# Town of Weld
# Local Food Sovereignty Ordinance

### Sec. 1 Short Title

This ordinance shall be known and may be cited as the “Local Food Sovereignty Ordinance.”

### Sec. 2. Authority and Purpose.

This Ordinance is intended to provide residents increased access to local food, to support the ability of residents to produce, sell, purchase and consume locally produced foods, and to reduce governmental regulation of local foods to the extent permitted by and pursuant to 7 M.R.S. § 281 - § 286. This Ordinance is enacted pursuant to 7 M.R.S. § 284 and either the home rule authority granted to municipalities by 30-A M.R.S. § 3001 OR pursuant to the authority granted to plantations by 30-A M.R.S. § 7051(11).

### Sec. 3. Definitions

As used in this ordinance, the following words have the meanings stated below:

**Direct producer-to-consumer transaction.** “Direct producer-to-consumer transaction” means an exchange of food or food products directly between the food producer and the consumer by barter, trade or purchase on the property or premises owned, leased or rented by the food producer; at roadside stands, fundraisers, farmer’s markets and community social events; or through buying clubs, deliveries or community-supported agriculture programs, herd-share agreement and other private agreements.

**Food or food products.** “Food or food products” means food or food products that are grown, produced, processed, or prepared for human consumption, including, but not limited to, vegetables, fruit, milk or milk products, meat or meat products, poultry or poultry products, fish or fish products, seafood or seafood products, fresh produce, cider or juice, acidified foods or canned fruits or vegetables.

**State food law.** “State food law” means any provision of Title 7 or Title 22 of the Maine Revised Statutes that regulates direct producer-to-consumer transactions.

**Site of production.** “Site of production” means the premises where a food or food product is grown, raised, processed or produced such as a farm, home kitchen, farm-based kitchen or similar location controlled by the producer, grower or processor. The term does not include a farmers’ market, community social event, or other venue unless the market, social event or venue is itself the site of production of the food or food product.

### Sec. 4. License and Inspection Exemptions

A. Notwithstanding any other provision of the Ordinances of this municipality to the contrary, producers, growers, and processors of food or food products in the municipality are exempt from licensure and inspection requirements contained in State food law (as defined above) with respect to their direct producer-to-consumer transactions conducted exclusively at the site of production of those food products.

B. Pursuant to 7 M.R.S. § 285, the exemption provided in section 4(A) above does not apply to any transactions involving meat, meat products, poultry or poultry products, as those terms are defined in 22 M.R.S. § 2511. All such transactions remain subject to state inspection and licensing pursuant to Chapter 562-A of Title 22 of the Maine Revised Statutes and the rules adopted thereunder.

### Sec. 5. Severability.

Should any section or provision of this ordinance be declared to be invalid by a court of competent jurisdiction, such decision shall not invalidate any other section or provision of this ordinance.

### Sec. 6. Effective Date.

This ordinance shall become effective upon March 9, 2024 or upon its adoption, whichever is later.

Adopted March 9, 2024

Signed on the adopted original by:

Richard G Doughty, Select Board Chair
Dina Walker, Select Board Member
Lisa Miller, Select Board Member