

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

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**CODIFIED ORDINANCES OF RIVERSIDE**  
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**CHAPTER 711**  
**Peddlers**

**711.01 Definition.**  
**711.02 Prohibition.**

**711.99 Penalty.**

**CROSS REFERENCES**

Home solicitation sales - see Ohio R.C. 1345.21 et seq.  
Charitable solicitations - see Ohio R.C. Ch. 1716  
Frozen desserts - see Ohio R.C. 3717.51 et seq.  
Trespassing - see GEN. OFF. 541.05  
Littering - see GEN. OFF. 521.08  
Door to door sales activity of minors restricted - see Ohio R.C. 4109.21

**711.01 DEFINITION.**

As used in this chapter, "peddler" means any hawker, huckster, or solicitor, and any person who goes from place to place, street to street, or house to house, offering for sale, or selling, merchandise or services, but does not include any person who offers for sale, or sells, goods or products of his own manufacture or raising, nor any person who regularly offers for sale or sells, over established routes, daily or weekly newspapers, or bakery or dairy products.  
(Ord. 94-0-17. Passed 6-13-94.)

**711.02 PROHIBITION.**

(a) No peddler shall engage in any peddling within the Municipality, which activity is declared a nuisance.

(b) A separate offense or violation shall be deemed committed with respect to each prohibited act. (Ord. 94-0-17. Passed 6-13-94.)

**711.99 PENALTY.**

Whoever violates this chapter shall be fined not more than one hundred dollars (\$100.00) for a first offense, and for each subsequent offense shall be fined not more than two hundred fifty dollars (\$250.00), or imprisoned not more than thirty days, or both.  
(Ord. 94-0-17. Passed 6-13-94.)



**CHAPTER 719**  
**Frozen Dessert Sales From Vehicles**

<b>719.01</b>	<b>Definitions.</b>	<b>719.07</b>	<b>Nuisance conditions.</b>
<b>719.02</b>	<b>Enforcement.</b>	<b>719.08</b>	<b>Insurance requirements.</b>
<b>719.03</b>	<b>Equipment required for frozen dessert trucks.</b>	<b>719.09</b>	<b>Permit required.</b>
<b>719.04</b>	<b>Restrictions on vending.</b>	<b>719.99</b>	<b>Penalty.</b>
<b>719.05</b>	<b>Backing restricted.</b>		
<b>719.06</b>	<b>Prohibited times and places of sale.</b>		

**CROSS REFERENCES**

Frozen desserts - see Ohio R.C. Ch. 917, 3715  
Littering - see GEN. OFF. 521.08

**719.01 DEFINITIONS.**

As used in this chapter:

- (a) "Frozen desserts" means ice cream, frozen custard, water ices, sherbet, imitation ice cream and any and all other similar frozen desserts.
- (b) "Frozen dessert truck" means every motor vehicle in which frozen desserts are carried for purpose of retail sale on the streets of the City.
- (c) "Operator" means every person, firm or corporation who owns, leases, contracts or in any other fashion permits a person to operate upon the streets of the City any frozen dessert truck for the purpose of vending.
- (d) "Person" includes every driver of a frozen dessert truck.
- (e) "Vend" or "vending" means offering frozen desserts for sale from a motor vehicle on the streets of the City.  
(Ord. 97-0-106. Passed 11-3-97.)

**719.02 ENFORCEMENT.**

The enforcement of any of the provisions of this chapter shall be the responsibility of the Director of Public Safety and/or the Police Department.  
(Ord. 97-0-106. Passed 11-3-97.)

**719.03 EQUIPMENT REQUIRED FOR FROZEN DESSERT TRUCKS.**

In addition to other equipment required by law, every frozen dessert truck shall be equipped with two four-inch amber oscillating lights which shall be located in line, one above the other, upon the upper portion of the left side between the center and rear portions of the vehicle so as to be clearly visible to a person approaching such vehicle from the front or rear. Such amber colored lights shall be operated continuously at the time the vehicle is stopped and frozen desserts are being sold, vended or dispensed.

(Ord. 97-0-106. Passed 11-3-97.)

**719.04 RESTRICTIONS ON VENDING.**

- (a) A person shall vend only when a frozen dessert truck is lawfully stopped.
- (b) A person shall vend only from the side of the frozen dessert truck away from moving traffic and as near as possible to the curb or side of the street.
- (c) A person shall not vend to a person standing in the roadway.
- (d) A person shall not stop on the left side of a one-way street to vend.

(Ord. 97-0-106. Passed 11-3-97.)

**719.05 BACKING RESTRICTED.**

No person operating a frozen dessert truck shall back the same to make or attempt to make a sale.

(Ord. 97-0-106. Passed 11-3-97.)

**719.06 PROHIBITED TIMES AND PLACES OF SALE.**

No person shall sell, attempt to sell or offer for sale any frozen dessert from a truck:

- (a) Within 100 feet of any street intersection.
- (b) Within 1,000 feet of any schoolyard, play school ground or public playground during the hours when a regular or summer or play school is in session or for a period of one-half hour after the closing hour of such regular, summer or play school.
- (c) Within 1,000 feet of any church or place of worship during the period when any service being held therein, including the use of any noise producing device which is audible at a distance of more than 150 feet from a place of worship.
- (d) Before the hour of 10:00 a.m. or after one half hour prior to sunset each evening.

(Ord. 97-0-106. Passed 11-3-97.)

**719.07 NUISANCE CONDITIONS.**

The following actions by a person operating a frozen dessert truck are hereby declared to be nuisances and are prohibited, but this enumeration shall not be deemed to be exclusive:

- (a) Frequent and repeated canvassing, or soliciting for the sale of frozen desserts in any area or upon any street by the same operator.
- (b) The sale of frozen desserts to any person under the age of ten years who has crossed the street to the vendor's frozen dessert truck unless under the supervision of a police officer, a parent or an adult over eighteen years old in charge of such minor.

- (c) The failure to maintain a lookout for persons under the age of ten years on the opposite side of the street from the place where the frozen dessert truck stops, and to instruct them against crossing without supervision in order to purchase a frozen dessert.
- (d) The failure to supervise any person under ten years of age who has crossed the street to purchase a frozen dessert when such person thereafter attempts to recross the street.
- (e) The departure of the frozen dessert truck from the place where a sale is made before any person under ten years of age who has made a purchase or who has attempted to make a purchase has reached a place of safety.
- (f) The use of any noise-producing device which produces a sound which is audible at a distance of more than 150 feet from the source of such sound.  
(Ord. 97-0-106. Passed 11-3-97.)

**719.08 INSURANCE REQUIREMENTS.**

Operators of frozen dessert trucks shall carry a minimum of three hundred thousand dollars (\$300,000) liability and property damage insurance, which shall protect the City from liability.  
(Ord. 97-0-106. Passed 11-3-97.)

**719.09 PERMIT REQUIRED.**

No person shall operate a frozen dessert truck on the streets of the City without first obtaining a frozen dessert truck operator's permit annually from the Police Department. Application for such permit shall be made on forms furnished by the Police Department. The following is required.

- (a) A vehicle safety inspection certificate issued by a reputable auto garage or certified mechanic, obtained at the applicant's expense, certifying vehicle's compliance with this chapter and that said vehicle is in safe operating condition.
- (b) Evidence of a current Food Service Vendor's permit issued by the Montgomery County Combined Health District.
- (c) The name, address and Social Security number of all operators and drivers for frozen dessert trucks.
- (d) Payment of a permit fee of seventy-five dollars (\$75.00) per calendar year.  
(Ord. 97-0-106. Passed 11-3-97.)

**719.99 PENALTY.**

Whoever violates or fails to comply with any provision of this chapter is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. A fine of fifty dollars (\$50.00) shall be assessed for each and every violation of this chapter.  
(Ord. 97-0-106. Passed 11-3-97.)



**CHAPTER 720**  
**Registration of Rental Property**

<b>720.01</b>	<b>Purpose.</b>	<b>720.09</b>	<b>Responsible local agent.</b>
<b>720.02</b>	<b>Definitions.</b>	<b>720.10</b>	<b>Transfer of ownership.</b>
<b>720.03</b>	<b>Certificate of registration required.</b>	<b>720.11</b>	<b>Right of entry; consent; and search warrant requirements.</b>
<b>720.04</b>	<b>Agent to operate rental unit; service of process or notice.</b>	<b>720.12</b>	<b>Vacating a rental unit.</b>
<b>720.05</b>	<b>Exempted rental units.</b>	<b>720.13</b>	<b>Disclaimer of liability.</b>
<b>720.06</b>	<b>Registration forms.</b>	<b>720.14</b>	<b>Savings clause.</b>
<b>720.07</b>	<b>Registration term and renewal.</b>	<b>720.15</b>	<b>Validity.</b>
<b>720.08</b>	<b>Periodic inspections.</b>	<b>720.16</b>	<b>Alternative compliance.</b>
		<b>720.99</b>	<b>Penalty.</b>

**720.01 PURPOSE.**

It is the purpose of this section to provide for the protection of the public health, safety and welfare of the citizens of Riverside by requiring the registration of all rental units within the incorporated limits. This registration provides the City with the information necessary to enforce the Property Maintenance Code of Chapter 1331 and to allow for periodic exterior inspections. (Ord. 04-0-310. Passed 10-21-04.)

**720.02 DEFINITIONS.**

As used in this chapter, the following terms shall have the following meanings respectively ascribed to them in this section:

- (a) "Lease" means any written or oral agreement that sets forth any and all conditions concerning the use and occupancy of rental dwellings or rental units.
- (b) "Notice of violation" means a notice issued to the owner or responsible local agent stating that there has been a violation of a provision of this chapter or any other applicable codes, ordinances, rules or regulations concerning said premises.

- (c) "Premises" means any lot or parcel of land.
- (d) "Owner" means the individual or individual(s), natural or corporate, in possession of lawful title to property. In the absence of substantial evidence to the contrary, the ownership records of the Montgomery County Auditor's office used for property tax purposes shall be conclusive evidence of the ownership of property regulated pursuant to this article.
- (e) "Rental units" means any real property that is being rented to only one tenant, group of tenants, or family under one lease.  
(Ord. 04-0-310. Passed 10-21-04.)

#### **720.03 CERTIFICATE OF REGISTRATION REQUIRED.**

No person shall lease, rent or cause to be occupied a rental unit unless there is a valid certificate of registration issued by the Zoning Administrator in the name of the owner/responsible local agent and issued for the specific rental unit. The certificate shall remain on file with the owner or responsible local agent and a copy of the certificate of registration shall be provided upon request to any tenant or prospective tenant. In case of a written lease, the certificate holder shall include a copy of the certificate of registration in the lease agreement.  
(Ord. 04-0-310. Passed 10-21-04.)

#### **720.04 AGENT TO OPERATE RENTAL UNIT; SERVICE OF PROCESS OR NOTICE.**

Every owner of a rental unit shall register each rental unit with the City and shall designate a person as the responsible local agent who shall be responsible for operating the registered rental unit and may accept service of process or official notice on behalf of the owner. Any official notice or service of process so issued shall be deemed to have been issued upon the owner of record. Each responsible local agent shall maintain a current list of the number of occupants of each rental unit for which he/she is responsible. A "certificate of registration" shall not be issued if the registration provisions of this chapter are not complied with.  
(Ord. 04-0-310. Passed 10-21-04.)

#### **720.05 EXEMPTED RENTAL UNITS.**

Nothing in the provisions of this chapter shall be interpreted as applying to dwellings:

- (a) Classified as nursing homes under Section 1133.15(c);
- (b) Classified as halfway houses under Section 1133.09(a);
- (c) Classified as foster care homes under Section 1133.07(o); and
- (d) Classified as community-oriented residential social service facility under Section 1133.04(j).  
(Ord. 04-0-310. Passed 10-21-04.)

#### **720.06 REGISTRATION FORMS.**

Application for registration shall be made in such form and in accordance with such instructions as may be provided by the Zoning Administrator and shall include at least the following information:

- (a) The name, address, telephone number of the applicant;
- (b) The names, addresses and telephone numbers of all owners of the rental dwelling;
- (c) The name, address and telephone number of the responsible local agent; and
- (d) The number of rental units in the structure.

No post office boxes shall be accepted as a legal address. Said registration shall be kept in the Building Department. Every person required to register a rental unit shall provide an amended registration form for any changes to the above information required by this chapter. A one time registration fee of seventy-five dollars (\$75.00) shall be charged for each property registered under this chapter. If the fee is not paid within thirty days of registration, an additional late fee of seventy-five dollars (\$75.00) shall be assessed.  
(Ord. 04-0-310. Passed 10-21-04.)

#### **720.07 REGISTRATION TERM AND RENEWAL.**

Registration shall be made within ninety days of the enactment of this chapter. The term of the registration shall be valid as long as the owner remains unchanged. In the event of a transfer of ownership the registration and any certificate of registration shall expire and no longer be valid. Any new owner shall register and make application for a certificate of registration for each rental dwelling and rental unit before the date of transfer to an owner.  
(Ord. 04-0-310. Passed 10-21-04.)

#### **720.08 PERIODIC INSPECTIONS.**

The Zoning Administrator shall conduct a periodic exterior inspection of rental units registered under Section 720.03. Such inspections shall occur once every three years and shall be conducted from a public right of way. The inspection shall determine whether the registered rental unit complies with the Property Maintenance Code specified in Chapter 1331.  
(Ord. 04-0-310. Passed 10-21-04.)

#### **720.09 RESPONSIBLE LOCAL AGENT.**

The responsible local agent shall be a person or representative or a corporation, partnership, firm, joint venture, trust, association, organization or other entity, and shall be designated by the owner as a responsible agent for operating such premises in compliance with all provisions of these Codified Ordinances. All official notices of the City may be issued to the responsible local agent, and any notice so issued shall be deemed to have been issued upon the owner of record. (Ord. 04-0-310. Passed 10-21-04.)

#### **720.10 TRANSFER OF OWNERSHIP.**

It shall be unlawful for the owner of any rental unit who has received a notice of violation to transfer, convey, lease, enter a land contract or sell his/her ownership or interest in any way to another unless such owner shall have first furnished to the grantee, lessee, or vendee or transferee a true copy of any notice of violation and shall have furnished to the Building Official a signed and notarized statement from the grantee, vendee or lessee, or transferee acknowledging the receipt of such notice of violation.  
(Ord. 04-0-310. Passed 10-21-04.)

**720.11 RIGHT OF ENTRY; CONSENT; AND SEARCH WARRANT REQUIREMENTS.**

Absent emergency circumstances, whenever necessary to make inspection to enforce any of the provisions of the Property Maintenance Code of Chapter 1331, or whenever the public officer or his or her authorized representative has reasonable cause to believe that there exists in any dwelling which is required to be registered by this chapter, any condition or violation which makes such dwelling or premises unsafe, dangerous or hazardous, the public officer or his or her authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed by this chapter, provided that such entry is pursuant to the law, and further provided if such building or premises is occupied, the public officer shall first present proper credentials and request entry; and if entry is denied the public officer shall have authority to seek lawful entry pursuant to an administrative search warrant or other lawful means. A certificate of registration shall not be construed as consenting to a search or entry into a rental unit except as provided for in this section.

(Ord. 04-0-310. Passed 10-21-04.)

**720.12 VACATING A RENTAL UNIT.**

In the event a rental unit is not occupied for a period of over one year, it is considered abandoned. It shall be the responsibility of the owner or the responsible agent to secure said vacant unit against trespass or vandalism by a means such as but not limited to boarding of windows and securing of doors with locks.

(Ord. 04-0-310. Passed 10-21-04.)

**720.13 DISCLAIMER OF LIABILITY.**

A certificate of registration is not a warranty or guarantee that there are no defects in the rental dwelling unit or units and the City shall not be held liable to any person for the condition of the property. (Ord. 04-0-310. Passed 10-21-04.)

**720.14 SAVINGS CLAUSE.**

All proceedings pending and all rights and liabilities existing and acquired or incurred at the time this chapter takes effect are saved and may be consummated according to the law in force when they are commenced.

(Ord. 04-0-310. Passed 10-21-04.)

**720.15 VALIDITY.**

Should any section, clause, or paragraph of this chapter be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the chapter as a whole or part thereof other than the part declared to be invalid.

(Ord. 04-0-310. Passed 10-21-04.)

**720.16 ALTERNATIVE COMPLIANCE.**

Any owner who is in current compliance with the requirements of Chapter 5323, Section 5323.01, 5323.02, 5323.03 of the Ohio Revised Code shall be deemed to be in full compliance with the provisions of Section 720.03, 720.04, 720.06, 720.07 and 720.09 of the Business Regulation Code. (Ord. 06-0-354. Passed 10-19-06.)

**720.99 PENALTY.**

Any person who knowingly:

- (a) Violates Section 720.03 is guilty of operating an unlicensed rental unit, a misdemeanor in the fourth degree;
- (b) Violates Section 720.10 is guilty of illegally conveying a registered rental unit, a misdemeanor in the fourth degree;
- (c) Violates Section 720.12 is guilty of failing to secure an abandoned building, a misdemeanor in the fourth degree.  
(Ord. 04-0-310. Passed 10-21-04.)



**CHAPTER 721**  
**Competitive Video Service Authorizations**

<b>721.01</b>	<b>Definitions.</b>	<b>721.05</b>	<b>Notice requirement.</b>
<b>721.02</b>	<b>VSP fee.</b>	<b>721.06</b>	<b>Access programming requirement.</b>
<b>721.03</b>	<b>VSP fee notice provision.</b>	<b>721.07</b>	<b>Application to incumbent cable providers.</b>
<b>721.04</b>	<b>Fee payment requirements.</b>		

**721.01 DEFINITIONS.**

As used in this chapter:

- (a) "Incumbent Cable Provider" means any person who on the effective date of this Section is the holder of a cable franchise agreement with the City as granted pursuant to requirements of 47 U.S.C 541.
- (b) "Video Service" means the service defined in R.C. Section 1332.21(J).
- (c) "Video Service" Authorization or VSA" means the authorization granted to a video service provider in accordance with the requirements of R.C. Sections 1332.21 to 1332.34 et seq.
- (d) "Video Service Provider Fee or VSP Fee" means the fee paid by a VSP in accordance with the requirements of R.C Section 1332.32.
- (e) "Video Service Provider or VSP" means a person, firm, or corporation granted a video service authorization under R.C. Sections 1332.21 to 1332.34 et sea.  
(Ord. 07-0-382. Passed 11-1-07.)

**721.02 VSP FEE.**

In accordance with the requirements of R.C. Section 1332.32, all VSPs providing video service in the City pursuant to a VSA obtained from the Director of the Ohio Department of Commerce shall pay a VSP Fee in the amount of five percent (5%) of gross revenues received from providing Video Service in the City, which gross revenue base shall include advertising revenues. The VSP Fee shall be paid quarterly, not later than sixty (60) days after the end of each calendar quarter. (Ord. 07-0-382. Passed 11-1-07.)

**721.03 VSP FEE NOTICE PROVISION.**

Upon receipt of notice from a VSP that it will begin providing Video Service in the City Pursuant to a state-issued video service authorization, the City Manager or his/her designee is authorized and directed to provide such VSP with notice of the VSP Fee as determined by this Council in Section 721.02 which notice shall be delivered in a manner that provides for proof of timely delivery. (Ord. 07-0-382. Passed 11-1-07.)

**721.04 FEE PAYMENT REQUIREMENTS.**

Any VSP Fee or Community Service Fee Payments required to be paid to the City by a VSP shall be made quarterly and paid not later than sixty (60) days after the end of the calendar quarter. (Ord. 07-0-382. Passed 11-1-07.)

**721.05 NOTICE REQUIREMENT.**

Any notice to the City that is required of a VSP in accordance with of R.C. Sections 1332.21 through 1332.34 shall be provided in written form to the City Manager either by certified mail, express mail or upon personal delivery, all evidenced by a return receipt. (Ord. 07-0-382. Passed 11-1-07.)

**721.06 ACCESS PROGRAMMING REQUIREMENT.**

In accordance with the requirements of R.C. Section 1332.30(A)(1)(a) when more than three (3) PEG access channels are provided to the City by an Incumbent Cable Provider or VSP, such additional channel shall be programmed by the City with at least forty (40) hours of non-character generated content per week with at least sixty per-cent (60%) of the programming being non-repeat and locally produced. For the purposes of this Section “non-repeat and locally produced” shall mean. the first three (3) playbacks of programming produced or provided by any local resident or any local public or private agency that provides services to residents of the greater Dayton metro area, or any transmission of a meeting or proceeding of any local, state, or federal governmental entity. (Ord. 07-0-382. Passed 11-1-07.)

**721.07 APPLICATION TO INCUMBENT CABLE PROVIDERS.**

Nothing in this Section shall apply to incumbent cable providers until they are granted a Video Service Authorization in accordance with R.C. 1332.21-1331.34 et seq. (Ord. 07-0-382. Passed 11-1-07.)

**CHAPTER 727  
Salvage Yards**

**727.01 Operating requirements.**  
**727.02 Inspection of register.**

**727.99 Penalty.**

**727.01 OPERATING REQUIREMENTS.**

The following general operating requirements are hereby enacted and shall apply to all salvage yards and salvage yard operators:

- (a) Every transaction for the purchase or receipt of salvage shall be recorded in English in a pre-numbered electronic or written register. The salvage yard operator shall record the following information in the register:
  - (1) The person's name, address or residence;
  - (2) A copy of the person's driver license or government issued photo identification;
  - (3) A description of the salvage;
  - (4) The date and time of the transactions; and
  - (5) The person's vehicle license plate number, when reasonably obtainable.
- (b) This register shall be retained on the business premises for the salvage yard operator for a period of two years from the date of transaction and made available for inspection by the Zoning Administrator or his representative.
- (c) No processing of salvage in the normal and customary course of business shall be conducted between the hours of 10:00 p.m. and 7:00 a.m.
- (d) No salvage yard operator, or his agent or employee, shall knowingly purchase or receive any salvage for use in the business from any person under the age of eighteen years without the written consent of a parent or guardian of such person.  
(Ord. 07-0-371. Passed 5-17-07.)

**727.02 INSPECTION OF REGISTER.**

Upon request, the operator shall allow any law enforcement officer to inspect and/or copy the register. (Ord. 07-0-371. Passed 5-17-07.)

**727.99 PENALTY.**

Whoever violates any provision of this chapter shall be fined not more than five hundred dollars (\$500.00). (Ord. 07-0-371. Passed 5-17-07.)

