



AGENDA MEMO
Business of the City Council
City of Sweeny, Texas

Meeting Date	07/23/2024	Agenda Items	
Approved by City Manager		Presenter(s)	Sweeny Beautification
Reviewed by City Attorney		Department	Sweeny Beautification
Subject	Discussion and possible action on agenda request received for usage of city owned property for proposed farmers market; Sweeny Beautification		
Council Strategic Goals	Government Sustainability & Sense of Community		
Attachments / Supporting documents	Agenda Request, Brazoria County Environmental Health Farmers Market Packet, Indemnity Form		
Financial Information	Expenditure Required:	N/A	
	Amount Budgeted:	N/A	
	Account Number:		
	Additional Appropriation Required:		
	Additional Account Number:		

Executive Summary

Request received for city owned property usage for proposed farmers market by Sweeny Beautification. This would allow for vendors to sell on city property.

Date and times will need to be determined. If the event is longer than two hours, a restroom and hand sinks must be available. August 3rd is already designated for the Lions Club event and could not be utilized.

The City of Sweeny does not have a health inspector, we utilize the Brazoria County Environmental Health Department under an inter-local agreement. Proposed market would have to comply with Brazoria County's requirements, City ordinances, and state statutes. If approved, all vendors on city property are required to complete an indemnity/ hold harmless form. The City does require permits for temperature related roadside vendors/peddlers as well as any types of mobile food units.

Additional information below received from the Environmental Health Department for compliance.

- We consider the following "farm" produced items: Cottage Food Baked goods, canned items and jellies; fresh, whole produce or fruits; fresh herb/plants; yard eggs (if refrigerated); and we allow coffee sales (when using a safe water supply). 51% of the sellers should be of this type.
- Food Trucks, Jewelry and Clothes are not considered meeting this rule as those are more "craft" items.
- There should be a restroom and hand sinks available, for all events held longer than 2 hours.
- We just permit the establishments that will be selling to the general public. People selling whole fresh fruits and vegetables and those operating under the cottage food law are not required to have a permit to sell no matter where they choose to. But the municipality could enforce a "vendor/peddler" permit separate from the food permit.

Further information on farmers markets and required permits.

<https://www.brazoriacountytx.gov/departments/environmental-health/forms-permit-applications>
[HEALTH AND SAFETY CODE CHAPTER 437. REGULATION OF FOOD SERVICE ESTABLISHMENTS, RETAIL FOOD STORES, MOBILE FOOD UNITS, AND ROADSIDE FOOD VENDORS \(texas.gov\)](#)

Recommended Action

Council Discretion