

**CODIFIED ORDINANCES OF MANTUA**  
**PART SEVEN - BUSINESS REGULATION CODE**

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**Chap. 705. Fairs and Festivals.**

**Chap. 713. Late Night Sales.**

**Chap. 721. Peddlers.**



**CODIFIED ORDINANCES OF MANTUA**  
**PART SEVEN - BUSINESS REGULATION CODE**

**CHAPTER 705**  
**Fairs and Festivals**

<b>705.01</b>	<b>Notification.</b>	<b>705.06</b>	<b>Beverage containers.</b>
<b>705.02</b>	<b>Planning.</b>	<b>705.07</b>	<b>Clean-up.</b>
<b>705.03</b>	<b>Safety.</b>	<b>705.08</b>	<b>Liability.</b>
<b>705.04</b>	<b>Curfew.</b>	<b>705.09</b>	<b>Animals and bicycles.</b>
<b>705.05</b>	<b>Alcoholic beverages.</b>	<b>705.99</b>	<b>Penalty.</b>

**CROSS REFERENCES**

Power to regulate - see Ohio R.C. 715.48, 715.63, 3765.02  
 Portable amusement devices - see Ohio R.C. 1711.11(H); OAC  
 901-11-01

**705.01 NOTIFICATION.**

At least three months before the scheduled fair or festival, the fair/festival committee shall notify the Mayor, Council and other responsible boards of its intention to hold the event. This request shall be submitted to the Village in writing on the Special Event Request Form. For good cause, the Village Council may, by majority vote, permit a lesser notification period than stated herein. (Ord. 2012-09. Passed 3-20-12.)

**705.02 PLANNING.**

At least three months before the activity is scheduled, the fair/festival committee shall appoint a spokesman for the activity, and its chairpersons and their responsibility. At least two months before the event is scheduled, the chairpersons shall provide a list of public services needed to the Mayor, and provide a block diagram of the proposed fair/festival area to the Mayor, Chief of Police, Village Administrator and such other Village officials as may be required. Six weeks before the event, a schedule of activities shall be distributed. (Ord. 2012-09. Passed 3-20-12.)

**705.03 SAFETY.**

To insure adequate safety measures during the scheduled event, the fair/festival committee shall grant to the Chief of Police authority to employ such additional personnel as necessary for that purpose. If time permits, the Chief shall contact the chairman or president of the fair/festival committee. Compensation for the additional personnel shall be paid by the fair/festival committee, unless this requirement is waived by a majority vote of the Village Council. The committee shall maintain twenty-four hour security watch in the fair/festival area during the event.

(Ord. 2012-09. Passed 3-20-12.)

**705.04 CURFEW.**

The Village curfew regulations shall be relaxed or not enforced until thirty minutes after closing of the event on nights activities are scheduled.

(Ord. 2012-09. Passed 3-20-12.)

**705.05 ALCOHOLIC BEVERAGES.**

(a) Vendors shall be responsible for obtaining proper license and permits for the sale of alcoholic beverages.

(b) The group responsible for the fair or festival shall obtain and supply the Village with a copy of proof of liquor liability insurance in an amount not less than five hundred thousand dollars (\$500,000). The Village shall be shown on the policy as an additional insured along with the group that is sponsoring the event. Proof of liquor liability insurance must be on file with the Clerk/Treasurer's office and submitted with Special Event Request Form.

(Ord. 2012-09. Passed 3-20-12.)

**705.06 BEVERAGE CONTAINERS.**

No glass containers for alcoholic and/or any other beverages shall be permitted in the designated areas of the Village used for any scheduled fair/festival.

(Ord. 2012-09. Passed 3-20-12.)

**705.07 CLEAN-UP.**

When the festival or fair is over, the fair/festival committee shall be responsible for the clean-up of the area used and restoring it to its pre-activity condition. If Village employees are required to perform clean-up or repair work as a result of the scheduled activity, the fair/festival committee shall compensate the Village for the wages and benefits of its employees for the hours they perform such necessary clean-up and repair work.

(Ord. 2012-09. Passed 3-20-12.)

**705.08 LIABILITY.**

The fair/festival committee shall hold the Village and its property owners harmless from any liability for injuries and/or damages arising out of the event. Proof of liability insurance must be on file with Clerk/Treasurer's office and submitted with Special Event Request Form.

(Ord. 2012-09. Passed 3-20-12.)

**705.09 ANIMALS AND BICYCLES.**

All animals in the fair/festival areas shall be on leash. Bicycles, skates, skateboards, etc., shall not be permitted in the fair/festival area, except for parades or exhibitions sponsored by the fair/festival committee. (Ord. 2012-09. Passed 3-20-12.)

**705.99 PENALTY.**

Whoever violates Sections 705.05, 705.06 and/or 705.09 shall be guilty of a minor misdemeanor. (Ord. 2012-09. Passed 3-20-12.)

**CHAPTER 713**  
**Late Night Sales**

**713.01 Definitions.**  
**713.02 Requirements.**

**713.99 Penalty.**

**CROSS REFERENCES**

Secondhand dealers - see Ohio R.C. Ch. 4737  
Beverage sales - see Ohio R.C. 4301.01 et seq.

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**713.01 DEFINITIONS.**

As used in this chapter, late night retail establishments and late night gas stations are defined as follows:

- (a) "Late night retail establishment" means any partnership, corporation or other entity which:
- (1) Derives fifty percent (50%) or more of its gross income from the sale of goods, merchandise or other articles of value; and
  - (2) Sells goods, merchandise or other articles of value in their original containers between the hours of 12:00 a.m. and 6:00 a.m. Specifically excluded from this definition are establishments whose owners are the sole operators and/or clerks present during the subject hours of operation.
- (Ord. 2004-03. Passed 4-20-04.)

**713.02 REQUIREMENTS.**

All late night retail establishments and late night gas stations shall:

- (a) Post a sign in the window which is conspicuous and states that there is a safe on the premises and it is not accessible to the employees on the premises.
- (b) Post a sign in the window which is conspicuous and state that the cash register has fifty dollars (\$50.00) or less in it.
- (c) So arrange the signs posted in the windows so as to provide a clear and unobstructed view of the interior of the store. In no case shall signs obstruct the view of the register from the street.

- (d) Have a drop safe on the premises which is bolted to the floor, or weighs at least 500 pounds.
- (e) Position their registers so that they are visible from the street.
- (f) The area of the parking lots of late night retail establishments and gas stations commonly utilized by customers and employees must be lighted and maintained at a minimum of five foot candles per square foot. The level of lighting shall be measured at a height of three feet above pavement level.
- (g) Have an enclosed, secured area for employees, or maintain more than one employee during the hours as set forth above.
- (h) Have acceptable panic type alarm(s) and the employee shall carry on their person some type of sending unit or any systems that are designed to directly or indirectly provide immediate notification to the Mantua Village Police Department of a robbery or other life-threatening situation.  
(Ord. 2004-03. Passed 4-20-04.)

**713.99 PENALTY.**

Any person, partnership, corporation or entity who violates this section is guilty of a misdemeanor of the third degree; upon each subsequent offense, such person, partnership, corporation or other entity is guilty of a misdemeanor of the first degree. It is not the intent of this section that any person be imprisoned for violation of this section.  
(Ord. 2004-03. Passed 4-20-04.)

**CHAPTER 721**  
**Peddlers**

<b>721.01</b>	<b>License required.</b>	<b>721.03</b>	<b>License fee.</b>
<b>721.02</b>	<b>Issuance and revocation of license.</b>	<b>721.04</b>	<b>Exceptions.</b>
		<b>721.99</b>	<b>Penalty.</b>

**CROSS REFERENCES**

Power to regulate - see Ohio R.C. 715.61 et seq.  
Home solicitation sales - see Ohio R.C. 1345.21 et seq.  
Charitable solicitations - see Ohio R.C. Ch. 1716  
Trespassing - see GEN. OFF. 521.08

**721.01 LICENSE REQUIRED.**

No person shall hawk, peddle, huckster, sell or offer to hawk, peddle, huckster, sell any goods, wares or merchandise in, upon, along or through any street, alley or other place in the Village without first procuring from the proper authority a license therefor.  
(Ord. 1963-381. Passed 6-10-63.)

**721.02 ISSUANCE AND REVOCATION OF LICENSE.**

The Mayor or in his absence the Clerk-Treasurer is authorized and empowered to issue a license in conformity with this chapter and at any time for good cause shown, to revoke such license issued, by refunding the pro-rata or unearned portion of the money extracted and received therefor.  
(Ord. 1963-381. Passed 6-10-63.)

**721.03 LICENSE FEE.**

There shall, upon the issuing of all licenses pursuant herewith, for the use and benefit of the Village, be collected from such hawkers, and transient dealers, the sum of no more than three dollars (\$3.00) for each day the license shall be granted and no more than one hundred dollars (\$100.00) for any period exceeding one day and not exceeding one year. No license shall be issued for more than one year.  
(Ord. 1963-381. Passed 6-10-63.)

**721.04 EXCEPTIONS.**

Nothing herein shall require the owner of any produce of his own raising, or the manufacture of any article manufactured by him, to obtain a license to vend or sell or in any way, by himself or agent, any such produce or article, nor shall this chapter apply to any agricultural articles or produce, offered or exposed for sale by the producer thereof, nor shall works of art, scientific, historical or educational works come within the provision hereof.  
(Ord. 1963-381. Passed 6-10-63.)

**721.99 PENALTY.**

Whoever violates this chapter shall be guilty of a minor misdemeanor.