



City of Lorain

Street Vendors/Peddlers License Application

(LOCO Chapter 775)

REQUIREMENTS: COMPLETE APPLICATION, PAY APPLICATION FEE AND SUBMIT THE FOLLOWING ITEMS WITH APPLICATION FOR PROCESSING

- 1) Web check to be completed prior to License being issued.
- 2) Current photograph 3" x 3" of every Individual to work with Street Vendor/Peddler entity.
- 3) A valid copy of a Lorain City Health Department food operator license with application, if applicable.
- 4) Pay fee of \$50 for a 12 day License or \$150 for a 12 month License.
- 5) **ANNUAL LICENSE REQUESTS** must include a copy of their completed Lorain Tax Dept. Business Regulation form.

(A) GENERAL INFORMATION:

Contact Name: _____ Date _____

Business Name: _____

Address: _____ Phone: _____

(B) INFORMATION OF INDIVIDUALS WHO WILL BE INVOLVED AS STREET VENDORS/PEDDLERS:

Name: _____ DOB _____

Address: _____ Phone _____

Name: _____ DOB _____

Address: _____ Phone _____

(C) DESCRIPTION OF FOOD, DRINK, and or OTHER MERCHANDISE TO BE SOLD (provide list below):

(D) LENGTH OF PERMIT REQUESTED 12 DAY PERMIT REQUEST - FEE \$50.00

Clearly list each of the 12 days license is being requested for on the lines below.
 (NO DATE CHANGES OR REVISIONS ARE ALLOWED AFTER THE PERMIT HAS BEEN ISSUED)

- | | |
|-----------|-----------|
| 1) _____ | 2) _____ |
| 3) _____ | 4) _____ |
| 5) _____ | 6) _____ |
| 7) _____ | 8) _____ |
| 9) _____ | 10) _____ |
| 11) _____ | 12) _____ |

(E) ANNUAL PERMIT REQUEST - FEE \$150.00

It is expressly understood that this permit may be revoked at any time. The undersigned agrees for him/her self and the organization that the event will be conducted in an orderly manner, that nothing will be said or done which will discredit the form of government of the United States of America or any of its political subdivisions or that will incite disturbance or that violates or tends to produce a violation of any of the Ordinances of the City of Lorain, Ohio or laws of the State of Ohio or the United States of America.

HOLD HARMLESS AGREEMENT: The Permit Applicant agrees to indemnify and hold harmless the City of Lorain and its agents and employees against all claims, damages, losses and expenses, including but not limited to attorney fees, sustained by any person or persons and arising out of or resulting from the performance of this contract, provided that any such claim, damage, loss or expense is not solely attributable to or caused by the negligent act or omission of the City of Lorain, its employees, agents or subcontractors.

By signing below, the applicant(s) for STREET Vendor/Peddler License acknowledge(s) that they HAVE READ AND UNDERSTAND the requirements of Chapter 775 attached to this application form.

The applicant further acknowledges that they understand the areas in which they are allowed to conduct business as set forth in Section 775.07(a) authorizing Street Vendors/Peddlers to conduct business only in the Central Business District, Zone District B₄ and along Pearl Avenue from East 28th Street south to East 31st Street and along Grove Avenue from East 28th Street south to E. 31st Street between Fulton Road and Pearl Avenue and Grove Avenue

Signature #1 acknowledging receipt of a copy of an understanding of LOCO Chapter 775:

_____ Date _____

Signature #2, if applicable, acknowledging receipt of a copy of an understanding of LOCO Chapter 775:

_____ Date _____

Signature #3, if applicable, acknowledging receipt of a copy of an understanding of LOCO Chapter 775:

_____ Date _____

Approved: _____
Chief of Police, City of Lorain

Date

Approved: _____
Mayor, City of Lorain

Date

Print

Lorain, OH Code of Ordinances

CHAPTER 775
Street Vendors/Peddlers

- 775.01 Definitions.**
- 775.02 License required.**
- 775.03 Application fee.**
- 775.04 Issuance of license.**
- 775.05 Hours regulated.**
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- 775.07 Street vendors/peddlers regulated.**
- 775.08 License transfer and use.**
- 775.09 Possession and display of license.**
- 775.10 Revocation of license.**
- 775.11 Appeal.**
- 775.99 Penalty.**

CROSS REFERENCES

Stopping and parking regulations - see TRAF. Ch. 351

775.01 DEFINITIONS.

(a) A "Brick and Mortar Restaurant" shall mean any physical presence of a building or structure that participates in the food service industry on a for-profit basis.

(b) A "Street Vendors/Peddlers" means any individual, corporation, partnership or other entity which sells food, drink or other merchandise from a temporary, mobile, non-motorized wagon, cart or trailer. (Ord. 82-14. Passed 6-23-14.)

775.02 LICENSE REQUIRED.

(a) A license is required for every person who desires to be a Street Vendor. An application for a license shall be made to the Chief of Police or his designee, by the prospective Street Vendor/Peddler. The application shall include:

- (1) The name and current address of the business, where applicable;
- (2) The name, current address and date of birth of each individual who will be involved as a Street vendor/Peddler;
- (3) A current photograph of the individual who will be involved as a Street Vendor/Peddler approximately 3"x3" square.
- (4) A State of Ohio Bureau of Criminal Investigation (BCI) background check obtained within six (6) months;
- (5) Clearly state the time period that permit is requested for.
 - A. In the case of a 12 day license application, the dates the license is sought for must be noted on the application; no date changes are allowed. Only one 12 day license will be Issued to a vendor each year.
 - B. Applicants applying for an annual license must submit a completed City of Lorain Income Tax Department Business Registration Form;
- (6) Must provide a valid copy of a Lorain City Health Department Food Operator License;
- (7) An individual shall not be furnished a license if the Individual has a criminal record evidencing a criminal history of assault, sex offenses, and any act of physical harm within the past five (5) years. The cost of federal and state criminal history record checks shall be paid for by the applicant of the license before requests for federal and state history background checks are made.

(Ord. 82-14. Passed 6-23-14.)

775.03 APPLICATION FEE.

For each license application there shall be a fee as follows:

- (a) \$50.00 for a twelve (12) day license;
- (b) \$150.00 for a one (1) year license.

(Ord. 82-14. Passed 6-23-14.)

775.04 ISSUANCE OF LICENSE.

Upon approval, Street Vendor/Peddler will be furnished a license containing the following information:

- (a) The name of the individual licensed to be a Street Vendor/Peddler;
- (b) The Company name, address and telephone number the Street Vendor/Peddler is representing;
- (c) A current photo of the vendor/licensee;
- (d) The date the license was issue;
- (e) The date the license expires.

(Ord. 82-14. Passed 6-23-14.)

775.05 HOURS REGULATED.

All business done under license issued by virtue of this chapter shall be conducted between the hours of 9:00 a.m. and midnight, except for Lorain City Park areas, which hours are 6:30 a.m. to dusk. (Ord. 82-14. Passed 6-23-14.)

775.06 SALES PROHIBITED.

(a) Street Vendors/Peddlers are hereby subject to the following rules governing sales within Lorain City Parks:

- (1) Sales are hereby precluded at Lakeview Park, Lakeview Beach and Oakwood Park, unless permission is granted through a permit issued by the Department of Public Properties Director, which shall be issued for a specific time period.
- (2) Sales are hereby precluded at all other Lorain City Parks other than between the hours of 6:30 a.m. and dusk unless permission is granted through a permit issued by the Department of Public Properties which shall be issued for a specific time period.
- (3) No Vendor/Peddler and/or his/her employee may sell alcoholic beverages, controlled substances, any other illegal item.
- (4) Permits for the northern section of Lakeview Park and beach must be obtained from the Lorain County Metro Parks.

(Ord. 82-14. Passed 6-23-14.)

775.07 STREET VENDORS/PEDDLERS REGULATED.

(a) Street vendors shall conduct business only in the Central Business District, Zone District B4 and along Pearl Avenue from East 28th Street south to East 31st Street and along Grove Avenue from East 28th Street south to East 31st Street and along East 28th Street between Fulton Road and Grove Avenue.

(b) Prior to making application for license authorized by this Chapter, all applicants for a Street Vendor/Peddler's License who intend to sell any food or beverage products shall first obtain a Food Operator's License issued by the City Board of Health and comply with all applicable state statutes and regulations;

(c) No Street Vendor/Peddler shall operate any wagon, cart or trailer, or otherwise on foot sell any merchandise other than from the public sidewalk at the specific location or within the specific boundaries established by the license issued by the Chief of Police, provided such Street Vendor/Peddler shall not block or hinder the use of the sidewalk by pedestrians. No Street Vendor/Peddler shall operate upon any private property nor any public property, street, alley or sidewalk or public way, not authorized specifically under this Chapter;

- (d) Within twenty (20) feet of any intersection;
- (e) Within three (3) feet of any public or private driveway, wheelchair ramp or bicycle ramp;
- (f) In any manner that impedes an exit or entrance of an operating building;
- (g) Within 100 feet of a brick and mortar restaurant.

(Ord. 82-14. Passed 6-23-14.)

775.08 LICENSE TRANSFER AND USE

No license shall be in any manner assignable or transferable. No licensee shall authorize any person, firm or corporation other than the one (1) named therein to do business. No licensee shall conduct any other business than is named in such license.

(Ord. 82-14. Passed 6-23-14.)

775.09 POSSESSION AND DISPLAY OF LICENSE

Any Street Vendor/Peddler engaged in business within the municipality, shall display the license in a conspicuous place in or upon their place of business and produce it for examination whenever requested by

any police officer or city official.

(Ord. 82-14. Passed 6-23-14.)

775.10 REVOCATION OF LICENSE.

Any license issued under this Chapter shall be revoked by the Chief of Police or his designee, if the holder of the license violates any provision of this Chapter, or has made a false statement in the application, or is guilty of any fraud, misrepresentation or unlawful act in connection with his/her business or otherwise, or in any other way becomes disqualified for the issuance of a license under the terms of this Chapter. Immediately upon revocation, written notice thereof shall be given by the Chief of Police or his designee as set forth in the application, evidenced by certificate of mailing or by certified U.S. mail return receipt. Immediately upon the giving of such notice, the license shall become null and void.

(Ord. 82-14. Passed 6-23-14.)

775.11 APPEAL.

Any person who has applied for and been granted a license in accordance with this Chapter, should such license be revoked, appeal such revocation to the Safety/Service Director. Notice of such appeal must be received in the Office of the Safety/Service Director within five (5) days after revocation of the license. The Safety/Service Director shall, upon appeal, uphold or reverse the revocation within twenty-one (21) days of the receipt of the Notice of Appeal.

(Ord. 82-14. Passed 6-23-14.)

775.99 PENALTY.

Any person, firm, partnership, association or corporation violating any provision of this Chapter shall be guilty of a misdemeanor of the third degree for a first offense; and a misdemeanor of the first degree for any subsequent offense.

(Ord. 82-14. Passed 6-23-14.)