

Ord.

2009-0273

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. 09-7-16

An ordinance to amend Ordinance 03-1-12, the Green Market Ordinance to allow arts and crafts, prepared foods, and additional promotional items.

WHEREAS, the German Coast Farmers' Market has operated in the Parish for seven years; and,

WHEREAS, the market provides an outlet for local farmers to sell their produce to local residents; and,

WHEREAS, the German Coast Farmers' Market Board has requested revisions to the restrictions placed the market them in the St. Charles Parish Zoning Ordinance.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Ordinance 03-1-12 is amended as follows (**bold text to be added; strike-through to be deleted**):

31.3 *Green market*: A permanent or seasonal market involving the setting up of two (2) or more booths, tables, platforms, mobile units, or similar displays where producers and/or growers sell fresh produce and/or value-added products directly to customers at stalls or mobile units in an open-air location; where individual vendors operate under the supervision of a market proprietor who shall rent or otherwise arrange for assigned space(s) for each vendor and provide proof of each vendor's compliance with all applicable federal, state, and local regulations.

Items permitted for sale shall be limited to:

- (1) Fresh produce such as fresh fruits and vegetables, edible grains, nuts and berries, and herbs.
- (2) Nursery items and cut flowers such as plants and trees, fresh and dried flowers, and decorative vegetation grown or legally gathered by vendors themselves.
- (3) Value-added **agricultural** products such as **but not limited to** juices, **wines**, honey, jams, jellies, dried fruits, baked goods, and dairy products ~~if the primary ingredient was grown or gathered by the producers themselves.~~

(3.1) Foods prepared elsewhere or at Market sites.

- (4) Poultry, meats, fresh farm-raised or harvested seafood, dairy or poultry products.
- (5) ~~Promotional items such as pens and pencils, tee-shirts, caps, etc. and books may be offered only through the market proprietor.~~
- (6) ~~Other items such as arts and crafts may be sold during special events permitted as per Chapter 17 Article II of this Ordinance.~~

Original handmade art works and crafts. Only original art work will be permitted. Arts and crafts vendors shall not exceed fifty percent of total vendors at any market site. Arts and crafts vendors shall be permitted one time per month at each market site.

~~31.35 *Green market producer*: Any person offering for sale articles for human consumption, such as fruits or their juices, vegetables or their juices, edible grains, nuts, berries, value added products or nonedible nursery items such as cut or potted plants, which articles have been raised or prepared by the producer, members of his family or persons in his employ.~~

31.36 *Green market proprietor*: Sponsoring entity of a green market that shall assume and maintain legal and financial responsibility for the green market, that shall oversee the market site, and that shall certify compliance of each vendor with all applicable federal, state, and local statutes and regulations. Such sponsoring entity shall obtain and maintain tax exempt status under authority of the United States Internal Revenue Code.

SECTION II. That Appendix A Section VI.I.1.c is amended to add the following:

- (7) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.

SECTION III. That Appendix A Section VI.C.III.1.c is amended to add the following:

- (5) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.

SECTION IV. That Appendix A Section VI.C.IV.1.c is amended to add the following:

- (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.

SECTION V. That Appendix A Section VI.D.I.1.c is amended to add the following:

- (6) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.

SECTION VI. That Appendix A Section VI.D.II.1.b is amended to add the following:

- (5) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:


YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN,
COCHRAN, LAMBERT, NUSS
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 20th day of July, 2009 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: 

SECRETARY: 

DLVD/PARISH PRESIDENT: July 21, 2009

APPROVED:  DISAPPROVED: _____

PARISH PRESIDENT: 

RETD/SECRETARY: July 21, 2009

AT: 4:25 pm RECD BY: BGO^{VB}