

RESOLUTION

WHEREAS: The Downtown Development Authority has filed a written request (Attachment "A") to allow produce vendors to sell on the square on Friday afternoons after 3:00 p.m. and Saturdays between 7:00 a.m. and 3:00 p.m.; and

WHEREAS: This request is for the sale of produce and/or plants only, and no on-site sales or preparing food of any type will be allowed in this area, and no animals will be allowed to be sold or given away in this area; and

WHEREAS: In other towns this has become a great draw and good for business in the downtown; and

WHEREAS: Section 32-8 of the Elberton Code of Ordinances states: "It shall be unlawful for any person to obstruct any street or sidewalk within the city by placing thereon any wares, goods, merchandise, or other articles for the purpose of vending, showing advertising, or selling the same, or to obstruct the streets or sidewalks by any other means without the permission of the city manager."

NOW, THEREFORE BE IT RESOLVED and it is hereby resolved that the Mayor and

Council concurs with the City Manager's recommendation (Attachment "B") to permit the above request filed by the Downtown Development Authority, in accordance with authority given to grant the request by the Code, and any provisions of the code in conflict herewith are waived for the purposes of this activity.

This 8th day of January, 2007.

ATTACHMENT A

Recommendation to promote Farmer's Market in downtown Elberton.

Mainstreet Elberton would like to try to re-start the farmer's market by allowing produce sales on Friday afternoons and Saturdays at the downtown square. If this is popular, more vendors want to participate, or they end up outgrowing the space on the square, then the sales can be moved to the old location behind the courthouse.

The council or the city manager is able to set a time and place for a "sidewalk-type" sale such as this, and council can waive any ordinance requirements temporarily during the time of the event that might otherwise prevent this activity.

Vendors would have to purchase a \$30 regulatory permit from the City just as any other vendor would.

The City Manager and/or his designee, including but not limited to the Mainstreet Manager, must approve all vendors who sell on the square, is allowed to limit the duration of time that a vendor may sell, and to limit the number of vendors that may sell at any one time. This oversight would prevent the event from becoming too large at this location and prevent persons selling without the required license.

The time of the sales would be Fridays, 3:00 p.m. until 7:00 p.m. and Saturday, 7:00 a.m. until 3:00 p.m.