

TOWN OF BURNHAM

LOCAL FOOD AND COMMUNITY SELF-GOVERNANCE ORDINANCE

ENACTED: June 23, 2025

Special Town Meeting – Article #3

Certified by Stacy Patterson, Town Clerk

A handwritten signature in black ink, reading "Stacy Patterson", is written over a faint circular official seal. The seal contains the text "TOWN OF BURNHAM" and "TOWN CLERK" around its perimeter.

Town of Burnham
Local Food and Community Self-Governance Ordinance

Title

This ordinance shall be known and may be cited as “Local Food and Community Self-Governance Ordinance”

Preamble

We, the People of the Town have the right to produce, process, sell, purchase, and consume local foods thus promoting self-reliance, the preservation of family farms, and local food traditions. We recognize that family farms; sustainable agricultural practices; and food processing by individuals, families, and non-corporate entities offer stability to our rural way of life by enhancing the economic, environmental, and social wealth of our community. As such, our right to a local food system requires us to assert our inherent right to self-government. We recognize the authority to protect that right as belonging to the Town.

We have faith in our citizens’ ability to educate themselves and make informed decisions. We hold that certain federal and state regulations unnecessarily impede local food production and constitute a usurpation of our citizens’ right to foods of their choice. We support food that fundamentally respects human dignity and health; nourishes individuals and the community; and sustains producers, processors, and the environment. We are therefore duty bound under the Constitution of the State of Maine to protect and promote reasonably unimpeded access to local foods.

All individuals have a natural, inherent, and unalienable right to acquire, produce, process, prepare, preserve, and consume the food of their own choosing for their own nourishment and sustenance. Furthermore, all individuals have a right to barter, trade, and purchase food and to save and exchange seed from the sources of their own choosing for their own physical health and well-being. Every individual is fully responsible for the exercise of these rights, which may not be infringed.

2. 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 a food producer and a consumer by barter, trade or purchase on the property or premises owned, leased or rented by the food producer; at roadside stands, fundraisers, farmers' markets and community social events; or through buying clubs, deliveries or community-supported agriculture programs, herd-share agreements and other private arrangements.

LOCAL FOOD: Any food or food product that is grown, produced, processed, or prepared by individuals who exchange that food directly with patrons.

COMMUNITY SOCIAL EVENT: An event where people gather as part of a community for the benefit of those gathering or for the community, including, but not limited to, a church or religious social, school event, potluck, neighborhood gathering, library meeting, traveling food sale, fundraiser, craft fair, farmers' market, agricultural fair, and other public events.

LOCAL FOOD SYSTEM: A food system that integrates food production, processing, consumption, direct producer-to-consumer transactions, and traditional foodways to enhance the environmental, economic, social, and physical health of the municipality and its residents.

PATRON: An informed individual who acquires local food directly from a processor or producer.

PROCESSOR: An individual who processes or prepares products of the soil or animals for food or drink.

PRODUCER: A farmer or gardener who grows or raises any plant or animal for food or drink.

TRADITIONAL FOODWAYS: The cultural, social, and economic practices related to the production and consumption of food and the conveying of knowledge regarding food production and preparation.

B. Municipal Liability Protection. The Town assumes no liability for any products utilized under this ordinance. Nothing within this ordinance indemnifies the producer or the processors from liability for their products.

8. 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.

9. Effect

This Ordinance shall be effective immediately upon enactment.