

## Urban Agricultural Ordinance FAQs

As of June 28, 2917



### **Question: Does the garden owner need to meet with County staff?**

Answer: While the owner must sign the permit application, the owner may designate another party as their agent to work with staff on the permit application. The owner would be responsible if any nuisance complaints occurred.

### **Question: Is a site plan required?**

Answer: Applicant provides either a dimensioned sketch plan or a site plan. Sketch plans are for gardens only. Site plans will be required if structures are proposed. Structures do not include compost bins, garden trellis, garden art or picnic tables, etc.

### **Question: Are inspections required?**

Answer: If the applicant proposes a structure or a sprinkler system, then inspections will be required by a building inspector or plumbing inspector.

### **Question: Do I need to register my community garden, market garden or community farm.**

Answer: All community gardens, market gardens and community farms are required to be registered on the FPAC Urban Agriculture Registration webpage.

<http://www.pascocountyfl.net/index.aspx?NID=2304>

### **Question: Do I need a permit to sell produce?**

Answer: The Florida Department of Agriculture and Consumer Services permits the sale of produce. Please go to <http://www.freshfromflorida.com/Business-Services/Food-Establishment-Inspections/Food-Establishment-Permit> for permit application information.

The Florida Department of Agricultural and Consumer Services can be reached at 1-800-435-7352.

Division of Food Safety (850) 245-5520 email [FoodInsp@FreshFromFlorida.com](mailto:FoodInsp@FreshFromFlorida.com)

[http://www.freshfromflorida.com/content/download/23973/486620/Getting\\_a\\_Food\\_Establishment\\_Permit.PDF](http://www.freshfromflorida.com/content/download/23973/486620/Getting_a_Food_Establishment_Permit.PDF)

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[http://www.freshfromflorida.com/content/download/69900/1624310/Information for Getting A Food Establishment Permit.pdf](http://www.freshfromflorida.com/content/download/69900/1624310/Information_for_Getting_A_Food_Establishment_Permit.pdf)

Limited Sales Certification

<http://www.freshfromflorida.com/content/download/65955/1580039/LimitedSalesCertificationForm.pdf>

Limited Poultry and Egg Farm Operation Permit Requirements

[http://www.freshfromflorida.com/content/download/64357/1523661/Limited Poultry and Egg Operation Requirements.pdf](http://www.freshfromflorida.com/content/download/64357/1523661/Limited_Poultry_and_Egg_Operation_Requirements.pdf)

### **Question: May I use additives in my Garden/Farm?**

Answer: The use of additives to the Garden/Farm should adhere to the use of organic inputs as listed in the Organic Material Review Institute

<https://www.omri.org/omri-lists>

### **Question: My agency has identified county owned land that we would like to start a garden/farm on. Is this possible?**

Answer: Community Gardens are allowed on public lands through the use of a Land Use Agreement for non-profit entities engaged in community development activities. Critical places such as potable water wells, water plants, wastewater plants by their nature need to remain secured for the overall public health and well being and as such shall not be included for access by the public at any point. See Section 530.23 G for requirements.

### **Question: Must the garden manager be licensed?**

Answer: If there will be sales to the public, the garden/farm owner or manager should participate in an annual food safety program as recommended by the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS) and produce a certification of such participation to the County upon request.

[http://solutionsforyourlife.ufl.edu/families\\_and\\_consumers/food\\_safety/](http://solutionsforyourlife.ufl.edu/families_and_consumers/food_safety/)

[http://bay.ifas.ufl.edu/fcs\\_food\\_safety.shtml](http://bay.ifas.ufl.edu/fcs_food_safety.shtml)

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If selling or bartering raw or processed produce, a relevant licensing may be required to apply pest and fertilizer products.

<http://www.freshfromflorida.com/Divisions-Offices/Agricultural-Environmental-Services/Business-Services/Pest-Control/Licensing-and-Certification>

[http://www.freshfromflorida.com/content/download/3144/19785/p01741\\_lmt\\_d\\_lf\\_brochure\\_0910.pdf](http://www.freshfromflorida.com/content/download/3144/19785/p01741_lmt_d_lf_brochure_0910.pdf)

**Question: What is the source for the “food” definition in the Land Development Code?**

Answer: FDA Food Code (2009): Chapter 1-2 Definition.

<https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm186464.htm#part1-2>

**Question: My garden/farm is “greenbelted.” Does the Urban Agriculture Ordinance apply to my garden/farm?**

Answer: No, provided your garden/farm meets the requirements of Florida Statutes Title XIV Taxation and Finance, Chapter 193, Assessments, Section 193.461.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0193/Sections/0193.461.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0193/Sections/0193.461.html)

**Question: My garden/farm is for-profit. Do I need an occupational license?**

Answer: Yes, For Profit entities must meet the occupational license tax code.

<http://www.pascocountyfl.net/index.aspx?NID=2627>

[https://www.municode.com/library/fl/pasco\\_county/codes/code\\_of\\_ordinances?nodeId=PTIC00R\\_CH102TA\\_ARTIIOCLITA](https://www.municode.com/library/fl/pasco_county/codes/code_of_ordinances?nodeId=PTIC00R_CH102TA_ARTIIOCLITA)

**Question: May produce be sold at the Community Garden, Market Garden or Community Farm?**

Answer: Sales are permitted for Market Gardens and Community Farms. All sales must be in accordance with The Pasco County Code of Ordinances, Article II – Occupational License Tax.

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[https://www.municode.com/library/fl/pasco\\_county/codes/code\\_of\\_ordinances?nodeId=PTICOOOR\\_CH102TA\\_ARTIIOCLITA](https://www.municode.com/library/fl/pasco_county/codes/code_of_ordinances?nodeId=PTICOOOR_CH102TA_ARTIIOCLITA)

More links:

<http://edis.ifas.ufl.edu/fy1225>

<http://www.freshfromflorida.com/Divisions-Offices/Food-Safety/Business-Resources/Food-Establishment-Inspections>

[http://www.freshfromflorida.com/content/download/69900/1624310/Information\\_for\\_Getting\\_A\\_Food\\_Establishment\\_Permit.pdf](http://www.freshfromflorida.com/content/download/69900/1624310/Information_for_Getting_A_Food_Establishment_Permit.pdf)