

Sec. 34-56. - Makers market vendor permit.

- (a) *Applicability.* All vendors operating at a maker's market must have a valid, city-issued makers market vendor permit.
- (b) *Permit requirement.* When operating at a makers market, a permittee must have its makers market vendor permit available for inspection at all times. Only cottage food operators may sell food products at a makers market.
 - (1) *Duration.* A makers market vendor permit is valid for one year from the date of issue.
 - (2) *Fee.* An applicant must pay the makers market vendor permit fee when submitting an application for a makers market vendor permit.
 - (3) *Application.* An applicant for a makers market vendor permit must submit a complete permit application to obtain or renew a makers market vendor permit. At a minimum, the permit application must include all the following:
 - a. The name, address, phone number, and email address for the applicant;
 - b. A list or description of all items intended to be sold and the proposed display setup;
 - c. Cottage food operators intending to sell cottage food products must submit a sample product label for each food product they will offer for sale in order to demonstrate compliance with Florida Department of Agriculture and Consumer Services regulations; and
 - d. The applicant's notarized signature acknowledging review of, and agreement to abide by, the regulations set forth in this section and attesting that the applicant has not had a city-issued makers market vendor permit revoked for any reason in the previous two years.
- (c) *Location and timing.* The makers market will be located on city property, and will occur no more than quarterly, as determined by the city manager or designee. Permittees may only operate within the areas designated for their operation by the city manager or designee. The city will provide notice of the date and location of each makers market on the city website.
- (d) *Registration.* For each makers market, permittees must register on the city's website to operate as a vendor.
 - (1) *City residents.* Permittees that are city residents may register immediately, on a first-come, first-served basis.
 - (2) *Nonresidents.* Ten days after registration opens for city residents, all other permittees may register for the remaining vendor spaces.
- (e) *Operation.*
 - (1) *Hours.* Vendors may operate only during the posted operating hours of a maker's market. Vendors may have one hour prior to, and one hour after, the posted operating hours to set up and breakdown operation.
 - (2) *Assigned area.* Vendors may only operate within their assigned area. No assigned area shall exceed 12 feet by 12 feet. No tent, canopy, or similar device used by a vendor may be larger than ten feet by ten feet.
 - (3) *Access.* Vendors must not operate in any location that impedes, endangers, or interferes with the ingress or egress of pedestrians, traffic, building entrances, or emergency exits.
 - (4) *Trash and recycling.* Vendors must provide receptacles for trash and recycling, and are responsible for the proper disposal of all waste generated in their assigned area, which must be kept neat and orderly at all times. All garbage or trash must be removed prior to a vendor's departure.
 - (5) *Fire extinguishers.*
 - a. All vendors utilizing a generator or open-flame must have a 2-A:10B:C fire extinguisher in their assigned area.

- b. All vendors utilizing a food fryer must have a 2-A:10B:C fire extinguisher and a Class K fire extinguisher in their assigned area.
 - c. Vendors must comply with any additional fire extinguisher requirements as determined by the fire chief or designee.
 - d. All fire extinguishers must be properly tagged, inspected, and tested annually per NFPA 10, Standard for Portable Fire Extinguishers.
- (f) *Prohibited sales.*
- (1) The sale of alcoholic beverages is prohibited.
 - (2) Items that are obscene, offensive, or are otherwise deemed inappropriate by the city are prohibited.
- (g) *Enforcement.* Any code enforcement officer, sworn law enforcement officer, or the fire chief or designee may initiate enforcement proceedings for a violation of this section. This section shall be enforced by the city's hearing officer pursuant to chapter 2, article IX of this Code.
- (1) The city manager or designee may immediately revoke a makers market vendor permit by providing written notice to the permittee upon the occurrence of any of the following:
 - a. The state agency having jurisdiction over the maker, cottage food operator, or the products sold thereby, revokes or terminates the license or permit allowing their continued operation; or
 - b. Pursuant to order of the city's hearing officer.
 - (2) The city's hearing officer may order any penalty authorized under chapter 2, article IX of this Code if the hearing officer determines that a permittee has failed to abide by the regulations set forth herein, and may also order the revocation of a makers market vendor permit upon finding any of the following:
 - a. A repeat violation of this Code within the preceding 12 months;
 - b. The permittee no longer qualifies for the issuance of a new makers market vendor permit;
 - c. The state agency having jurisdiction over the permittee, or the items sold by the permittee, revokes or terminates the license or permit allowing for their continued operation; or
 - d. The city-issued the makers market vendor permit based upon the applicant providing false information, a misrepresentation of material fact, or a mistake of fact or law.
 - (3) Upon the effective date of revocation of a makers market vendor permit, a maker or cottage food operator will not qualify for a new makers market vendor permit for a period of 24 months.

(Ord. No. 2020-03, § 2.01, 1-28-2020)