

ORDINANCE NO: 11409-2024

P/C 4/16/24 legislative
CA 5/7/24
1st R 5/7/24
2nd R _____
3rd R _____
E/C _____

CITY OF BROOK PARK, OHIO

INTRODUCED BY: COUNCILMAN DUFOUR

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 714 OF THE
BROOK PARK CODIFIED ORDINANCES ENTITLED "STREET VENDORS" AND
DECLARING AN EMERGENCY

WHEREAS, the health, safety, and welfare of the public are paramount concerns regarding the regulation of street vending; and

WHEREAS, establishing clear guidelines for street vendors promotes fairness, maintains cleanliness, and ensures compliance with all applicable laws and regulations; and

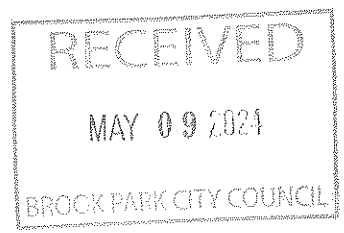
WHEREAS, requiring the display of approved applications at the point of sale during street vending activities will inspire public confidence that our city's safety forces have appropriately approved the street vendor.

NOW THEREFORE IT BE ORDAINED, by the Council of the City of Brook Park, State of Ohio, that

SECTION 1: Section 714.02 of the Brook Park Codified Ordinances, passed by Ordinance No. 9661-2010 on June 22, 2010 and reading as follows:

714.02 LICENSE REQUIRED.

No vendor shall engage in street vending within the City, unless he or she is the holder of a valid license issued pursuant to this chapter.



Is hereby amended to read as follows:

714.02 LICENSE REQUIRED.

No vendor shall engage in street vending within the City, unless he or she is the holder of a valid license issued pursuant to this chapter. In addition, all vendors must prominently and clearly display their valid license facing the intended point of sale while engaged in street vending activities.

SECTION 2: Section 714.02 of the Brook Park Codified Ordinances, passed by Ordinance No. 9661-2010 on June 22, 2010 is hereby expressly repealed.

SECTION 3: Section 714.99 of the Brook Park Codified Ordinances, passed by Ordinance No. 9661-2010 on June 22, 2010, and reading as follows:

714.99 PENALTY

Whoever violates or fails to comply with 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) or imprisoned not more than 30 days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Is hereby amended to read:

714.99 PENALTY

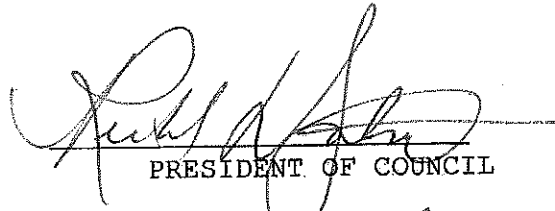
Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the ~~fourth degree~~ and shall be ~~fined not more than two hundred fifty dollars~~ ~~(\$250.00) or imprisoned not more than 30 days~~ **third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than 60 days**, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

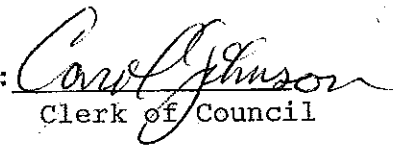
SECTION 4: Section 714.99 of the Brook Park Codified Ordinances, passed by Ordinance No. 9661-2010 on June 22, 2010, is hereby expressly repealed.


SECTION 5: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety and welfare of said City, and for the further reason to amend certain sections of Chapter 714 of the Brook Park Codified Ordinances therefore provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: May 7, 2024


PRESIDENT OF COUNCIL

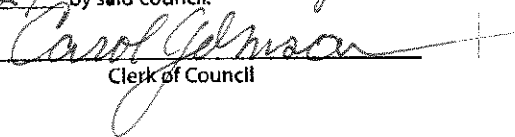
ATTEST: 
Clerk of Council

APPROVED: 
MAYOR

5-15-24
DATE

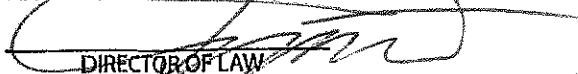
CERTIFICATE

Carol Johnson, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/ Resolution No. 11409-2024 passed on the 7 day of May 20 24, by said council.


Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McCorkle	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dufour	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS.


DIRECTOR OF LAW