

ORDINANCE NO. 20-81

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Russell Sweetman ON THE 17th  
DAY OF August, 1981.

AN ORDINANCE AMENDING CHAPTER 351.14 OF THE  
CENTERVILLE MUNICIPAL CODE RELATING TO STREET  
SALES OF FROZEN DESSERTS.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That Section 351.14 of the Centerville  
Municipal Code is hereby amended as follows:

351.14 RESTRICTIONS ON STREET SALES OF FROZEN DESSERTS

- (a) No person who is the owner or operator of a vehicle from which ice cream, soft drinks, milk shakes, lemonade or other similar product is sold shall operate or permit the operation of said vehicle upon the streets of the City without first having obtained a permit for same from the City Manager or his designate.
- (b) Any person desiring to secure a permit for the operation of a vehicle on the streets of the City as described in (a) above may secure same by doing the following:
  - (1) Completing an application for a sales permit in a form as prescribed by the City Manager;
  - (2) Payment of an annual permit fee of Thirty five dollars (\$35.00).
  - (3) Submit said vehicle for inspection by a police officer of the City to assure compliance with the safety laws of the State of Ohio; the safety provision contained in the Centerville Municipal Code and to assure compliance with the provisions of this section and successfully pass said inspection.
- (c) Upon compliance with the provisions of paragraph (b) hereof, the City Manager or his designate shall issue the permit and a sticker evidencing the issuance of said permit. Said sticker shall be prominently displayed on said vehicle at all times during its operation upon the streets of the City.
- (d) It shall be unlawful for any person to cause traffic noise from the operation of any such vehicle described herein at a sound level in excess of 70dBA (decibels A-weighted scale) measured at a distance of not less than fifteen feet from such vehicle and the sound measuring meter.


(e) The vehicles described herein may only be operated for sales purposes within the corporate limits of the City between the hours of 11:00 o'clock A.M. and 8:30 o'clock P.M.

(f) No person shall sell, offer for sale or dispense from a vehicle which is owned or operated by him, to any other person standing upon the paved portion of a street any ice cream, soft drinks, milk shakes, lemonade or other similar product. Such items shall be sold, offered for sale or dispensed only from the right hand (curb side) of such vehicle.

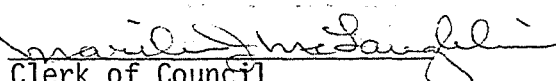
Vehicles used for the above described purposes shall be operated or parked so as not to obstruct or impede the normal movement of traffic. When any vehicle is parked or stopped and the above items are being sold or dispensed, the vehicle shall be parked or stopped with the curb, side wheels parallel with and not more than twelve inches from the curb. Flashing lights shall be operated continuously at all times when such vehicle is parked or stopped so as to be clearly visible to drivers of other vehicles approaching such vehicle from the front or rear.

Section 2. This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 17th day of August, 1981.

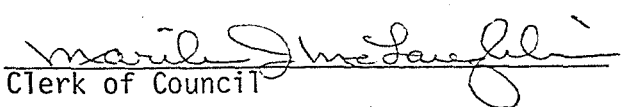
  
Deputy - Mayor of the City of Centerville, Ohio

ATTEST:

  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 20-81, passed by the Council of the City of Centerville, Ohio, on the 17th day of August, 1981.

  
Clerk of Council