

**ORDINANCE NO. 38-2021**

**INTRODUCED BY: Mayor James P. Graven**

**AN ORDINANCE AMENDING CHAPTER 840 ENTITLED  
“PEDDLERS AND SOLICITORS” SECTION 840.03 OF  
CODIFIED ORDINANCE OF THE CITY OF OLMSTED FALLS  
ENTITLED “EXEMPTIONS” AND DECLARING AN  
EMERGENCY**

**WHEREAS**, Olmsted Falls Codified Section 840.03 regulates the Peddlers and Solicitors Exemptions; and

**WHEREAS**, it is deemed to be in the best interest of the City to revise Section 840.03 of the Codified Ordinances to permit Ice Cream Trucks. Now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, OHIO, THAT:**

**SECTION 1.** That Olmsted Falls Codified Ordinance Section 840.03, is hereby amended to read as follows: (new material appears like THIS and deleted material appears like this

**840.03 EXEMPTIONS.**

- (a) Sections 840.01 and 840.02 shall not apply to the following classes of persons who shall be permitted to solicit between 9:00 a.m. and 9:00 p.m.; persons who solicit on behalf of religious, educational, charitable or civic organizations listed as exempt from payment of Federal income taxes by the Internal Revenue Service; newspaper carriers; commercial travelers or sales agents calling on commercial establishments; persons engaged in the sale of dairy and bakery products by traveling over regularly established routes and transacting business on private property; ICE CREAM TRUCKS TRAVELING RANDOM ROUTES THROUGHOUT THE CITY; and persons engaged in the delivery of dry cleaned articles over a regularly established route and doing so on private property.
- (b) Any such person set forth in subsection (a) hereof shall be subject to proof of his or her qualification of his or her status, as set forth in subsection (a) hereof, upon request by a police officer of the City.

**SECTION 2.** The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all individuals elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

\_\_\_\_\_ *Paul Stibich, President of Council*

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_ *James P. Graven, Mayor* \_\_\_\_\_ *Date*

APPROVED AS TO FORM: \_\_\_\_\_ *Andrew D. Bemer, Director of Law*

ATTEST: \_\_\_\_\_ *Angela Mancini, Clerk of Council*

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

	Yea	Nay
Stibich	_____	_____
Jones	_____	_____
Jansen	_____	_____
McFadden	_____	_____
Munteanu	_____	_____
Buchholz	_____	_____
Chitester	_____	_____