

CHAPTER 866
Transient Vendors Providing Goods or Services from
Temporary or Outdoor Sales or Services Areas

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CROSS REFERENCES

- Bonds for transient vendors; information to be filed; municipal regulation - see Ohio R.C. 311.37
- Temporary place of business defined - see Ohio R.C. 5739.17
- Flea markets - see B.R. & T. Ch. 826

866.01 PURPOSE.

The purpose of this chapter is to regulate transient vendors providing goods and services from non-permanent structures or lots.
(Ord. 2001-49. Passed 6-27-01.)

866.02 PERMITTED ACTS.

Upon the submission and approval of an application for a vendor's license pursuant to this chapter, the following acts shall be permitted:

(a) In a business, commercial, or industrial district, temporary retail sales and services, such as the sale of plants, flowers, trees, arts and crafts, or similar items on any lot or location shall be permitted for any for profit or not-for-profit individuals or organizations. A vendor's license valid for a period not to exceed 15 days shall only be issued four times for any particular lot or location within any 12 month period.

(b) In any district, temporary retail sales and services, such as sales of plants, flowers, trees, household items, arts and crafts, or similar items on any lot on which a church, school, or public use is operating shall be permitted for any not-for-profit organization. A vendor's license permit valid for a period not to exceed 15 days shall only be issued four times for any particular lot within any 12 month period.

(Ord. 2001-49. Passed 6-27-01.)

866.03 ISSUANCE OF PERMIT; CRITERIA.

(a) Any person that desires to sell or trade any goods or offer any services contemplated by this chapter in the manner specified herein shall first obtain a vendors license from the Building and Zoning Inspector. In order to obtain such a license, the applicant shall submit the following:

- (1) The name, address, and telephone number of the applicant;
 - (2) The applicant's social security number, state vendor's license number or federal tax ID number;
 - (3) A description of the goods to be sold or traded or services to be rendered;
 - (4) A map or diagram indicating the location of the property to be used and the exact location on the property on which the goods or services will be provided;
 - (5) A written statement from the property owner giving permission for such use;
- and
- (6) An application fee of fifty dollars (\$50.00).

(b) The location of the temporary sales or services area shall be located so as not to interfere with on sight traffic, required parking spaces, or adversely impact the permanent use on the property or adjacent properties.

(Ord. 2001-49. Passed 6-27-01.)

866.04 DISPLAY OF LICENSE.

The vendor's license shall be prominently displayed at the temporary sales or services area.

(Ord. 2001-49. Passed 6-27-01.)

866.05 APPLICATION OF CHAPTER.

The provisions of this chapter shall not apply to officers or employees of the Municipality, County, State, or Federal Government, or any subdivision thereof, when on official business.

(Ord. 2001-49. Passed 6-27-01.)

866.06 REVOCATION OF PERMIT.

The license may be revoked at any time, without return of the license fee, upon satisfactory proof that any violation of law or ordinance has been permitted or committed on the licensed premises by the applicant, or for the following reasons:

- (a) Fraud or misrepresentation contained in the application;
- (b) Fraud, misrepresentation, or false statements made in the course of conducting the activities;

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(c) Conduct of the business in any unlawful manner or in such manner so as to constitute a menace to the health, safety, or general welfare of the public;

(d) The applicant ceases to possess the qualifications required by this chapter for the original registration. The revocation of a permit shall be in addition to any penalty provided in Section 866.99 or any other penalty that may be imposed upon the applicant.

(Ord. 2001-49. Passed 6-27-01.)

866.99 PENALTY.

Whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) and imprisoned for not more than 30 days. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 2001-49. Passed 6-27-01.)