

City of Brockville Ontario, Canada



A By-Law to Regulate a Public Market in the City of Brockville

By-Law No. 014-1997
Consolidated Copy

Enacted by Council February 27th, 1997

March 2017

THE CORPORATION OF THE CITY OF BROCKVILLE
By-law Number 14-97 (as amended)

*A By-law to Regulate a Public Market in
the City of Brockville
(as amended by By-law 026-2014 (hours))*

WHEREAS The Municipal Act, being Chapter 302, R.S.O 1980, Section 210, Subsection 65, empowers a Municipal Council to establish and regulate public markets; and

WHEREAS the Council of the Corporation of the City of Brockville has deemed it expedient to establish and regulate a public market;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS THE FOLLOWING:

1. LOCATION AND PRODUCTS

THAT the public market in the City of Brockville shall be Market Square West for the sale of all kinds of meat, vegetables, grain, fruit, poultry, eggs, dairy products and all other types of products usually sold in public markets and shall be subject to this By-law and all applicable federal and provincial statutes, acts, and regulations.

2. THAT all products sold by any market vendor shall be Ontario grown or produced.

3. MARKET ADMINISTRATION/MARKET CLERK

THAT the Brockville Farmers' Market Association shall be responsible for the administration of this By-law.

4. THAT the Brockville Farmers' Market Association shall appoint a Market Clerk who shall, under the control and supervision of the Association, have care and charge of the market and shall collect the market fees as established in Schedule "A" attached to and forming part of this By-law and such revenues shall be administered by the Association.

5. THAT the Association's Market Clerk shall give security and account for all market fees which are collected.

6. THAT the Brockville Farmers' Market shall keep the said market and all parts thereof clean and free from filth, offal, vegetable tops or other refuse.
7. THAT the Brockville Farmers' Market Association provide an annual report to the Economic Development Officer outlining all administrative, financial and marketing activities of the Association.
8. THAT all vendors of any article in respect of which market fees may be imposed shall obtain a permit from the Brockville Farmers' Market Association for this purpose.

9. HOURS OF OPERATION

THAT the market hours shall be from 8:00 am until 1:00 pm on Tuesday, Thursday and Saturday of each week. Market vendors shall not remain on the market grounds after 1:30 pm on any market day.

10. TENANCY AND OPERATION

THAT all vehicles shall be placed in such manner and place and order on the grounds as the Association shall direct, provided that there shall be a clear space of at least 30.48 cm (12 inches) between each vehicle, and no table or stand shall be placed or erected on the market, including the sidewalks without the permission of the Association.

11. THAT no person, firm or corporation shall bring to or offer or expose for sale on or in the said market place, or shops, any tainted or unwholesome meat, poultry, fish, or other articles of food, or anything marketable or marketed weighing less, counting less or measuring less than what the vendor asserts or pretends the same to weigh, count or measure as the case may be, and any such article or thing brought to or offered or exposed for sale in or on the said market place, or shops, shall be removed from the market place immediately upon the direction by the Market Clerk, Police Constable of the Corporation of the City of Brockville or any officer empowered to enforce the By-laws of the City of the Corporation of Brockville.
12. THAT each seasonal vendor must be on the Market by 8:30 am on designated market days or his/her stand may be rented to a daily vendor.

13. THAT each seasonal vendor may hold a maximum of two (2) market stands only, and where possible these stands must be side by side.
14. THAT stands which become available will be allocated on a first come, first serve basis. Stands will be shifted at the discretion of the Market Clerk.
15. THAT each vendor complying with the provisions of this By-law may renew his/her stand(s) the following year if done so before February 28 of the said following year.
16. THAT each vendor may be subject to inspection by the Market Clerk.
17. THAT the vendor agrees to accept full responsibility for any loss, damage or accident occurring on the market as the result of negligence or willful default on part of the vendor.
18. THAT should any vendor be convicted of a violation of the provisions of this By-law, the Market Clerk may in every case, take up and cancel the vendor's permit, provide for a rebate of fees for unused time and may therefore resell the right to occupy the said stand for the remainder of the calendar year.
19. THAT this permit may not be transferrable to any other vendor by a permit holder. The Corporation may at any time, at its sole discretion and without notice, cancel any or all outstanding permits should the Corporation consider it necessary to do so in the public interest, shall in such case repay the holder thereof and shall be proportional to the balance to the period for which such permit was issued.
20. CONTRAVENTION

THAT any person, firm or corporation who contravenes any of the provisions of this By-law is liable to a fine of not more than one thousand dollars (\$1,000.00) exclusive of costs, for each and every offence, and in addition, if after being warned by the Market Clerk, they do not remedy this contravention, they shall be removed together with their goods, provisions or other articles from the market.

21. BY-LAW STATUS

THAT By-law 36-83, passed the 8th day of March, 1983, be and is hereby repealed in its entirety.

Given Under the Seal of the Corporation of
the City of Brockville and Passed This
27th Day of February, 1997

[John Doran]

Mayor

[Brian C. Switzer]

City Clerk

Schedule "A" to By-law No. 014-97

Every vendor who shall enter upon the market to sell his/her wares shall pay a fee to the Brockville Farmers' Market Association as set out annually by the Association.