

**AN ORDINANCE AMENDING AND READOPTING
CHAPTER 608 "FARMER'S MARKET LICENSE" OF THE
MUNICIPAL CODE OF THE CITY OF WARRENTON,
MISSOURI.**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
WARRENTON, MISSOURI, AS FOLLOWS:

SECTION I. Chapter 608, "Farmer's Market License" of the Municipal Code of
the City of Warrenton, Missouri, is hereby amended and readopted to hereafter read as
follows:

SECTION 608.010: PURPOSE

The Board of Aldermen hereby recognizes the need to provide venues accessible to the
public for local farmers and gardeners to market their homegrown products. In order to
provide for these venues and to promote the public safety, health and welfare of the
citizens of Warrenton, the regulations set forth below are hereby established.

SECTION 608.020: DEFINITIONS

For the purposes of this Chapter, the following terms mean or include:

FARMER'S MARKET: A collection of farmers, gardeners or vendors selling exclusively
homegrown or homemade products for a certain period of time and on a regular basis
throughout a season.

FARMER'S MARKET MANAGER: As used in this Chapter herein, the Farmer's Market
Manager is the individual, or in the case of a corporation or organization the designated
individual, accepting responsibility for organization, supervision and reporting of the
Farmer's Market.

FARMER'S MARKET VENDOR: The individual farmers, gardeners or vendors selling
exclusively homegrown or homemade products on a seasonal basis.

HOMEGROWN PRODUCTS: Those items grown or produced locally by the Farmer's
Market vendors consisting of fresh fruits, vegetables, nuts, plants, cut flowers, honey,
cider, meat and eggs.

HOMEMADE PRODUCTS: Those products that are made or produced locally in the
home or by the maker's own efforts including, but not limited to, birdhouses, bird
feeders, crafts and artwork. In no manner shall a homemade product include a product
that is being resold or any animal or livestock.

VENUE: The site on which the Farmer's Market operates.

SECTION 608.030: LICENSE REQUIREMENTS

An applicant for a Farmer's Market license under this Chapter must file with the Finance Officer or his/her designee a completed application form which shall include, but not be limited to, the following information:

1. Name of the individual or organization applying for the license. If the applicant is a corporation, the application must provide proof of good standing with the Missouri Secretary of State. If the organization is a non-for-profit, said organization must provide proof of its tax status with the Internal Revenue Service.
2. The home address of the applicant or address of the registered agent, if the applicant is a corporation.
3. A description and drawing of the proposed venue of the Farmer's Market including, but not limited to: location of vendors, ingress and egress onto and off of public roadways and proposed restroom facilities, if provided.
4. A description and drawing of any proposed signage, accompanied with all necessary State, County or City licenses, if required.
5. The designation of an individual as a Farmer's Market Manager.
6. Social Security and driver's license numbers for the Farmer's Market Manager and all individuals associated with the license, including all officers or employees of an organization.
7. The proposed season of operation, days of operation and hours of operation. A Farmer's Market may provide a weekly venue for Farmer's Market vendors throughout a season. An application can be submitted for any season including: spring, summer, fall and winter.
8. If a vehicle is to be used by the Farmer's Market Manager, a description of the same, together with credentials establishing the license number.
9. A completed application.

SECTION 608.040: REPORTING REQUIREMENTS

A. After approval of a Farmer's Market license, the Farmer's Market Manager shall provide the following information to the City at least twenty-four (24) hours following a licensed event:

1. A list of all Farmer's Market vendors selling products at the venue, including the particular type of products to be sold that season.
 2. A background and contact information form of each Farmer's Market vendor with said form to be provided by the Farmer's Market Manager.
- B. Said form shall contain, at a minimum:
1. The name, address and phone number of the Farmer's Market vendor,
 2. The address of the farm, garden or residence at which the homegrown or homemade products were produced,
 3. A sworn statement that the vendor has been provided and is knowledgeable of and possesses all necessary City, County and State permits and licenses applicable to the products being sold by them or their representatives and that the vendor has been provided with the requirement related to the payment of all applicable City, County or State sales tax.
 4. A signed acknowledgment of the rules and regulations of the Farmer's Market.

SECTION 608.050: RULES AND REGULATIONS ESTABLISHED

In addition to the rules established by the Farmer's Market Manager, it shall be the responsibility of the individual Farmer's Market vendor to ensure that:

1. All homegrown products sold at the Farmer's Market are grown locally and are in a fresh and healthy condition. Farmer's Market vendors selling honey, cider and eggs may be subject to additional licensing and inspection by the City, the State of Missouri or County Health Department. All additional licensing and inspections must be completed prior to selling of said goods. Under no circumstances may products that have been purchased from another producer or grower be offered for sale by a vendor at the Farmer's Market. The sale of products by commercial growers or producers purchased from others is expressly prohibited.
2. The City or its agents shall be permitted to inspect the grounds, vehicles and all items for sale at any reasonable time.
3. The Farmer's Market shall not be used by persons offering goods or produce for resale.
4. No animals or livestock shall be offered for sale at the venue.

5. A Farmer's Market license shall be granted for a maximum of six (6) months. A Farmer's Market event cannot begin prior to 8:00 A.M. and must be completed by 9:00 P.M.

SECTION 608.060: REVOCATION OF LICENSE

A license issued under the provisions of this Chapter may be revoked by the Mayor of this City after notice and hearing for any of the following causes:

1. Fraud, misrepresentation, false statement or inaccuracies contained in the application for license.
2. Fraud, misrepresentation or false statement made in the course of carrying on his/her business as a Farmer's Market.
3. Any violation of this Chapter.
4. Conviction of any crime or misdemeanor involving moral turpitude.
5. Conducting the business of a Farmer's Market in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

SECTION 608.070: ANNUAL REPORT

The Farmer's Market Manager or his/her designee shall make a yearly report to the Board of Aldermen. This report shall include participation statistics, the current operating status of the market, as well as any information concerning complaints or problems resulting from the operation of the Farmer's Market. The Board of Aldermen shall use this opportunity to review the performance of the market and determine whether its operation continues to be in the best interests of the City and whether a Farmer's Market sponsored by the applicant shall be permitted the following year.


SECTION 608.080: PENALTIES

It is unlawful for any person, firm or corporation to violate, disobey, omit, neglect or refuse to comply with, or resist enforcement of, any of the provisions of this Code or Chapter and any such person, firm or corporation shall, upon conviction, be punished as provided in Section 100.220 of this Code.

SECTION II. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION III. This Ordinance shall take effect and be in full force from and after the passage and approval thereof.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 21st day of January, 2014.

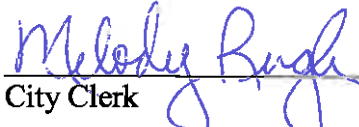


President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 21st day of January, 2014.

Mayor 

ATTEST:



City Clerk