

AN ORDINANCE OF THE MISSOULA CITY COUNCIL AMENDING TITLE 8, CHAPTER 8.20, MISSOULA MUNICIPAL CODE, ENTITLED *FARMERS MARKET*, SECTIONS 8.20.010, 8.20.030, 8.20.040, and 8.20.050.

BE IT ORDAINED BY THE MISSOULA CITY COUNCIL THAT TITLE 8, CHAPTER 8.20, SECTIONS 8.20.010, 8.20.030, 8.20.040, and 8.20.050, MISSOULA MUNICIPAL CODE, BE AMENDED TO PROVIDE AS FOLLOWS:

SECTION 1.

8.20.010 Established. (A) A farmers market may be established in the city limits, within the following zoning districts; CBD, C, C-1, C-11, D, I-1, I-11 or in a specifically designed or designated city park as authorized by the city council.

(B) A farmers market may not be established in any manner that impedes or impairs emergency fire service ingress and egress to any fire hydrant or building. No farmers market vendor or any vehicle shall be located within fifteen feet (15') of any fire hydrant.

SECTION 2.

8.20.030 Days open. The farmers market shall be open only as designated by the city council.

B. Pursuant to the street vendors chapter in Title 5, Chapter 56, during the hours of operation of any city approved farmers market operation, no street vending operations on public property or public right-of-way may conduct business within three hundred feet (300') of a farmers market or street market boundary unless operating as part of a city approved farmers market or street market operation. Participating members of any farmers market or street market must keep their vending operations within the city council approved boundaries of the farmers market or street market during the operating hours of the farmers market or street market.

SECTION 3.

8.20.040 Months of operation. When established, such market shall operate only during the months of May, June, July, August, September and October of each year.

SECTION 4.

8.20.050 Health department supervision. Each farmers market and each individual stand or booth selling produce, baked goods or anything else that may be a health concern shall operate according to the rules and regulations of the city-county health department.

SECTION 5.

Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

PASSED by a 12 Ayes, 0 Nays, 0 Abstain, 0 Absent vote and

APPROVED by the Mayor, this 27th day of April, 1998.

ATTEST:

APPROVED:

Linda Dunn
Deputy City Clerk

Mike Kadas
Mayor

(SEAL)