

VILLAGE OF HARTVILLE
STARK COUNTY, OHIO
ORDINANCE NO. 1-18.04

ORDINANCE NO. 1-18.04, enacting an Ordinance for the Village of Hartville (“Village”) to establish restrictions on mobile retail food establishments within the Village of Hartville.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HARTVILLE, STARK COUNTY, OHIO:

Section 1. Findings and Determinations. The Village finds and determines the following matters:

It is prudent to impose restrictions upon the operation of a mobile retail food establishment in the Village so as to protect the health, safety, and welfare of the residents, business invitees, and visitors to the Village.

Accordingly, the Council, acting in the best interest of the Village, hereby enacts Ordinance No. 1-18.04 as set forth in Section 2 below.

All formal actions of this Council relating to the enactment of the Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 2. Mobile Retail Food Establishments

MOBILE FOOD VENDING UNIT - Any mobile trailer or motorized vehicle that moves about the Village of Hartville and is designed to be self-contained, portable and not permanently attached to the ground from which the food within the confines of the mobile unit is then peddled, vended, sold or given away.

MOBILE FOOD VENDING

Any mobile trailer or motorized vehicle that moves about the Village of Hartville and is designed to be self-contained, portable and not permanently attached to the ground from which the food within the confines of the mobile unit is then peddled, vended, sold, or given away. For the purpose of this section a food vender attending fairs, festivals and special events within the Village of Hartville is not considered mobile food vending.

Regulations for Mobile Good Vending:

1. Mobile food vending is permitted to operate on a lot or parcel in the H-1, B-1, B-2, M-1 and M-2 districts.
2. An annual zoning permit is required per mobile food vending unit. The annual time period shall be January 1 through December 31 and a fee of \$100.00.
3. A current food license must be submitted prior to the issuance of the zoning permit.
4. Mobile food vendors are not permitted to sell from any public road right of way or within 10 ft. of a public road right of way.
5. Mobile food vending units must not block the entrance or exits to the property, fire lanes or drive isles.
6. Mobile food vending operators must have permission from property owners (public or

private) or, in case of village owned property, written permission from the Village of Hartville council, or their designee, to operate a mobile food vending unit on the property.

7. Mobile food vendors may sell at several locations per day; however, the mobile food vender shall not remain in any one location for more than three hours per day.
8. No more than two mobile food vender units are permitted per property at any one time.
9. Mobile food vendors shall not provide or allow dining areas, including but not limited to, tables and chairs, booths, bar stools, benches and stand up counters.
10. Mobile food vendors must supply, in a prominent location, trash containers sufficient in size to collect all waste generated by customers and staff on the mobile vending operation. All trash and debris generated by customers and staff shall be collected by the mobile vendor and remove from the site by the mobile vendor.
11. The use of PA systems, bells or music is **prohibited**.
12. Mobile food vendors may display one freestanding sign without a permit at a maximum size of 6 sq. ft. and 3 ft. in height per vending vehicle during the time in which the vehicle is parked for selling purposes.

Section 3. Penalties. Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Section 4. Effective Date. This ordinance will take effect and be in full force at the earliest time allowed by law.

DATED: August 7, 2019


Cindy Billings, Mayor

ATTEST:


Scott K. Varney, Village Fiscal Officer