

THE CORPORATION OF THE MUNICIPALITY OF SOUTH DUNDAS

BY-LAW NO. 2022-44

A BY-LAW to establish and regulate a Farmer's Market.

WHEREAS *the Municipal Act, 2001*, as amended, provides that a local Municipality may establish, maintain and operate a farmer's market, a flea market and other similar types of market;

AND WHEREAS *the Municipal Act, 2001*, as amended, also provides that a local Municipality may regulate a farmer's market, a flea market and other similar types of markets of any person including regulating hours of operation of a market;

AND WHEREAS the Municipality of South Dundas has established and regulated a market for numerous years;

AND WHEREAS the Council of the Municipality of South Dundas deems it appropriate to review and modify the farmers market regulations.

NOW THEREFORE the Council of the Corporation of the Municipality of South Dundas enacts as follows:

1. Definitions:


- a) "Clerk" means the Clerk of the Municipality of South Dundas or his/her designate.
- b) "Farmers Market Days" means Monday to Sunday between the hours of 7:00 a.m. and 8:00 p.m. during the market season.
- c) "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.
- d) "Local" means homemade and/or handcrafted or produced items within the United Counties of Stormont, Dundas & Glengarry and Grenville County.
- e) "Market Permit" means the permit issued by the Clerk pursuant to this By-law.
- f) "Market Season" means May 1 to November 30 inclusive.
- g) "Market Stall" means a space as designated within the market area as per Schedule "A".
- h) "Municipality/Corporation" means the Corporation of the Municipality of South Dundas.
- i) "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 or purchased from local growers.
- j) "Vendor" means the applicant or their designate of the Market Permit.

2. Any vendor wishing to operate a market stall in a market during market season shall obtain a permit to do so.
3. The market permit shall grant permission to the vendor to sell produce and/or homemade and/or handcrafted items. The sale of second-hand, used or commercially produced items is not permitted.
4. The Clerk may, upon request of a vendor, grant permission to any vendor with fresh produce that is subject to spoilage to operate on specific days other than those designated as farmers market days in order to avoid waste or such produce.
5. Every vendor shall be entitled to one market stall per permit.
6. The Council of the Municipality of South Dundas shall designate the location of all Farmers Markets as per the attached Schedule "A".
8. The market permit shall be posted at the market stall where it is always clearly visible to the public for inspection.
9. All vendors shall adhere to the "Code of Ethical Practices", attached to this By-law as Schedule "B".
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 or its agents from any loss or damages arising out of the permit holder's use of the market stall.
12. Any person contravening this By-law is guilty of an offence.
13. The penalties for offences are as follows:
 1. first offence will result in the issuing of a warning from the Clerk.
 2. second offence will result in the suspension of a yearly permit and the non-issuance of a daily permit for two weeks.
 3. 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.
14. That By-law No.'s 2003-15, 2014-53, 2014-69 and 2019-29 are hereby repealed in their entirety.
15. That this By-law shall come in force and take effect immediately upon enactment thereof.

READ and passed in open Council, signed and sealed this 25th day April, 2022.



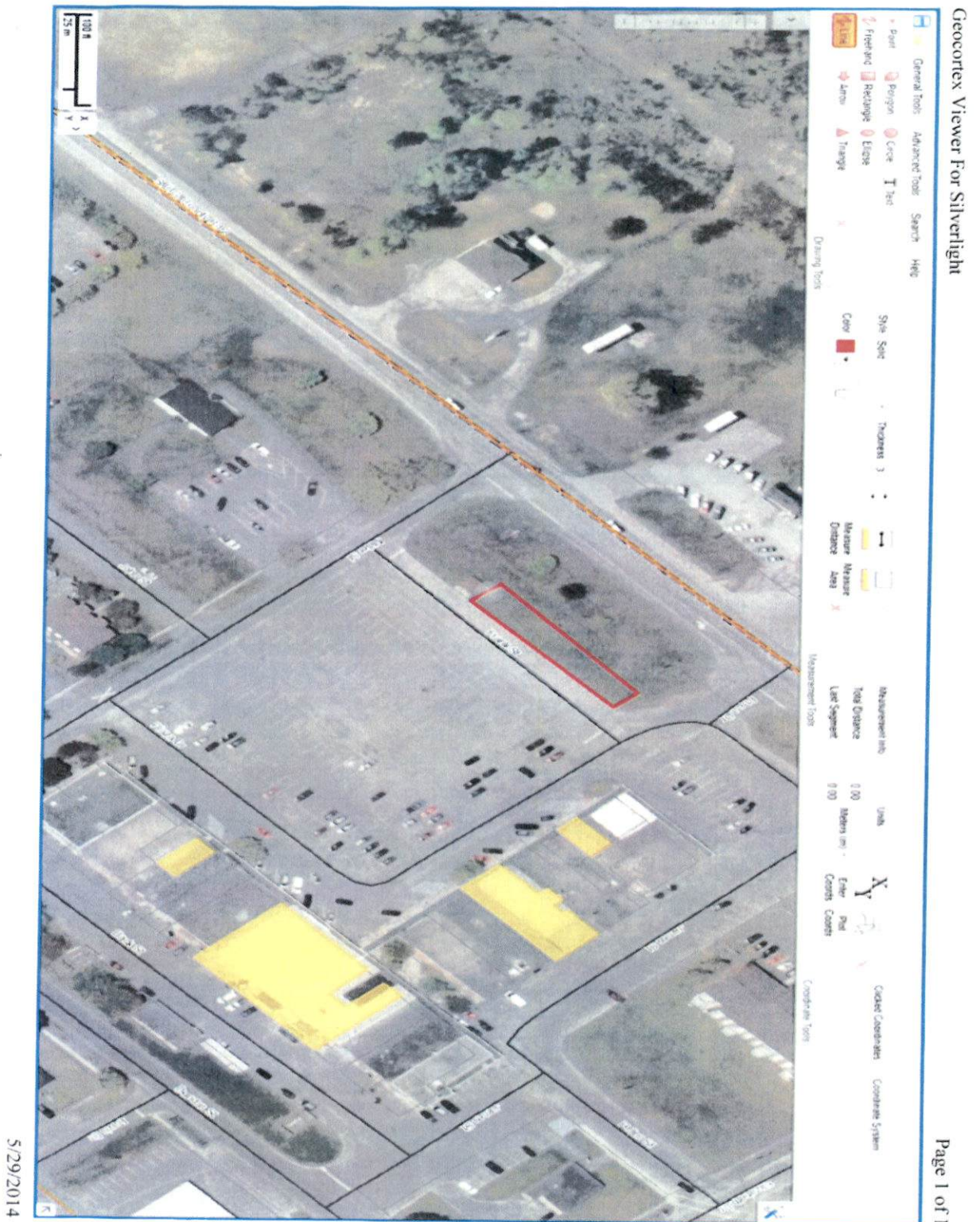
MAYOR



CLERK

SCHEDULE "A" TO BY-LAW NO. 2022-44

Iroquois



Morrisburg



SCHEDULE "B"

**TO BY-LAW 2022-44
CODE OF ETHICAL PRACTICES**

The Farmers Markets are located in Morrisburg and Iroquois. They are open from the May 1 to November 30 each year.

All vendors must register and take out the appropriate permit with the Clerk of the Municipality of South Dundas.

The Farmer's Market vendors take great pride in their market and wish to ensure its continuance and future viability. In order to assure its value, the Farmers Market requires all vendors to adhere to the following governing principles:

1. The Farmer's Market vendors shall undertake the obligation to ensure that fellow vendors, customers and the public enjoy an environment free of harassment, either physical or verbal (i.e. - abusive of inappropriate language, abusive or inappropriate physical actions, directed from one to another vendor or directed to a member of the public).
2. The Farmer's Market vendors shall undertake to maintain a standard of cleanliness in the area(s) of their allocated stand(s) and the Market area in general.
3. The Farmer's Market vendors shall actively participate to maintain the high standard of products offered to the public.
4. The Farmer's Market vendors shall respect and ensure the safety of the public by not obstructing pedestrian walkways or roadways.
5. Homemade and handcrafted are made locally by the vendor.
6. All local produce and products offered for sale are subject to inspection by the Municipality, or their authorized agents.
7. All vendors agree to allow for an inspection of their produce and products and premises, if the need arises. Written notice will be given to the vendor of the date, time and reasons for an inspection.
8. The vendor agrees to accept full responsibility for any loss, damage or accident occurring on the Market as a result of negligence or willful default on the part of the vendor.
9. To ensure the application of the above principles, the Municipality, shall have the power to institute penalties for any offences.

Signature

Date