

TOWNSHIP OF WEBBER  
COUNTY OF LAKE, STATE OF MICHIGAN

ORDINANCE NO. 20180614B

ADOPTED: 6-14-18

EFFECTIVE: THIRTY DAYS AFTER PUBLICATION AFTER ADOPTION

FARMERS MARKET ORDINANCE

An ordinance to secure the public health, safety and general welfare of the residents and property owners of Webber Township, Lake County, Michigan, by the regulation of a Farmers Market within said township, to prescribe sanctions for the violation thereof and to repeal all ordinances or parts of ordinances in conflict therewith.

WEBBER TOWNSHIP  
LAKE COUNTY, MICHIGAN  
ORDAINS:

SECTION 1  
TITLE

This ordinance shall be known and cited as the Webber Township Farmers Market Ordinance.

SECTION 2  
DEFINITIONS

1. Farm products - Items sold at a Farmers' Market from a Producer. Farm Products shall include but are not limited to agricultural products such as fruits, vegetables, mushrooms, herbs, nuts, eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese and other dairy products), and seafood.
2. Farmers' Market - A retail sales use operated by a governmental agency, a nonprofit organization, or six or more Producers that primarily sells Farm Products and Value-added Farm Products directly to consumers. Farmers' Markets can include indoor and outdoor display and sales. A Farmers' Market may be a principal or accessory use of a site.
3. Market Manager - A person or organization that manages the operation of the Farmers' Market, assigns space to producers and sellers, directs the maintenance of premises and records, and performs related duties as required.
4. Producer - The person or entity that (a) raises or produces farm products on the land that the person or entity farms and owns, rents, or leases; or (b) a person or entity that creates

(by cooking, canning, baking, preserving, roasting, etc.) Value-added Farm Products.

5. Value-added Farm Products - A product processed by a Producer from a Farm Product, including but not limited to baked goods, jams and jellies, canned vegetables, dried fruit, syrups, salsas, salad dressings, flours, coffee and other beverages, smoked or canned meats or fish, sausages, or prepared foods.

6. Vendor - A farmer or other person designated as having the right to participate in the market.

### SECTION 3 SPECIFIC CRITERIA

#### 1. Parking:

a. In the event that a Farmers Market is located on a property that has a principal use with days or hours of operation that do not overlap with the days or hours of operation of a Farmers Market, any parking spaces serving the principal use may be counted toward the required number of parking spaces for a Farmers market. In the event that a Farmers is located on a property that has a principal use with hours of operation that overlap with the operation of a Farmers Market, shared parking may be permitted only if the applicant can demonstrate that the parking provided will be sufficient for each use.

b. An application for permit to operate a Farmers Market shall include a parking plan showing the number and location of parking spaces. The plan shall also include locations used for unloading and loading products.

c. No vehicles shall block access to neighboring properties or traffic flow while unloading and loading material.

d. Vehicles used for unloading and loading products shall only be parked on the premise on the days of operation.

#### 2. Hours of Operation:

a. Hours of operation, including set up and removal of all displays and products, for outdoor Farmers Market shall be limited to the hours between sunrise and sunset.

b. Hours of Operation, including set up and removal of all displays and products, in residential zoning districts shall be developed at the discretion of the Webber Township Board and protect neighbors from light, noise, disturbance and interruption.

#### 3. Market Operations:

a. All Farmers Markets shall have a Market Manager authorized to direct operations of all vendors participating during all hours of operation.

b. All Farmers Markets shall have an established set of operating rules addressing the governance structure of the Farmers Market, hours of operation, maintenance and security requirements and responsibilities, and appointment of a Market Manager.

the 2nd offense. No permit shall be issued for 12 (Twelve) months after 2nd offense unless by the approval of the Township Board.

SECTION 6  
VALIDITY

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than that part declared to be invalid.

SECTION 7  
ADMINISTRATIVE LIABILITY

No officer, agent, or employee of the Township shall render himself or herself personally liable for any damage, consequence, or occurrence that may occur to any person as a result of any act performed in the discharge of his or her duties pursuant to this Ordinance.

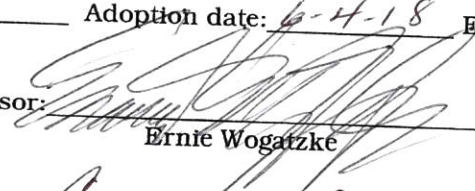
SECTION 8  
REPEAL

This Ordinance shall be deemed to repeal all other Ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance as of the effective date of this Ordinance.

SECTION 9  
EFFECTIVE DATE

This ordinance shall become effective 30(Thirty) days after publication thereof and shall be published in a newspaper of general circulation within the County of Lake. The foregoing Ordinance was adopted at a regular meeting of the Webber Township Board held on 6-14, 2018.

Publication date: \_\_\_\_\_ Adoption date: 6-4-18 Effective date: 6-14-18

Webber Township Supervisor:  Dated: 6-14-18  
Ernie Wogatzke

Webber Township Clerk:  Dated: 6-14-18  
Carol Hill

Webber Township Treasurer:  Dated: 6-14-18  
Pat Williams