

CHAPTER 775
Selling Products From Vehicles

775.01 Selling products from vehicles. 775.99 Penalty.
775.02 Registration of driver or operator.

CROSS REFERENCES

Power to regulate peddlers—see Ohio R.C. 715.61 et seq.
Power to regulate transient dealers—see Ohio R.C. 715.64
Frozen desserts—see Ohio R.C. 3717.51 et seq.
Displaying vehicles for sale on roadway—see TRAF. 351.06
Loudspeakers—see GEN. OFF. 509.09
Peddlers—see BUS. REG. Ch. 741

775.01 SELLING PRODUCTS FROM VEHICLES.

(a) No driver or operator of any motor vehicle shall stop such vehicle for the purpose of selling or offering for sale any food or other products, or to sell or offer for sale such merchandise at such vehicle while stopped, or to use any loudspeaker, bell, or other device giving an audible signal to advertise such merchandise, on any street or public right-of-way abutting any real estate which is then used as part of the school grounds of any public or private grade or junior high school between the hours of 7:00 a.m. and 4:00 p.m., on days when such school is in session.

(b) No driver or operator of any motor vehicle shall use more than one loudspeaker, bell, or other device, and such loudspeaker, bell, or other device shall not have the capability or capacity to emit a signal louder than eighty decibels at full volume measured at any distance from such device for the purpose of advertising to the general public the food, product, or presence of the vehicle.

(c) No driver or operator of any motor vehicle from and at which food or other products are being sold shall use any loudspeaker, bell, or other device giving an audible signal to advertise such products or the presence of the vehicle while the vehicle is in motion.

(d) No driver or operator of any motor vehicle shall stop such vehicle for the purpose of selling or offering for sale at such vehicle any food products without having the following equipment mounted on the vehicle and in operation during the period of selling such products:

- (1) There shall be two warning lights. Each warning light shall be double-faced, yellow in color, and not less than six inches in diameter. One light shall be mounted on the roof near the left center of the roof line, and the other light shall be mounted on the roof near the right center of the roof line. When operating, the lights shall flash and be clearly visible from both the front and rear at a distance of at least 300 feet. The lights shall be operated when the motor vehicle is stopped for the purpose of selling or offering for sale any food products and at no other time.
- (2) There shall be two warning signs. Each warning sign shall carry the legend "CHILDREN" on the top line and "PROCEED WITH CAUTION" on the bottom line in five-inch, black, block letters on a yellow background. The signs shall be a minimum of fifty inches in width and twenty inches in height. One sign shall be located on the front end of the vehicle, and the other located on the rear end of the vehicle. The signs shall not extend more than two feet above nor two feet below the top roof line of the vehicle. The signs shall be located transversely so as not to obstruct the two warning lights. The signs shall form a complete warning unit with the two warning lights that can be clearly visible by motorists who approach such vehicle from the front and rear.

(e) No motorist, when approaching a parked food vending vehicle from any direction at a time when such vehicle has the yellow warning lights operating, shall fail to proceed with caution to pass such vehicle.

(f) No person shall sell or offer for sale any food or other products from a vehicle unless that vehicle is legally parked, or shall sell or offer for sale from other than the curbside of the legally parked food vending vehicle.

(g) No person shall engage in selling or offering for sale any food or other products from and at a motor vehicle between 9:00 p.m. and 9:00 a.m.
(Ord. 05-173. Passed 6-28-5.)

775.02 REGISTRATION OF DRIVER OR OPERATOR.

(a) No person shall drive or operate any vehicle within the City for the purpose of selling, or offering for sale, from such vehicle, any food or other products, without having a current certificate of registration obtained, upon application, from the office of the Chief of Police.

(b) Such certificate of registration shall be effective for a period of one year from the date of its issuance, and shall be issued upon payment of a registration fee of twenty-five dollars (\$25.00) and the filing of a written application setting forth the following information:

- (1) Applicant's name, residence, and business address, social security number, and driver's license number.
- (2) A description of the nature of the products to be sold by the applicant.
- (3) A description of any vehicle to be operated by applicant in the course of such selling, or offering for sale, including, if a motor vehicle, the make, model, year, and manufacturer's serial number.

(c) Any person having a current peddler's license issued pursuant to Chapter 741 is hereby exempted from the requirements of this section.
(Ord. 05-173. Passed 6-28-5.)

775.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree.
(Ord. 05-173. Passed 6-28-5.)