Public Safety Committee
March 10, 2020
City Hall Conference Room

AGENDA

1) Call to Order

2) Approval of Minutes

3) Police Chief Report

4) Fire Chief Report

5) Safety Service Director Comments

6) Old Business
   - Policy review of city address' consistency (i.e. 123 ½ vs 123 a)
   - MCEMD's unpaid water bill.
   - Policy review of the city boundaries entering and exiting the city limits.
   - Potential appointment of Tom Hale to the role of Zoning Administrator for the city.
   - Food truck legislation.
   - Updated right-of-way permit.

7) New Business
   - Festival legislation.

8) Adjourn

Safety Service Committee

City Hall Conference Room
20 S. Walnut Street

March 10, 2020

Committee members present: Chairman Rich Hays and Andrew Hitt

City representatives in attendance: Police Chief, Glenn Nicol; Fire/EMS Chief, Todd Eades; Mayor, Patrick Closser; Safety Service Director, Joseph Mosier; Street Superintendent, Bill Long; and Executive Assistant, Amy Rees

Mr. Hays called the meeting to order at 6:00pm.

The minutes of the February 11, 2020 meeting were approved as written.

Chief Nicol
Report attached.
Additional items:

- The Finance Committee will be recommending City Council approve a $51,000 capital expense for a new police cruiser.
- Tech Support was in the office re-booting all computers to correct issues from the recent virus.
- Sergeant Joe Cox is attending the Police Executive Leadership College and Officer Frank White is attending the Supervisors Training and Education Program.
- Statistics were down for February but up 9% compared to 2019.

Chief Eades
Report attached.
Additional items:

- Applying for the Fire Marshall Equipment Grant
- Have responded to 467 fire and EMS calls so far this year.
- Mr. Mosier proposed eliminating the .5% tax credit to individuals who work outside the city. Currently, 1280 individuals receive the credit and eliminating it would generate $287,616. The funds would be used to operate the Fire/EMS Department in lieu of asking for an increase in property taxes.

Old Business

- An invoice for water usage prior to MCEMD vacating the facility at 40 E. Center has not yet been sent. An agreement has been reached with MCEMD about partial payment by subtracting what would have been the city's portion of the bill when using the MCEMD services.
- Chief Eades will be working with Tom Hale to assign unit numbers to buildings with multiple addresses.
- Addresses in and out of the city are different, combined with having uneven boundaries creates issues with police jurisdiction. Paul Oswalt will be consulted to help correct the issue.
- Mr. Hale has proposed that he also be appointed Zoning Administrator. A decision on the issue has not yet been made.
- Food Truck legislation and an application (see atchement) has been created. Both will be sent to the committee for review.
- Bill Long, with Jennifer Hitt, has created legislation and a permit for construction in the city's rights-of-ways. Mr. Long also has created an application requiring all contractors working in the city to pay a permit fee and register with the Building & Zoning Department.

New Business

- Mrs. Rees and Mr. Long are working to create legislation to regulate city festivals. City departments have submitted fees for services and equipment use. A draft will be presented as soon as possible, no later than the next Safety Service meeting.

The next Safety Service Committee meeting will take place on April 7, 2020 at 6:00pm in the City Hall conference room.

The meeting adjourned at 7:31pm.

Respectfully submitted by:
Amy Rees



LONDON POLICE DIVISION

10 East First St.
London, Ohio 43140
740-852-1414
lpdrecords@londonohio.gov

Public Safety Committee Meeting
March 10 , 2020

- The LPD app is still gaining users, around 2200 downloads.
- Two applicants are continuing in the process for police officer with 2nd interviews later this month.
- Attended the WeCare Coalition meeting.
- We are currently developing a civil service list for a dispatcher position; accepting applications until March 31st with a test in April.
- We are anticipating the retirement of Sgt. Akers later this spring and are working with civil service to set up the promotional process to fill the vacancy.
- We are participating in a core stakeholders group with the Health Dept. regarding the Coronavirus.
- Attended the LE meeting at London Correctional; the county FD Chief's meeting; County Safe Communities meeting, and the Adult Protective Services Investigations Team meeting.
- Participated in the Chamber's Community Coffee w/Law Enforcement event.
- Our K-9 officer attended a national conference in Las Vegas, partially funded by seized assets from the Madison County Prosecutor's Office.
- Participated in the EMA Local Emergency Planning Committee's scenario planning meeting.
- Participated in the LES Right to Read Week by reading at the school.
- Joined the RING Neighborhood app, where individuals can upload various camera footage of events to share with the public.
- STATISTICAL SUMMARY: 586 Calls for Service handled in February, with 62 incidents filed; 14 traffic crash reports filed, 24 traffic citations, 104 traffic warnings from 132 traffic stops. Completed 414 checks on 21 community watches.

Attachments: February 2020 Statistics

LONDON POLICE DIVISION

Incident Type Statistics

Printed On: 03/03/2020 10:36 AM

Date Range From: 2/01/2020 Through: 3/03/2020

Incident Type	Total
LONDON POLICE DIVISION	
Breaking & Entering	1
Burglary	2
Child Abuse - Sexual	1
Child Neglect/Dependency	2
Criminal Damaging	5
Dispute	5
Dog - Attack/Bite	1
Domestic Violence	8
Drug Abuse - Misd	1
Drug Paraphernailia	1
Felony Theft	3
Fraudulent Scam	3
Injury Crash	1
Menacing	4
OVI	3
OVI - Drug	1
PD Crash - Hit Skip	2
Parking Citation	4
Private Property Crash	1
Property Damage Crash	12
Protection Order Violation	1
Recovered Property	2
Suicide - Attempted	2
Suicide - Threatened	2
Theft	6
Theft Of Drugs	1
Traffic Offense	24
Trailer/Equipment Theft	1
Trespassing	3
Vandalism	1
Warrant Execution	2
Total incidents for LONDON POLICE DIVISION	**106**
Total incidents:	**106**

L NDON POLICE DIVISI N

Nature Statistics

Printed On: 03/03/2020 11:12 AM

Date Range From: 2/01/2020 Through: 2/29/2020

Nature	Total
911 Unknown	5
Abandoned Vehicle	1
Alarm - Commercial	23
Alarm - Fire	8
Alarm - Robbery/Panic	1
Alarm -Residential	6
Animal Complaint	4
Assist Other Agency	18
Breaking & Entering	2
Burglary	1
Burglary In Progress	2
Child Custody Dispute	2
Child Neglect/Dependency	1
City Code Enforcement	1
Civil Standby	10
Civilian Transport	10
Criminal Damaging	10
Death Notification	1
Disabled MV - Motorist Assist	6
Dispute	11
Dog - Stray/Uncontrolled	8
Dog Attack/Bite	1
Domestic Dispute	14
Driving Complaint	11
Drug Abuse	4
Drug Overdose	3
Drug Paraphernailia	3
Extra Patrol Request	1
Fight	7
Fire	3
Fraudulent Scam	9
Funeral Escort	5
Hit Skip - Prop Damg	2
Identity Theft	1
Injury Crash	2
Intoxicated Person	5
K9 Assist Other Agency	1
K9 Use - Drug Search	1
K9 Use - Tfc Stop Search	1
Littering	2
Medical Assist	7
Menacing	10
Mentally Disturbed/Impaired	2

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LONDON POLICE DIVISION

Nature Statistics

Printed On: 03/03/2020 11:12 AM

Date Range From: 2/01/2020 Through: 2/29/2020

Nature	Total
Message Notification	2
Missing Juvenile	2
Noise Complaint	7
Open Door	9
Paper Service	1
Parking Complaint	15
Private Property Crash	8
Property Damage Crash	13
Prowler	2
Public Relations Event	3
Recovered Bicycle	2
Recovered Property	2
Residential Lockout	1
Road Hazard	3
Robbery	1
Robbery In Progress	1
Security Escort	4
Sex Offense	3
Shooting/Gunfire	1
Solicitor Complaint	1
Special Detail	1
Stolen Auto	3
Suicide Attempt	3
Suspicious Conditions	11
Suspicious Person	17
Suspicious Vehicle	20
Telecommunications Harrassment	1
Theft	11
Theft Of Drugs	2
Threatened Suicide	2
Traffic Control/Detail	1
Traffic Stop	132
Trespassing	6
Unruly Juvenile	12
Vandalism	2
Vehicle Lockout	30
Warrant Service	10
Welfare Check	15
Total incidents:	**586**

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City of London Div. of Fire/EMS

February 2020 Summary for Safety Committee

Activities & Events

- Numerous Fire Safety inspections.
- Numerous building plan reviews.
- New Hire orientation continued.
- Monthly EMS training-Cold weather emergencies.
- Completed new payroll implementation.
- Completed reworking new hire orientation training.
- Implemented new inventory control process.
- Completed annual maintenance on rescue tools.
- Completed annual cardiac monitor preventative maintenance.
- Completed floor drain repair at 40 E. Center.
- Participated in Safety talk at Methodist church.

Respectfully Submitted,

Chief Todd D. Eades

City of London
MOBILE FOOD VENDING UNIT APPLICATION

- A mobile food vending unit is an operation that is operated from a moveable vehicle, trailer, or other portable structure that routinely changes locations.
- If serving to the public, on public or private property, applications must be submitted to the City of London five days prior to commencing operation.
- Application must posted in the mobile food service unit in a location easily visible.
- Must submit a current insurance policy covering the owner and all persons operating from the mobile vending unit.

Name of mobile unit to appear on license: _____

Name of license holder: _____

Name of parent company / owner: _____

Name of operator: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Temporary Permit ☐	7 Days - Date: _____ - _____	Fee: $25 per unit per location
Annual Permit ☐	March 1st - February 28th (Fee may not be prorated)	Fee: $100 per unit
Size of mobile unit: _____	Does the unit use a generator? Y or N	Public or private property? (Circle one)

If operating on private property and serving the public, do you have written permission from the property owner? Y or N

Written proof of permission from the private property owner must be submitted with the application.
(If operating on private property and NOT serving to the public, no permission or application is needed.)

Location(s) where the mobile food unit will be operating:

_____

_____

_____

_____

I agree to abide by the rules and regulations set forth in the City of London Codified Ordinances, Chapter 878, accompanying this application. Violations of any section of the legislation may result in a fine and an unclassified misdemeanor charge.

_____ _____

Name Date

Please make checks payable to the City of London and return application and fee to:

City of London Administration
20 S. Walnut Street, Suite 100
London, Ohio 43140
740-852-3243

CHAPTER 878
MOBILE FOOD VENDING UNIT

878.01 PURPOSE.

The purpose of this Chapter is to provide for the regulation, licensure and permitting process for the use of mobile food vending units, referred to herein as "food trucks", in designated areas of the City in a safe and sanitary manner for the benefit of the vendors, the City and the public.

878.02 DEFINITIONS.

"Director" shall mean the Safety Service Director, or his/her designee.

(b) "Food Trailer" shall mean any mobile vehicle or roadworthy structure that is not propelled by an engine and is used for mobile food vending.

(c) "Food truck" shall mean a vehicle propelled by an engine and is used for mobile food vending.

(d) "Food vending operation" shall mean a place, location, site or separate area where food intended to be served in individual portions is prepared or served for a charge or required donation.

(e) "Mobile food vending unit-" shall mean any food service operation that is operated from a food truck or food trailer that can or does routinely change location. For the purposes of a mobile food vending permit, "mobile food vending unit-" excludes food delivery operations and vending machines, as defined in the Ohio Revised Code.

(f) "Mobile food vendor" shall mean any corporation, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any court whatsoever, or the heirs, executors, administrators or personal representatives or assignees of any deceased owner, owning, controlling, operating or managing any mobile food vending unit.

) "Operator" shall mean the individual who manages one or more mobile food vending units whether as the owner, an employee of the owner or as an independent contractor.

(h) "Park" shall mean those public parks designated by the City of London.

(i) "Mobile Food Vending Permit" means a temporary public right of way occupancy permit that authorizes an operator of.

(j) "Permittee" means the person who owns and or operates the mobile food vending unit that has received a permit from the City of London or a valid and current permit, license or approval issued by any other Ohio municipal corporation, to vend from a food truck or food trailer.

(k) "Permitted space" means the measurable area outlined on the permit issued by the Director where a mobile food vending unit is permitted and from where the Permittee is permitted to vend.

(l) "Public event" shall mean any public activity or gathering or assemblage of people, that is open to the general public, whether or not a fee for admission is charged or collected, and requires the issuance of a health license or temporary health license pursuant to Ohio R.C. 3717.01 for participating mobile food vendors.

(m) "Right of way" means any sidewalk, court, alley, street or other area dedicated or designated for the traveling public and held by the City.

) "Special event" shall mean any activity or gathering or assemblage of people upon public property or in the public right of way for which a block party, street closure, race event, parade permit, community market or other like permit or permission has been issued by the City.

878.03 UNIT SIZE RESTRICTIONS AND REQUIREMENTS

(a) A food truck operating in the public right of way shall be not more than 25 feet in length.

(b) A food truck operating in the public right of way utilizing a generator shall meet one the following requirements:

(1) The generator shall be permanently attached to the mobile food vending unit; or

(2) Generators not permanently attached to the mobile food vending unit shall be placed in a location as prescribed or approved by the Division of Fire, and, during operation, produce less than an average of 66 decibels of sound as measured 9 feet from the generator.

( ) A food truck operating exclusively on private property shall have no limitations established under this chapter regarding the size of the unit. However, the Vendor shall do all of the following:

(1) Have written permission from the property Owner to operate the food truck specifying the location and dates and time periods of operation;

(2) Provide the written permission to the City of London Administration Office for compliance.

(3) Operate only on private property for temporary, ancillary use, and not for the general public consumption.

(d) For mobile food vending unit, the Director shall promulgate such rules regarding the unit size, description, construction, requirements and prohibited equipment as may be necessary to protect the public health, safety, sanitation and general welfare, and that are not inconsistent with requirements of this chapter.

878.04 OPERATING RESTRICTIONS AND REQUIREMENTS.

(a) Permittees shall not operate mobile food vending units at times other than the dates/hours, or during the public event or special event, stated on the approved permit.

(b) Mobile food vending units may only be operated during such hours and in such areas from a stationary position as indicated on the permit.

(c) Mobile food vending units shall not be located on any sidewalk, walkway, street, road, park or alley in any area of the City other than during vending hours as stated on its permit and at the location permitted.

Mobile food vending units shall not be located at their permitted space except during times of operation as indicated on the mobile food vending permit.

(d) Mobile food vending units shall not be located in areas as follows;

(1) Within twenty (20) feet of an intersection with a street, road or alley; or

(2) Within ten (10) feet of a pedestrian crosswalk or intersecting sidewalk; or

( ) So as to obstruct any loading zone, fire hydrant, traffic control box, fire alarm box, parking meter, mail box, any other sidewalk fixture, a legally parked vehicle; or

(4) So as to obstruct the display windows or doorways of any merchant without such merchant's permission; or

(5) Within 25 feet (as measured from the lot line) of another restaurant, food or beverage establishment located on the same side of the street on the same block face; or

(6) On a sidewalk, unless specifically authorized in the permit.

(e) Accessory equipment, such as coolers and storage crates, shall be located within the food truck's permitted area and shall be kept in a neat and orderly fashion.

(f) Mobile food vending units shall be attended by a licensed vendor at all times.

(g) The mobile food vending operator shall not keep cash in plain sight and shall limit the available cash on hand.

( ) Mobile food vending operation shall at all times be maintained in a clean, neat and sanitary condition, and shall have no features which would be a nuisance or hazardous to the public or to public safety.

(i) Mobile food vendors shall clean up all debris from their permitted space and surrounding area upon the end of each day's operation. Failure to comply with this section may result in a fine and/or revocation of the mobile food vending permit.

(j) Vendors shall not damage or commit waste on City property in the operation of their mobile food vending unit.

(k) Mobile food vending operators shall refrain from causing or allowing the illegal disposal or release of oils or greases on the ground.

(l)Mobile food vending operators shall refrain from causing or allowing to be placed in the public right of way any seating, signage, flower pots, or other temporary structures, with the exception of trash receptacles. Mobile food venders must provide their own trash receptacles.

(m) Mobile food vending operators may only sell or serve food on the sidewalk side, if vending from a street, road or alley.

) Mobile food vendors shall not shout or call to potential customers, wave flags, signs or other objects; air music or other transmissions that can be heard from other than the mobile food vendor and immediate customers; or do any acts which may be a nuisance or safety distraction to the nearby or travelling public.

878.05 PERMITTED MOBILE FOOD VENDING UNIT LOCATIONS AND TIMES.

(a) Each calendar year the Director shall issue maps designating locations in the City's right of way and in public parks or on public property for which mobile food vendors may apply for and receive mobile food vending permits. Approved permits are issued on a first-come, first-served basis for each designated food truck location.

(b) In addition to the locations identified in the maps provided in (a) above, the Director may on a case-by case basis, determine that food trucks are appropriate on a temporary and/or public event or special

event basis and may make those locations and times available for mobile food vending permits as those opportunities present themselves. If identified in advance, the Director shall publish a list of those opportunities on the City's website and on the City's public bulletin board, as those occasions arise.

(c) Permits issued are pre-empted by public events, such as parades, July 4th events, or any outdoor cosponsored event which is within 200 feet of the permitted mobile food vending location, or for which the event sponsor has received a special permit from the City to block off and use City streets for the event (such as, but not limited to, a street fair or festival).

878.06 MOBILE FOOD VENDING PERMIT APPLICATION.

(a) Application for a mobile food vending permit shall be made on forms provided by the Director; shall, at a minimum, contain the following information and material:

(Applicant's name, address, telephone number, date of birth, employer identification number or social security number;

(2) Corporate business name, "dba" business name if different from corporate name, and the business address and telephone number if different from that listed in (a)(1) above;

(3) In the case of a company, corporation, or unincorporated association, the name, address, date of birth and social security number of a person authorized by such company or corporation to act in matters related to the permitting process:

(4) Proof of obtaining City income tax filing number or exemption from the City of London Tax Department;

(5) Proof of obtaining filing number or exemption from the Ohio Department of Taxation;

(6) Current photos of the vendor's mobile food vending unit that it will use if approved for a permit, with color views of all sides;

(7) The food truck's dimensions and structural materials (to ensure that it meets code requirements);

( ) The food truck's location, dates and times being applied for;

(9) If applying for a temporary permit, the event, permit dates and times requested;

(10) Proof of insurance;

(11) Copy of a current license issued by a County or City board of health to conduct a Food Service Operation;

(12) Any other information reasonably requested by the Director to thoroughly evaluate an application.

(b) Applications for permits to allow routine, scheduled mobile food vending at one or more specific public locations, shall be granted on an annual basis and shall expire March 31st of each year. Applications for special or temporary permits, which must be applied for at least five (5) business days in advance of the permitted dates requested, or have a valid and current permit, license or approval issued by any other Ohio political subdivision which mirrors the City's permit requirements. If not, then the Applicant shall apply not less than fourteen (14) calendar days in advance of the requested permit dates. Applications submitted after these dates may be accepted and processed at the sole discretion of the Director.

878.07 PERMIT AND LICENSE REQUIRED.

(a) No individual or organization shall use, or cause to be used, any food truck to sell, barter, offer or expose for sale any food items or beverages upon any sidewalk, street, or alley within the corporate limits of London without first having procured a valid mobile food vending permit from the Director.

(b) The City will recognize a valid and existing permit that an Applicant has with another political subdivision in Ohio. An individual or organization must still apply and pay a fee for a City of London permit. The Applicant shall attach a copy to the Application of the valid permit or license issued from another Ohio political subdivision.

(c) Vendors may apply for up to three (3) food truck locations.

(d) Nothing in this chapter shall be construed as superseding, supplanting or otherwise replacing any duty imposed by Ohio R.C. Chapter 3701 or 3717, or rules or regulations promulgated thereunder, upon an applicant for a health license, or upon a department of health in the conduct of its responsibilities relative to mobile food vending units.

878.08 APPLICATION INVESTIGATION.

The Director shall examine all applications filed under this chapter and shall make, or cause to be made, any further investigation as he/she deems necessary in order to perform the duties prescribed by this chapter.

878.09 PERMIT ISSUANCE, FEE, TERM.

(a) The Director may issue the permit required by this chapter to applicants who:

(1) Have applied as provided in this chapter; and

(2) Who meet all size, description and equipment provisions of this chapter; and

(3) Are in compliance with all applicable requirements and have obtained any permits, licenses or prior approval required by any other governmental unit or agency; and

(4) Pay a permit application fee as required by the City. The annual permit fee shall be as follows:

Annual permit $100

Temporary permit $25

(5) Permits issued hereunder shall include the corresponding permit number and shall be conspicuously displayed on each permitted food truck at all times while operating the mobile food vending unit.

(b) Each permit issued under this chapter shall expire on the last day of March following the date of issue.

(c) Each permittee hereunder shall provide the Director with a change of address, and change in corporate identity or ownership, within five (5) calendar days of such change taking place.

878.10 PERMIT AND ID DISPLAY.

(a) Each permittee shall, at all times conspicuously display the permit issued.

( ) Each person vending from a permitted food truck shall at all times wear the have photo identification

available on request.

878.11 PERMIT REFUSAL.

(a) The Director may refuse to issue and/or revoke permits required by this chapter if any of the following is found to be true:

(1) The applicant has made a false statement as to any matter in the application;

(2) The applicant, in either his/her current name or a prior business name, has violated any provision of this chapter within the last three (3) years;

(3) The applicant is under 18 years of age;

(4) The applicant has not complied with all applicable regulations of the City or of any other political subdivision, governmental unit or agency regarding the issuance of a permit or license for mobile food vending;

(5) The Applicant has a history of complaints made against it in the City of London or elsewhere in locations where it has operated a mobile food vending operation.

(6) Rejected applicants may request a hearing.

878.12 PERMIT SUSPENSION, REVOCATION.

(a) Permits issued under this chapter may be suspended or revoked by the Director, for one or more of the following reasons:

(1) Fraud, misrepresentation or bribery in securing a permit or during the course of business; or

(2) Violation of any provision of this chapter; or

(3) Failure to display the permit; or

(4) Failure to notify the Director of a change of address, ownership or corporate identify within five (5) business days of such change; or

(5) Failure to have valid permits or licenses required by the Madison County Health Department or any other City, state or federal regulatory agency; or

(6) Conviction of any criminal or traffic offense while using or vending from a mobile food truck, or conviction of any criminal offense involving theft or fraud; or

(7) For any of the reasons which could have been grounds for refusing to issue the original permit, regardless of when such information is discovered or revealed; or

(8) Knowingly allowing another person to use a food truck in violation of any provision of this chapter; or

(9) Knowingly allowing an unlicensed peddler to sell, barter, offer or expose for sale any items or services from a permitted mobile food truck.

(b) Upon the suspension or revocation of any permit issued under this chapter, such permit shall immediately be confiscated and retained by the Director.

878.13 PERMIT APPEALS.

Any individual or organization who has been refused a permit or renewal of a permit under this chapter, or has had a permit issued under this chapter suspended or revoked, may appeal such decision to the City's Mayor in writing within seven calendar days. Within five calendar days of receiving a written request to appeal, the Mayor, or his/her designee, shall hold a hearing whereby the applicant can contest the grounds for denial, suspension or revocation. A written decision by the Mayor, or his/her designee, shall be issued within forty-eight (48) hours and sent by regular mail to the applicant's address on file.

878.14 TRANSFER OF PERMIT.

No permit issued under this chapter shall be transferred or assigned by the named permittee or holder to any other individual or organization, nor shall any permit be displayed on any unpermitted food truck or food trailer. Violation of this section may result in immediate revocation of the permit.

878.15 RECORD OF MOBILE FOOD VENDING UNIT RENTAL.

Food truck owners shall keep a record of all leases and rentals of such units to individuals. This record shall include the date of rental or lease, time period of rental or lease and name, address, date of birth, social security number, telephone number, permit number and peddler's license number of the lessee or renter.

878.16 INSURANCE AND INDEMNIFICATION REQUIREMENTS.

Prior to the issuance of a permit, the owner of each food truck requesting a permit shall provide the Director with proof of an insurance policy currently in effect covering the owner and any other person operating or vending from such unit with the owner's permission, for liability imposed by law for damages on account of bodily injury, death or property damage resulting from the use of such food truck. The limit of this policy shall be not less than one million dollars ($1,000,000) and issued from an insurance company duly licensed to transact such business in the State of Ohio or of an insurance company not authorized to transact business in this State, provided such insurance is written through a citizen of this State duly licensed as provided by Ohio R.C. 5905.03, et seq., covering the applicant. Such policy shall agree to pay any judgment rendered against the owner of such food truck or any other person using it with his permission by reason of their use of such food truck. The insurance policy shall list the City as an additional insured and shall require that the City be notified of cancellation of such coverage pursuant to the terms of the policy. Failure to maintain insurance during the life of a permit shall result in the immediate revocation of a vendor's permit.

The permit holder, and each vendor, shall indemnify, defend and hold harmless the City, its elected officials, officers, employees, agents, contractors and volunteers from any and all damage, liability, costs and expenses (including reasonable attorney fees) resulting from the operation of a food truck in the City, including bodily injury, death, damage to property, or loss of any kind to a third person.

878.17 VIOLATION; FAILURE TO COMPLY.

Any police or other law enforcement officer authorized to enforce this chapter who observes any violation of this chapter by an individual, may lawfully order such individual to cease vending from a food truck until the violation is corrected, and remove the mobile vending truck from the premises.

If the individual fails, within a reasonable time, to obey the lawful order and correct the violation, the officer may make a written complaint to the Director in addition to any other remedy provided by law.

Upon receipt of such complaint, the Director shall schedule a hearing. The owner and operator of the food truck shall be notified either in person or by mail (sent to the last known address of the owner of the food truck), setting forth the date, time and place of such hearing and advising that he/she may have private counsel present to represent them at the hearing. The complaining officer shall also be present.

If, after a hearing, the Director determines that the owner or operator of the mobile vending truck did fail without justification to obey such lawful order, the Director may suspend or revoke the permit issued to the owner of that mobile food vending unit.

878.18 PENALTY.

A violation of any section of this chapter shall be punished as follows:

(a) First-time violations shall be deemed a minor misdemeanor and penalized by a fine of not more than one hundred fifty dollars ($150.00).

(b) Subsequent violations shall be deemed an unclassified misdemeanor and fined not more than one thousand dollars ($1,000).