STATE OF GEORGIA
COFFEE COUNTY
CITY OF DOUGLAS

ORDINANCE # 05122025(2)

"AN ORDINANCE TO ESTABLISH COTTAGE FOOD REGULATIONS AND REQUIREMENTS; PURSUANT TO STANDARDS SET FORTH BY THE GEORGIA DEPARTMENT OF AGRICULTURE; AND FOR OTHER PURPOSES."

BE IT ORDAINED by the Mayor and City Commissioners of the City of Douglas, Georgia, in regular session assembled, and it is hereby ordained by the authority thereof as follows:

SECTION 1: PURPOSE AND INTENT

The purpose of this Ordinance is to support and regulate small-scale food entrepreneurs operating from residential/home kitchens, referred to as Cottage Food Operators, in accordance with the Georgia Cottage Food Program and the rules of the Georgia Department of Agriculture. The City of Douglas seeks to promote economic development in rural areas while ensuring public health and safety.

SECTION 2: DEFINITIONS

For the purpose of this Ordinance, the following definitions shall apply:

a) **Cottage Food Operation**: A person who produces non-potentially hazardous food items in a home kitchen for direct sale to consumers, in compliance with the Georgia Department of Agriculture Cottage Food License.
b) **Non-potentially hazardous food**: Foods that do not require time/temperature control for safety, as listed by the Georgia Department of Agriculture.
c) **Residential/Home Kitchen**: A residential kitchen located in a private primary residence.
d) **Direct Sale**: Sale directly to the end consumer including at farmers markets, roadside stands, events, or via online platforms with local delivery or pickup.
e) **Cottage Food License**: A permit issued by the Georgia Department of Agriculture under its Cottage Food Program.
f) **Operator:** means the person responsible for the cottage food production who resides in the home where the food is produced.

SECTION 3: PERMITTING, LICENSE AND COMPLIANCE REQUIREMENTS

(a) All Cottage Food Operators must obtain a valid Cottage Food License from the Georgia Department of Agriculture prior to beginning food production.

(b) Operators must obtain an annual Occupational Tax Certificate (Business License) with the City of Douglas Community Development Department, providing:

1. A copy of their state-issued Cottage Food License;
2. Proof of residency;
3. A signed statement agreeing to comply with all applicable regulations.

(c) Operators must notify the City of any change in ownership, location, or business cessation within 30 days.

(d) Operators shall comply with all applicable health, labeling, packaging, and operational standards set by the Georgia Department of Agriculture.

(e) No Cottage Food Operation shall prepare or sell potentially hazardous food items, as defined by the Georgia Department of Agriculture.

SECTION 4: OPERATIONAL REQUIREMENTS

(a) Food production must take place only within the operator's primary residence.

(b) No commercial-grade equipment shall be installed unless approved by local code enforcement.

(c) Direct sales to the public are permitted, including at farmers markets, roadside stands, and online with in-person delivery.

(d) No food may be shipped across state lines unless otherwise authorized by law.

(e) All packaging must clearly label:

1. The name and address of the operator;
2. A list of ingredients;
3. A statement: "This product is homemade and not subject to state food safety inspection."

(f) Operators must follow safe food handling practices, as outlined in the Georgia Department of Agriculture guidelines.

SECTION 5: ZONING AND LOCATION

1. Cottage Food Operations shall be permitted in all residential zoning districts within the City of Douglas, provided they:

a) Operate only within the primary residence of the operator.
b) Do not employ individuals outside of immediate household members.

c) Do not generate significant traffic, noise, or disruption inconsistent with residential use.

SECTION 6: INSPECTIONS

The City of Douglas reserves the right to coordinate with the Georgia Department of Agriculture for periodic inspections or investigations in response to complaints or suspected violations.

SECTION 7: ENFORCEMENT AND PENALTIES

1. Any operator found to be in violation of this Ordinance may be subject to:

   a) Revocation of city registration;
   b) Civil penalties up to $500 per violation;
   c) Legal action as necessary to ensure public safety.

2. Operators shall have the right to appeal enforcement actions to the City Manager or a designated hearing officer.

SECTION 8: SEVERABILITY

If any provision of this Ordinance is determined to be invalid or unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

OFFERED AND READ FOR THE FIRST time at a regular meeting of the Mayor and City Commissioners of the City of Douglas, Georgia, held on April 28, 2025, read for the second time and passed and ordained at a regular meeting of the Mayor and Council, after properly advertising the Caption as required under the Charter of the City of Douglas, Georgia, on May 12, 2025.

Effective on May 12, 2025.

CITY OF DOUGLAS, GEORGIA

Tony L. Paulk, Mayor

ATTEST:

Wynetta J. Bolder, City Clerk