

**CORPORATION OF THE CITY  
OF QUINTE WEST**

**BY-LAW NUMBER 06-48**

**BEING A BY-LAW TO PROVIDE FOR A FARMERS'  
MARKET PLACE IN THE CITY OF QUINTE WEST, WARD  
1 (TRENTON)**

**WHEREAS** it is deemed necessary and advisable to accommodate the Quinte West Farmers' Market in the City of Quinte West, Ward 1 (Trenton);

**AND WHEREAS** subsection (c) of Section 391 of the Municipal Act, 2001, as amended provides that despite any Act, a municipality and a local board may pass by-laws imposing fees or charges for the use of its property.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF QUINTE WEST HEREBY ENACTS AS FOLLOWS:**

1. **Title**

This By-law shall be entitled "**The Quinte West Farmers' Market By-law**".

2. **Location**

The market place for the City of Quinte West, Ward 1 (Trenton) shall consist of that portion of the Front Street Parking Lot shown in heavy outline on Schedule "A" hereto, and shall be hereinafter referred to as "The Quinte West Farmers' Market".

3. **Market Days and Hours**

Market days shall be Tuesdays, Thursdays and Saturdays of each week from the first Saturday in April to and including the last Saturday in November. Market hours shall be from 6:00 a.m. until 2:00 p.m. on each market day. Any person occupying a market space after 2:00 p.m. on any market day shall be responsible for purchasing and displaying proof of payment of parking fees required.

4. **Market Administration**

- a) A person or persons designated as the Market Clerk shall be appointed by the City to assign reserved spaces, to collect the daily market fees to pay same over to the City Treasurer and to maintain order pursuant to Section 11 and 12(a) of this by-law.
- b) Decisions rendered by the Market Clerk on Market Days shall be final.
- c) The City Clerk shall be the final arbitrator on all matters pertaining to the applicability and interpretation of this By-law

5. **Market Space**

Each market space shall consist of a space measuring no more than three (3) metres in width as determined by the Market Clerk.

6. **Market Fees**

No person shall be permitted to sell, or display for the purpose of sale, any permitted item or items unless and until he/she has paid the prescribed fee set out in Schedule "B" hereto.

## 7. Permitted Products

- a) Sales on The Quinte West Farmers' Market shall be confined to artwork, home-baked goods, fish, dressed poultry, inspected meat, butter, graded eggs, honey, maple syrup, apple cider, sweets, flowers, plants, shrubs, Christmas trees, handicrafts, firewood, pet animals, fruit, vegetables, canned and pickled fruits and vegetables, marmalade, salads and all other products produced from the farm garden or dairy. **(By-law 10-106)**
- b) A portion of the wares or produce offered for sale on the Quinte West Farmers' Market should be produced or grown by the seller.
- c) The sale of citrus fruits, bananas and/or vegetables or fruits grown, produced or processed outside of the Province of Ontario are prohibited in The Quinte West Farmers' Market.
- d) The sale of pet animals, such as dogs or cats, on The Quinte West Farmers' Market, is permitted only if such animals are in a cage or container approved by the Market Clerk.
- e) The dispensing and sales at the Market of cooked and/or processed food products that can be sold heated or reheated, if necessary, shall be permitted at the Quinte West Farmers' Market. **(By-law 10-106)**

## 8. Assignment of Market Spaces

- a) Reserved spaces shall be assigned by the Market Clerk in a fair and reasonable manner with preference given to previous seasonal market vendors.
- b) Upon payment of the prescribed daily fee a market space shall be assigned to a vendor on a "first come-first served" basis, by the Market Clerk.
- c) No Vendor stalls (mobile or stationary) shall be erected outside of the defined market area as identified on Schedule A hereto.

## 9. Vendor Parking

Vendors shall park their vehicles in the assigned 'vendor parking area' as shown on Schedule A hereto.

## 10. Space for Local Non-Profit Organizations

One market space shall be made available on any market day for the use of City of Quinte West Non-Profit Organizations at no charge. The space will be available for use on a "first come-first served" basis. Reservations must be made in the office of the City Clerk or with the Market Clerk at least one week in advance. All other provisions of this by-law shall apply to any such user.

## 11. General Provisions

- a) No more than two (2) market spaces shall be assigned to any one vendor.
- b) Vendors shall keep their market space in a clean and orderly state during occupation of same, and upon leaving same, shall remove all refuse and litter therefrom.

- c) No vendor shall operate his business in a noisy manner or interrupt the general business of The Quinte West Farmers' Market or obstruct the same or the persons attending it.
- d) No person shall sell, or offer for sale, anything at the Quinte West Farmers' Market except in accordance with the provisions of this By-law.
- e) Vendors are responsible for the storing and displaying of perishables in accordance with all applicable Provincial, Federal, Municipal legislation and regulations. **(By-law 10-106)**
- f) Vendors are responsible for obtaining all necessary licences, permits, inspections and certificates for the sale of their products. **(By-law 10-106)**

12. **Penalties**

- a) Any person who contravenes the provisions of this by-law, shall, in the first occurrence, be so advised by the Market Clerk. In the event the contravention is not remedied to the satisfaction of the Market Clerk, the offending party shall be summarily removed from The Quinte West Farmers' Market, together with their goods, provisions or other articles.
- b) Any person who contravenes the provisions of this by-law on a subsequent occasion shall be deemed to be guilty of an offense, and on conviction, shall be liable to a fine not exceeding \$5,000, as provided for by the provisions of the Provincial Offenses Act (RSO 1990, Chapter P33, as amended).

13. **Severability**

In the event that any provision or requirement of this by-law, the application of which to any Person shall to any extent be held to be invalid or unenforceable, the remainder of this by-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable shall not be affected thereby and each provision and requirement of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.

13. **Repeal**

By-law No. 03-40, shall be and is hereby repealed.

14. **Effective Date**

This By-law shall take effect upon final passing hereof.

**READ A FIRST, SECOND AND A THIRD TIME AND  
FINALLY PASSED THIS 3rd DAY OF APRIL, 2006**

---

Robert J. Campney, Mayor

---

Gary W. Dyke, Deputy City Clerk

CORPORATION OF THE CITY  
OF QUINTE WEST

Schedule B  
To By-law No. 06-48

**FEES FOR THE USE OF THE CITY OF QUINTE WEST**  
**PROPERTY DESIGNATED AS THE TRENTON FARMERS' MARKET**

SEASONAL VENDOR FEE (per space per year)	\$200.00
DAILY VENDOR FEE <b>(Quinte West Residents)</b> for each day - (per space)	\$ 10.00
DAILY VENDOR FEE <b>(Non-Quinte West Residents)</b> for each day - (per space)	\$ 25.00

**That Vendor Fees are waived for the 2010 Quinte West Farmers  
Market Season. (By-law 10-106)**