



**City of Harlem  
Community Development Department  
320 N. Louisville Street  
PO Box 99  
Harlem, GA 30814**

2023 Application for Roadside Stands and Produce Markets Permit

**Permit Fee: \$40.00 per site per Sec. 108-114**

Site Address: \_\_\_\_\_ Parcel: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Telephone: \_\_\_\_\_ Applicant email: \_\_\_\_\_

Select the type of business requested: \_\_\_\_\_ Produce or Farmers Market  
\_\_\_\_\_ Produce Stand  
\_\_\_\_\_ Mobile Food Establishment

Application Checklist: \_\_\_\_\_ How many produce stands / produce markets are proposed?  
\_\_\_\_\_ No sales of fuel and related products, tobacco products, alcoholic beverages, lottery tickets, vehicles or related products.  
\_\_\_\_\_ Is the applicant a food franchise? \_\_\_\_\_ Yes \_\_\_\_\_ No  
\_\_\_\_\_ if used, is a Temporary Sign application attached?  
\_\_\_\_\_ Off-street parking, adequate ingress/egress, vehicle turnaround.  
\_\_\_\_\_ Parking lot review (curbs, turn-around, parking spaces, street entrance  
\_\_\_\_\_ Structure review, safety issues, daily removal, automobile sales  
\_\_\_\_\_ Location requirements.  
\_\_\_\_\_ Property owner agreement including plat/aerial GIS information.  
\_\_\_\_\_ Provide a site plan indicating stand/market location and parking.  
\_\_\_\_\_ Do sales involve cooked foods? (i.e., pork rinds)  
\_\_\_\_\_ Is a Department of Agriculture permit required?

NOTE: The applicant may appeal the decision of the Community Development Director to the City Council by filing a written notice of appeal with the City Clerk no later than ten days after the denial or revocation of the permit. The City Council shall hear the appeal at the next regularly scheduled meeting that is at least fourteen days after the notice of appeal has been filed. A final written decision on the appeal shall be rendered by the City Council no more than 30 days from the date the appeal was heard.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Printed Name of Applicant \_\_\_\_\_ Date \_\_\_\_\_

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**FOR OFFICE USE ONLY**

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

Decision due Date: \_\_\_\_\_

Inspection Performed by: \_\_\_\_\_ Inspection Date: \_\_\_\_\_

Comments:

Permit Approved: \_\_\_\_\_ Date \_\_\_\_\_

Permit Denied: \_\_\_\_\_ Date \_\_\_\_\_

**Sec. 108-114. Roadside stands and produce markets.**

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Produce or farmers market* means structures, buildings, and/or areas no more than 3,500 square feet in size, including any outside display area and are primarily used to sell raw, unprocessed fruits, vegetables, nuts and other agricultural produce in its raw or natural state for profit. The term "produce or farmers market" also may be used for limited sales of processed foods and non-food items. Produce markets are temporary in nature (six months or less in one location).

*Produce stand* means structures, buildings, and/or areas no more than 400 square feet in size and are used to sell only raw, unprocessed fruits, vegetables, nuts and other agricultural produce in its raw or natural state for profit. Produce stands are temporary in nature (six months or less in one location).

- (b) *General standards.*

- (1) Up to two produce stands or one produce market per parcel is allowed, subject to staff approval of a site plan. Produce stands and markets may be located in the B-1, B-2, and B-3 zoning districts.
- (2) There shall be no sales of fuel and related products, tobacco products, alcoholic beverages, lottery tickets, vehicles or related products.
- (3) Food franchises are prohibited in any roadside stand or produce market operation.
- (4) Signage shall follow guidelines for temporary signage in this article according to the underlying zoning or district. Signage shall only be installed while the stand or market is in operation and has a maximum period of six months.

- (c) *Off-street parking required.*

- (1) To ensure public safety, roadside stands and produce markets shall be required to have off-street parking and adequate ingress and egress with an area for turnaround.
- (2) Roadside stands and produce markets will be required to be on a lot with a recognized curb cut and with an area to turn-around. There shall be one ten by 20-foot parking area per 400 square feet of selling and display area, with a minimum of two spaces. Parking spaces are exclusive of driveways, turnarounds, and spaces devoted to other uses on site. Entrances and exits onto public roadways must have an all-weather surface.

- (d) *Building and structure requirements.* A temporary structure, such as a pop-up tent or canopy, is permitted. Said structure shall be removed from the lot at the end of each business day. While on the lot, the structure shall be tethered or in some way attached to the ground in a manner that ensures that the structure is secure and does not pose a hazard. Selling from an automobile is also permitted, but the automobile shall be removed from the lot at the end of each business day.

- (e) *Location requirements.* Stands and markets shall not be placed in any landscape strip, buffer area, or within required side or rear setbacks. Stands and markets shall be placed a minimum of 20 feet from the right-of-way to the front of the sales or display area. In B-1 districts, this can be reduced to five feet from the right-of-way. If placed in a parking area, the stand and/or market shall not infringe on required parking spaces for on-site land uses.

- (f) *Permit required.* A permit is required prior to engaging in any selling or display activities as set forth in this section. To obtain approval for a roadside stand and/or produce market the following shall be required:

- (1) Provide a written agreement between the applicant and property owner or their agent permitting use of the property by the applicant and a plat of the property if the applicant is not the owner of said property.
- (2) Provide a site plan of the property indicating location of stand and/or market and parking.

(Code 2004, § 152.083; Ord. No. 381, 4-10-2006; Am. Ord. No. 478, 1-26-2015)