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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2026

6
7 AN ORDINANCE AMENDING PART SEVEN OF THE
8 CODIFIED ORDINANCES OF THE CITY OF CUYAHOGA
9 FALLS, OHIO, BUSINESS REGULATION CODE, BY THE
10 ENACTMENT OF CHAPTER 755, "TEMPORARY OUTDOOR
11 SPECIAL EVENTS & MOBILE FOOD VENDORS," AND
12 DECLARING AN EMERGENCY.
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14 WHEREAS, the City has experienced a steady increase in the number of temporary
15 special events and mobile food vendors operating on public property throughout the City;
16 and
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18 WHEREAS, to streamline use of City property, the City now deems it necessary to
19 define, regulate, and permit temporary outdoor special events and mobile food vendors
20 on public property or City owned right-of-way.
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22 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
23 County of Summit and State of Ohio, that:
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25 Section 1. Part Seven, of the Codified Ordinances of the City of Cuyahoga Falls, Ohio,
26 Business Regulation Code, is amended by the enactment of Chapter 755, Temporary
27 Outdoor Special Events & Mobile Food Vendors, in its entirety as set forth in Exhibit A
28 attached hereto and incorporated by reference into this ordinance.
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30 Section 2. Any other ordinances or resolutions or portions of ordinances and
31 resolutions inconsistent herewith are hereby repealed, but any ordinances and
32 resolutions not inconsistent herewith and which have not previously been repealed are
33 hereby ratified and confirmed.
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35 Section 3. It is found and determined that all formal actions of this Council
36 concerning and relating to the adoption of this ordinance were adopted in an open
37 meeting of this Council, and that all deliberations of this Council and of any of its
38 committees that resulted in such formal action, were in meetings open to the public, in
39 compliance with all legal requirements, to the extent applicable, including Chapter 107
40 of the Codified Ordinances.
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42 Section 4. This ordinance is hereby declared to be an emergency measure necessary
43 for the preservation of the public peace, health, safety, convenience and welfare of the
44 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the affirmative
45 vote of two-thirds of the members elected or appointed to Council, it shall take effect and
46 be in force immediately upon its passage and approval by the Mayor; otherwise it shall
47 take effect and be in force at the earliest period allowed by law.
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56 Passed: _____

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64 Approved: _____

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66 3/9/26

President of Council

Clerk of Council

Mayor

Exhibit A

CHAPTER 755

Temporary Outdoor Special Events & Mobile Food Vendors

755.01 DEFINITIONS.

As used in this Chapter, the following terms have the following meanings:

- (a) "Temporary Outdoor Special Event" shall apply to, but is not limited to, any City-sponsored events, any events that are approved by the City in advance, all annual heritage festivals, and Downtown Cuyahoga Falls Partnership events.
- (b) "Mobile Food Vendor" shall apply to all food establishments that are located on or within a vehicle, including but not limited to trucks, passenger vehicles, motorcycles, bicycles, carts or trailers pulled by a motorized vehicle, mobile food kitchens, pushcart vendors, mobile food trucks, canteen trucks, mobile beer carts or trucks, coffee trucks, or tear-down tents, where food or beverages are cooked, prepared and or served in individual portions. "Mobile Food Vendor" shall not apply to "Meals on Wheels" and similar programs' vehicles, ice cream sales trucks as regulated in Chapter 733 of the City of Cuyahoga Falls Codified Ordinances, or food delivery service vehicles.
- (c) "Pop-Up Mobile Food Vendor" shall apply to all Mobile Food Vendors not affiliated with a particular Temporary Outdoor Special Event.
- (d) "Applicant" shall apply to the individual organizer and point of contact for a Temporary Outdoor Special Event or the individual point of contact for a Pop-Up Mobile Food Vendor.

755.02 PERMIT REQUIRED.

The following permits shall be required for Temporary Outdoor Special Events and Mobile Food Vendors:

- (a) All Temporary Outdoor Special Events desiring to operate on public property or in the right-of-way within the City of Cuyahoga Falls shall be required to apply for a Temporary Outdoor Special Event permit.
- (b) All Pop-Up Mobile Food Vendors desiring to operate on public property or in the right-of-way within the City of Cuyahoga Falls shall be required to apply for a Pop-Up Mobile Food Vendor permit.

Mobile Food Vendors affiliated with a particular Temporary Outdoor Special Event shall not be required to apply for a separate Mobile Food Vendor permit.

755.03 PERMIT APPLICATION, REQUIREMENTS, AND FEES

An Applicant seeking a Temporary Outdoor Special Event or Pop-Up Mobile Food Vendor permit shall complete an application, and pay the corresponding fee(s) associated with the requested permit. Applications shall be available in the Office of Neighborhood Excellence, Communications, and Community Outreach. The application may be amended from time to time by either the Parks and Recreation Superintendent or Director of Public Service.

Exhibit A

Proof of current insurance must be presented by the Applicant in order to qualify for a permit. The individual insurance policy requirements shall be outlined in the application which shall be available in the Department of Neighborhood Excellence, Communications, and Community Development.

A list of Temporary Outdoor Special Event and Pop-Up Mobile Food Vendor fees shall be available, upon request, at the Office of Neighborhood Excellence, Communications, and Community Outreach. The fees may be amended from time to time by either the Parks and Recreation Superintendent or Director of Public Service to cover the City's costs for labor, sanitation, and any other expense(s) directly related to the Temporary Outdoor Special Event or Pop-Up Mobile Food Vendor.

If a Temporary Outdoor Special Event is held on Front Street between Stow Avenue and Chestnut Boulevard, and the applicant is a for-profit entity, it must be a member of the Downtown Cuyahoga Falls Partnership or the Business Commons of Cuyahoga Falls. No Mobile Food Vendors shall be required to be a member of the Downtown Cuyahoga Falls Partnership or the Business Commons of Cuyahoga Falls.

At the sole discretion of the City, the Applicant may be required to hire off-duty police officers for a Temporary Outdoor Special Event. The Applicant shall be responsible to pay for these off-duty officers.

All street closures, if permitted, will be made at the discretion of the City.

The layout of a Temporary Outdoor Special Event, including tent and Mobile Food Vendor locations, shall be determined by the City.

For all Pop-Up Mobile Food Vendor permit applications and Temporary Outdoor Special Event permit applications that include Mobile Food Vendors, the Applicant must show proof that the Mobile Food Vendor(s) have passed inspections by both the Summit County Public Health Department and the Cuyahoga Falls Fire Department. The proofs of inspection shall be for the year in which the applicant applies for the Temporary Outdoor Special Event permit or Pop-Up Mobile Food Vendor permit. The Applicant shall provide the following for each Mobile Food Vendor:

- (a) The name of the business
- (b) The name(s) of the business owner(s)
- (c) The mailing address, email address, and mobile telephone number of the business owner(s)
- (d) The mailing address, email address, and mobile telephone number of the vehicle operator(s)
- (e) The make, model, year, VIN number, and registered license plate number for the associated vehicle
- (f) Any other information requested within the application

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755.04 OPERATING REGULATIONS FOR MOBILE FOOD VENDORS

(a) No Mobile Food Vendor shall operate on City-owned property or within the public right-of-way unless authorized by the City as part of a Temporary Outdoor Special Event or authorized by the City through a Pop-Up Mobile Food Vendor permit.

(b) A Mobile Food Vendor shall not operate within 500 feet of a Temporary Outdoor Special Event, unless approved as affiliated with the Temporary Outdoor Special Event, or located on private property with the written permission of the owner of the property.

(c) No Mobile Food Vendor shall operate prior to 9:00 am or after 10:00 pm unless previously approved by the City for a Temporary Outdoor Special Event.

(d) All Mobile Food Vendors shall offer a public waste container for public use that the operator shall empty at their own expense. This waste container shall not be emptied into a City-owned or private business-owned trash dumpster or receptacle unless approved by the City or respective business before the occurrence. In no event shall a Mobile Food Vendor violate, or allow its customers to violate, Cuyahoga Falls Codified Ordinances 557.01 and 557.02.

(e) No Mobile Food Vendor is permitted to empty its grease trap into City-owned property or private property unless approved by the City or the respective private property owner before the occurrence. In no event shall the disposal of grease be in violation of Cuyahoga Falls Codified Ordinance 927.03(b).

(f) No Mobile Food Vendors shall make any excessive noise, lighting, or other method for attracting attention to potential customers. In no event shall a Mobile Food Vendor violate, or allow its customers to violate, Cuyahoga Falls Codified Ordinance 509.03.

(g) The City reserves the right to relocate a Mobile Food Vendor to an alternate location as determined by the City of Cuyahoga Falls Police or Fire Departments if the approved location needs to be used for emergency purposes or another public benefit.

(h) The City shall require all Mobile Food Vendors and their operator(s) to obey all applicable Federal, State, and Local laws and ordinances. Failure to do so may result in the City requiring the Mobile Food Vendor to leave immediately.

(i) The City of Cuyahoga Falls Fire Department reserves the right to inspect any and all Mobile Food Vendors at any time to ensure compliance with all applicable Federal, State, and Local fire safety statutes, regulations, ordinances, and codes.

755.99 PENALTY

Whoever violates any provision of this chapter shall be guilty of an unclassified misdemeanor and shall be fined not more than Five Hundred Dollars (\$500). Upon subsequent convictions, the penalty shall be an unclassified misdemeanor and shall be fined not more than One Thousand Dollars (\$1,000).

If violation of this chapter is also violation of another law, the violator may be charged with either offense.

The Director of Public Service may not approve any subsequent permit requests for a Temporary Outdoor Special Event or Pop-Up Mobile Food Vendor within the City of

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Cuyahoga Falls after they have committed a violation of the Cuyahoga Falls Codified Ordinances.