calendar year from dawn to dusk, excluding the 3rd Saturday of August.
 - e) "Produce" means, without limiting the generality of the term, vegetables, fruit, flowers, planting stock, honey and eggs grown or produced by the household of the permit holder.
 - f) "Homemade and Handcrafted" products include, but are not limited to baked goods, preserves, sauces, crafts and woodworking items that are produced by the vendor or made locally and are produced in small batches in non-commercial operations.
2. Any vendor wishing to operate a market in a market stall on a farmers market day during the market season shall obtain a permit to do to.
3. The market permit shall grant permission to the holder to sell produce and/or homemade and/or handcrafted items. The sale of second-hand, used or commercially-produced items is not permitted, except as allowed for fundraising purposes under section 8 of this by-law.
4. Vendors shall purchase a separate permit for each stall and the maximum number of spaces per vendor is three spaces.
5. The seasonal permit fee shall be \$75.00, including applicable taxes, per stall.
6. The daily permit fee shall be \$10, including applicable taxes, per stall.
7. The market permit shall be posted at the market stall where it is clearly visible to the public at all times for inspection.
8. Local non-profit organizations or charities may obtain permits for purposes of fundraising and the Clerk (or designate) may waive the daily permit fee for a maximum of two days per market season. In addition to produce, homemade and handcrafted items, non-profit organizations may also sell approved raffle tickets and pre-packaged foods designed for fundraising, such as but not necessarily limited to Chocolate bars or cheese.
9. All vendors shall adhere to the Code of Ethical Practices for the Athens Market, attached to this by-law as Schedule "A".
10. No person shall leave a market stall without first ensuring that all garbage and refuse is removed and the stall is left in an orderly manner.

11. Permit holders agree to indemnify and save harmless the Corporation of the Township of Athens or its agents from any loss or damages arising out of the permit holder's use of the market stall.

12. Any by-laws regulating farmers markets in the Township of Athens are hereby repealed.

13. Any person contravening this by-law is guilty of an offence.

14. The penalties for offences are as follows:
- first offence will result in the issuing of a warning from the Clerk (or designate)
- second offence will result in the suspension of a yearly permit and the non-issuance of a daily permit for two weeks (6 market days)
- third offence will result in the revoking of a yearly permit and the non-issuance of daily permits to that vendor for the remainder of the market season.

15. This by-law shall come into force and take effect upon final passage.

READ A FIRST AND SECOND TIME THIS 1ST DAY OF MARCH 2010.

READ A THIRD TIME AND FINALLY PASSED THIS 1ST DAY OF MARCH 2010.

Given under the Seal of the Corporation of the Township of Athens, signed by the Mayor and the Clerk and numbered No. 2010-06.

MAYOR

CLERK

SCHEDULE "A" TO BY-LAW #2010-06

**CODE OF ETHICAL PRACTICES FOR THE
TOWNSHIP OF ATHENS FARMERS MARKET**

The primary purpose of this Code of Ethical Practices is to ensure the safety and well being of all participants.

As a Township of Athens Farmers Market vendor and/or their representative, I will:

- Demonstrate the highest standards of personal behaviour and integrity at all times.
- Conduct myself in a courteous and respectful manner and serve as a positive role model for others.
- Treat everyone with respect.
- Abstain from physical or verbal abuse and not tolerate it from others.
- Comply with equal opportunity and antidiscrimination laws.
- Under no circumstance, attend or participate in the Township of Athens Farmers Market while under the influence of alcohol and/or controlled substance.
- Under no circumstance, possess, sell or consume alcohol or controlled substances at the Township of Athens Farmers Market.
- Operate vehicles and other equipment in a responsible manner.
- Abstain from any criminal activity.
- Respect and adhere to all rules established by the Township of Athens.

It is important that all Township of Athens Farmers Market vendors and/or their representative comply with the Code of Ethical Practices. Failure to comply with any component of the code or participation in other inappropriate conduct as determined by the Clerk may lead to dismissal as a vendor at the Township of Athens Farmers Market.

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- I have reviewed the agreement and am willing to serve in this capacity until either party cancels this agreement.
- I have read the Township of Athens Farmers Market Code Ethical Practices above and agree to comply with it.

Name _____

Business Name _____

Address _____

City _____ Province _____ Postal Code _____

Signature _____ Date _____

Vendor and/or their representative