



The Town of Fenwick Island

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NOTICE

On June 26, 2020, the Fenwick Island Town Council
Passed the Following Resolution #104-2020
Summer 2020 Events – Farmers’ Markets

As the State of Delaware moves forward with economic reopening and recovery efforts as part of its response to and management of the COVID-19 pandemic, the Town of Fenwick Island also recognizes the need for members of local Delaware Farmers’ Markets to safely operate whether on an individual or joint basis.

Accordingly, it is the determination of the Town Council for the Town of Fenwick Island that a temporary relaxation of the special event requirements in the Fenwick Island Town Code is necessary and warranted for the upcoming Summer 2020 season, as part of and to aid in the State’s economic recovery efforts. For purposes of this Resolution, the Summer 2020 season shall begin on June 1, 2020, and conclude on October 1, 2020. This temporary relaxation of the Town’s special event requirements will assist the members of local Delaware Farmers’ Markets to operate individually or jointly in the Town in a way that maximizes the safety of market staff, agricultural producers, and customers.

All Town-approved special events shall follow any and all CDC Guidelines, State of Delaware Department of Public Health Guidelines, and/or State of Delaware Governor’s Orders applicable to the COVID-19 pandemic and protocols set up by the Delaware Farmers’ Markets Coalition and Delaware Department of Agriculture. Guidelines from the CDC, State of Delaware Public Health and the Delaware Governor’s Office shall always take precedence over the guidelines established below.

The following protocols will be in place until October 1, 2020 and are solely intended to allow local Delaware farmers to individually or jointly sell produce, specialty crops (e.g., cut flowers, herbs, honey), other value-added agricultural items (e.g., goat soap, fiber products) that have been directly grown or raised on a farm or prepared in a permitted on-farm kitchen or cottage-food kitchen; and to allow customers to purchase these items directly from family farms. Local Delaware Farmers’ Markets are foremost, vital resources where community members can access freshly grown food and agricultural products.

- A. A Summer 2020 special events application must be submitted to the Town for approval by the Town Manager. All applications shall be submitted seven days prior to opening. There shall be no fee charged for such an event during the Summer 2020 season.
- B. The Town requires that each applicant complete a Summer 2020 Special Event Application. Proof of membership in a local Delaware Farmers’ Market must be submitted at the time of application. Application shall include the owner of the location in the Commercial Zone which shall be no less than 100 feet by 100 feet and accompanied by written proof of the owner of record.

- C. Rules and regulations will accompany and be made a part of each Summer 2020 Special Event Permit issued (*i.e.*, *Phase II Protocols for Delaware Farmer's Market Under COVID-19*). Such rules and regulations shall be established by resolution of the Town Council, which may be amended from time to time in the Town Council's sole discretion.
- D. The applicant, upon application and acceptance for a Summer 2020 Special Event Permit issued by the Town, agrees to indemnify and hold the Town, its officers, members, agents, consultants and employees harmless from any and all demands, claims, causes of action, damages, injuries, liabilities, penalties and expenses (including fees and disbursements of legal counsel) arising out of or resulting in any manner from the special event held.

Denial and/or modification of permit application and appeal.

- A. The Town Manager, Building Official and Chief of the Fenwick Island Police Department may deny or modify any Summer 2020 Special Event Permit.
- B. The Town Manager shall, within seven days, approve, deny, and/or modify the application.
- C. The applicant may appeal any denial and/or modification of the permit by promptly filing with the Town Clerk a written notice setting forth grounds for such appeal. Said appeal will be held before Town Council.
- D. The Town Manager shall inform Town Council and schedule a hearing to consider said appeal.
- E. The decision of Town Council regarding an appeal shall be final.

Attest: _____
Linda Martin, Town Clerk

Eugene N. Langan, Mayor

Bernie Merritt, Council Secretary

I, Bernie Merritt, Secretary of the Town Council of the Town of Fenwick Island, Delaware, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the President and Council at a meeting on June 26, 2020, at which a quorum was present and voting throughout and the same is still in force and effect.

Date

Bernie Merritt, Council Secretary