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CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 51-2021

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE AMENDING SECTION 836.12 OF THE  
CITY OF BRUNSWICK CODIFIED ORDINANCES.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 836.12 of the Codified Ordinances is hereby amended to read as follows:

“836.12 FROZEN DESSERT PEDDLERS AND VEHICLES.

(a) \*\*\*

(b) \*\*\*

(c) \*\*\*

(d) \*\*\*

(e) \*\*\*

(f) No peddler of frozen desserts shall sell, attempt to sell or offer for sale any wares:

- (1) Within 100 feet of any street intersection.
- (2) Within 1,000 feet of any school premises, day care center, playground, church or place of worship during regular hours of operation unless these entities or facilities request the service.

(g) The following actions, without limitation, by a peddler of frozen desserts are hereby declared to be nuisances and are prohibited in the City:

(1) \*\*\*

(2) \*\*\*

(3) \*\*\*

- (4) Failure to maintain adequate provisions for the safety of children, including failure to provide for safe street crossings and to maintain a safe environment. The sale of frozen desserts to any person under the age of twelve years who has crossed the street to the peddler's vehicle unless under the supervision of a police officer, a parent/guardian or adult in charge of such minor.

- ~~(5) The failure to maintain a lookout for children under twelve years on the opposite side of the street from the place where the peddler's vehicle stops and to instruct them against crossing without supervision.~~
- ~~(6) The failure to supervise any person under the age of twelve years who has crossed the street to purchase a frozen dessert when such person thereafter attempts to recross the street.~~
- ~~(7) The departure the peddler's vehicle from the place where a sale is made before any person under twelve years of age who has made a purchase or attempted to make a purchase has reached a place of safety.~~
- (85) Any other violation of this Section or this Chapter."**

(h) All licenses issued hereunder to frozen dessert peddlers shall be valid for the entire calendar year in which same was issued."

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to allow for immediate updates to frozen dessert peddler regulations. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1<sup>st</sup> Reading May 10, 2021

Rules Suspended: AYES 7 NAYS 0

ADOPTED: May 10, 2021 AYES 7 NAYS 0

ATTEST:   
 Clerk of Council  
 Fijabi Julien-Gallam, CMC

I hereby certify that there is no other proper business  
 and of general circulation in the City of Brunswick  
 as by law provided, and that the same shall be  
 by posting as provided by law in the City of Brunswick  
 public places in and for the City of Brunswick  
 beginning \_\_\_\_\_  
 provided in Ordinance No. 18, No. 2021  
 subsequently amended.

City of Brunswick, Ohio

THE CITY OF BRUNSWICK  
**PROPOSED LEGISLATION**



**DATE:** 5/10/2021  
**TO:** Vice Mayor Michael Abella Jr. and Members of City Council  
**FROM:** Carl S. DeForest, City Manager  
Ken Fisher

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 51-2021** - An emergency ordinance amending section 836.12 of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Ken Fisher)

**BACKGROUND:** City Council adopted Ordinance No. 47-2020 on September 14, 2020 which amended Chapter 836 of the Codified Ordinances of the City of Brunswick. Members of City Council discussed revisions to the Frozen Dessert Peddlers and Vehicles language at the May 3, 2021 Planning and Zoning Committee meeting and suggest amendments.

**PURPOSE AND EXPLANATION:**

**IMPLEMENTATION SCHEDULE:**

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?