

CHAPTER 732

Transient Businesses and Vendors, Mobile Food Vendors and Food Trucks

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CROSS REFERENCES

Home solicitation sales - see Ohio R.C. 1345.21 et seq.

Charitable solicitations - see Ohio R.C. Ch. 1716

Door to door sales activity of minors restricted - see Ohio R.C.

4109.21

Trespassing - see GEN. OFF. 541.05

Littering - see GEN. OFF. 521.08

732.01 DEFINITIONS.

The following words, terms, and phrases, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Mobile food vendor" or "food truck" shall mean and refer to any individual, corporation, partnership or other entity which sells food or beverages to the public from a temporary, mobile, non-motorized wagon, trailer or motorized vehicle which is designed to be readily movable. For purposes of this Chapter, any registered and properly licensed motorized vehicle from which food products are sold, regardless of whether the vehicle is stationary or moving, shall qualify as a mobile food vendor.

(b) "Temporary or transient business" shall mean and refer to any exhibition and sale of foods, goods, wares, or merchandise which is conducted in any tent, booth, or other temporary structure on any publicly owned property or the public right-of-way.

(c) "Transient vendor" shall mean and refer to any person, either principal or agent, who engages in a temporary or transient business in the City of Loveland selling foods, goods, wares, or merchandise.

(d) "Vendor" shall collectively mean and refer to temporary or transient businesses, transient vendors, mobile food vendors and food trucks.

732.02 VENDOR PERMIT REQUIRED.

(a) Vendors intending to engage in the sale of food, goods, wares or merchandise within the City of Loveland on public streets, public properties, public sidewalks, public parking lots or other places frequented by the public, or upon any public or private property as part of an approved special event as defined within the City of Loveland's Special Events Policy, shall apply to the City of Loveland Building and Zoning Department for a vendor permit, seeking authorization to conduct such activity in compliance with the provisions of this Chapter. Except as otherwise provided herein, the rules promulgated in this Chapter shall not apply to Mobile Food Vendors operating as a regulated Temporary Use entirely upon private property, as per Chapter 1165, Section 1165.20 of the Planning and Zoning Code for the City of Loveland, Ohio.

(b) Preapplication Meeting Required. Applicants seeking permits under this Chapter must contact the Building and Zoning Department for information prior to filing a permit seeking authorization to conduct activities as regulated herein.

(c) Background Investigation Required. A transient vendor or mobile food vendor engaging in activity as regulated by this Chapter shall complete an FBI/BCI Criminal Background Check prior to filing an application seeking authorization in accordance with this Chapter. The completed background investigation shall be furnished as part of the vendor's application. For any special event as defined by the City of Loveland Special Event Policy, a separate background investigation shall be required for each vendor seeking to operate during the approved special event or activity.

- (1) A vendor seeking a permit pursuant to this Chapter shall be responsible for the payment of any fees associated with the background check prior to initiating an application.
- (2) If the vendor is operating or participating as part of a special event as defined by the City of Loveland's Special Event Policy, the event organizer shall be responsible for ensuring that the required background check is completed and all applicable and related fees are paid for each participating vendor prior to filing an application seeking a permit pursuant to this Chapter.

(d) Application Requirements. Applicants seeking permits to operate as a transient vendor or mobile food vendor as regulated by this Chapter shall be required to file the following materials in person with the Building and Zoning Department:

- (1) Application form as prescribed by the City Manager;
- (2) Required Filing Fees as established by City Council;
- (3) Completed FBI/BCI Criminal background check and report for review by the City of Loveland Police Department;
- (4) Site Plan and Location Map demonstrating the location, approximate dimension, and arrangement of the vendor(s) for which the application seeks authorization;
- (5) Written description of the proposed activities containing sufficient information to determine the nature of the business, type of foods, goods, wares, or merchandise proposed for sale;
- (6) Sanitation Plan documenting that adequate facilities will be provided and maintained as to assure proper disposal of trash and other waste arising from the proposed use or patrons thereof;
- (7) The proposed dates and times for which the activities will be conducted;
- (8) Applicable licensing information and certificates of inspection from the Hamilton County Board of Health, State of Ohio, Fire Department, or any other federal, state, or local agency having regulatory authority over the proposed activities;
- (9) Current Driver's License, State-Issued Photo Identification, or other similarly identifiable information documenting the identity of the party or parties for which the permit is sought;
- (10) Proof of a current, in-force Commercial Liability Insurance Policy, insuring the vendor's commercial activities and operation in the minimum amount of \$1,000,000 per occurrence / \$3,000,000 aggregate, and subject to the following additional requirements:
 - A. If the activity regulated by this Chapter is proposed to occur on or within any public street, roadway, right-of-way, or other publicly owned property, the applicant shall provide, in addition to proof of coverage, a Certificate naming the City of Loveland, Ohio, and its agents, assignees, or designees, as additional insured parties for the duration of the time for which a permit is sought and activities are to be conducted.
- (11) Any other information as required at the discretion of the Zoning Administrator as to make a determination regarding the activities for which the permit is sought.

(e) Review Process. Upon receipt of an application seeking authorization to conduct activities as regulated by this Chapter, the Building and Zoning Department shall date

stamp the application and shall review the materials submitted for completeness, accuracy, and conformance with the regulations promulgated herein.

(f) Approval Process. Once the Zoning Administrator has completed a review of the application materials, and has determined that the proposed transient vendor or mobile food vendor engaging in activity as regulated by this Chapter complies with the applicable provisions of this Chapter, the Zoning Administrator shall issue a permit to the applicant. Such permit shall contain the signature of the issuing officer and shall show the name and address of the permit holder, the kinds of foods, goods, wares, or merchandise to be sold thereunder, the approximate location or streets where the activities are authorized to occur, the amount of fee paid, the date of issuance, the length of the time the permit shall be operative, and the permit number. All vendor permits shall be nontransferable.

(g) Disclosure. A transient vendor or mobile food vendor seeking a permit to engage in any activity as regulated by this Chapter on public property or any public street or right-of-way shall disclose whether the applicant, or any operator engaging in the regulated activity, is a currently registered sex offender, or has been previously convicted of any felony offense.

(h) Supplementary Conditions and Safeguards. In granting any permit, the Zoning Administrator may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter, any other adopted City Ordinance or policy, or as required to protect public health and safety. Violation of such conditions and safeguards when made a part of the terms under which a permit is granted shall be deemed a violation of this Ordinance, punishable under Section 732.99 of this Chapter.

(i) Denial of Permit Request. If the Zoning Administrator determines, upon examining the application materials and the required supplemental filing information, that the proposed use will result in the proliferation of uses, practices, or conditions that pose a detriment to public health and safety, the Zoning Administrator may deny the permit request. A denial issued by the Zoning Administrator may be appealed to the City Manager, pursuant to Section 732.10 of this Chapter.

(j) Time Limitation for Approvals. Vendor permits issued under this section shall be valid for a designated number of visits or time period based upon the permit fee paid and the approval granted by the Zoning Administrator. When the period of validity of a permit issued hereunder has expired, the permit may be renewed for an additional term by updating and filing the application, associated application materials, and background investigation, and paying the permit fee.

732.03 BUSINESS REGISTRATION FORM REQUIRED.

(a) All vendors seeking a permit to operate pursuant to this Chapter shall be further required to file a completed Business Registration Form with the City of Loveland Finance Department for purposes of coordinating the collection and administration of the City's

income tax. Such filing shall be made not later than ten (10) business days after a permit is issued pursuant to Section 732.02 of this Chapter.

- (b) At the time of filing the Business Registration Form with the City of Loveland Finance Department, the vendor shall also provide documentation evidencing that the vendor is complying with all applicable state and local requirements regarding the collection of applicable sales taxes relative to the vendor's commercial enterprise.
- (c) Failure to timely file the required information in Subsections (a) and (b) hereof shall result in a revocation of the issued permit.

732.04 PERMIT REQUIREMENTS SHALL BE WAIVED FOR CITY SPONSORED EVENTS AND THE LOVELAND FARMERS' MARKET.

- (a) City sponsored events, including those sponsored by other political subdivisions including, but not limited to the Loveland School District, and the operation of the Loveland Farmers' Market, shall be exempted from the requirements of this Chapter.
- (b) In addition to the exemptions listed in subsection (a) hereof, the City Manager shall have sole discretion to waive, exempt, partially exempt, or further modify the applicability any provision enumerated in this Chapter for any other non-City sponsored Special Events, including but not limited to, Special Events hosted by recognized not-for-profit organizations, if the City Manager finds and determines that such waiver, exemption, partial exemption, or modification is in the public interest and will not result in the proliferation of uses, practices, or conditions that may constitute a risk to public health and safety.
- (c) The City Manager may withhold approval of a permit or a request for exemption sought for any activity as regulated by this Chapter if the City Manager determines that such action is required to protect public health and safety. The decision to withhold such approval shall be at the City Manager's sole discretion.

732.05 MOBILE FOOD VENDORS AND FOOD TRUCKS.

- (a) Applicability. The requirements of this Section shall apply to any vendor engaged in mobile food vending or the use of a food truck operation within the City of Loveland, Ohio, as follows:
 - (1) Any vendor engaged in mobile food vending or the use of a food truck operation not subject to the provisions enumerated within Chapter 1165, Section 1165.20 of the Planning and Zoning Code for the City of Loveland, Ohio shall be subject to these regulations, unless otherwise specifically exempted.
 - (2) Any vendor engaged in mobile food vending or the use of a food truck operation that seeks to conduct business within the public right-of-way, whether mobile or immobilized, shall be subject to these regulations.

- (3) Any vendor engaged in mobile food vending, or the use of a food truck operation entirely upon private property and receiving a permit issued pursuant to Chapter 1165, Section 1165.20 of the Planning and Zoning Code for the City of Loveland, Ohio, shall only be subject to Section 732.03 of this Ordinance.
- (4) The requirements of this Section shall not apply to vendors receiving an exemption pursuant to Section 732.04 of this Chapter.

(b) Application Fee. Vendors engaged in mobile food vending activities, or the use of a food truck as regulated by this Chapter shall not be subject to the fees for transient businesses or transient vending but shall instead be subject to the fees for mobile food vending and food trucks as set forth by City Council in its Fee Ordinance.

(c) Application and Approval Process. The application process for vendors engaged in mobile food vending or the use of a food truck as regulated by this Chapter shall follow the application and approval process and filing requirements established within Section 732.02 and Section 732.03 of this Ordinance.

(d) Time Limitation for Approval. Vendors engaged in mobile food vending activities, or the use of a food truck as regulated by this Section shall be authorized to apply for a permit to operate pursuant to this Chapter, provided however, that no single permit shall be valid for more than five (5) calendar days, consecutive or cumulative, unless specifically authorized by the Zoning Administrator.

(e) Compliance with Planning and Zoning Code. Mobile Food Vendors and Food Trucks meeting the requirements of Section 732.05(a)(1-2) of this Chapter shall comply with the following requirements:

- (1) Section 1165.20(b)(1)(A);
- (2) Section 1165.20(b)(1)(C), as follows:
 - A. A Mobile Food Vendor shall make accommodations for trash or rubbish disposal in conjunction with their proposed operations. The Mobile Food Vendor is responsible for maintaining trash receptacles and shall maintain all areas surrounding the location of the Mobile Food Vendor free from all litter and debris arising from its operations. Trash receptacles shall be emptied and removed at the end of each day.
 - B. A Mobile Food Vendor shall not be located within any public or private street, alley, right of way, access easement, or designated vehicular circulation areas without receiving prior written approval from the City Manager.
 - C. A Mobile Food Vendor shall not operate in a manner that blocks, obstructs or restricts the free passage of pedestrians or vehicles in the lawful use of the sidewalks, streets or public places or rights-of-way.
 - D. No Mobile Food Vendor shall be parked, operated, or located within a designated fire lane.

E. A Mobile Food Vendor shall remove its mobile, non-motorized wagon, cart, trailer, or motorized vehicle at the end of each business day, unless otherwise authorized by the City Manager or a designated representative.

(3) Section 1165.20(b)(1)(E), unless waived by the Zoning Administrator;

(4) Section 1165.20(b)(1)(F), unless waived by the Zoning Administrator;

(5) Section 1165.20(b)(1)(G)

(6) Section 1165.20(b)(1)(H-K), unless waived by the Zoning Administrator;

(f) Additional Performance Standards. In addition to the requirements noted in Subsection (e) hereof, Mobile Food Vendors and Food Trucks that are subject to the provisions of this Chapter shall meet the following additional requirements:

(1) Mobile Food Vendors and Food Trucks shall not impede access to the entrance of any adjacent building or driveway and shall be placed at least ten (10') feet from any existing access drive or curb cut.

(2) No Mobile Food Vendor or Food Truck shall operate in a manner as to impair or hinder line of sight for vehicles and/or pedestrians entering or exiting any public roadway, onto any other public or private street, road, access driveway, alleyway, or other intersection.

(3) No Mobile Food Vendor or Food Truck shall conduct business within twenty-five (25') feet of any handicapped parking space or access ramp established pursuant to the Americans with Disabilities Act (ADA).

(4) No Mobile Food Vendor or Food Truck, as regulated by this Section, shall operate within any residential zoning district, as established by the City of Loveland Planning and Zoning Code, unless otherwise authorized by the Zoning Administrator. In addition, any vendor seeking to operate within a residentially zoned area that is also subject to a recognized Homeowner's Association (HOA) shall first obtain approval from the HOA prior to applying to the City for a permit pursuant to this Chapter.

(5) Mobile food vendors and Food Trucks, as regulated by this Section, shall comply with the following hours of operation restrictions, based upon the zoning district in which the proposed operation will occur:

A. Mobile Food Vendors and Food Trucks that are authorized to operate within the H, O-R, B-R, B-C, CCD, and L-I zoning districts shall be permitted to operate between the hours of 8:00 AM – 11:00 PM.

B. Mobile Food Vendors and Food Trucks that are authorized to operate within the R-LD, R-MD, A, and R-MF zoning districts, or within any established SPD District shall be permitted to operate between the hours of 9:00 AM – 6:00 PM on Sunday through Thursday, and 9:00 AM – 9:00 PM on Fridays and Saturdays.

(g) Compliance with Other Regulations. Mobile Food Vendors and Food Trucks regulated by this Chapter shall comply with the requirements of Section 1165.20(b)(5) of the Planning and Zoning Code, specifically with regard to documenting compliance with all applicable federal, state, and local rules, regulations, and codes not otherwise referenced in this Section.

(h) Supplementary Conditions and Safeguards. In granting any permit, the Zoning Administrator may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter, any other adopted City Ordinance or policy, or as required to protect public health and safety. Violation of such conditions and safeguards when made a part of the terms under which a permit is granted shall be deemed a violation of this Ordinance, punishable under Section 732.99 of this Chapter.

(i) No Mobile Food Vendor or Food Truck applicant, owner, or operator receiving a permit to operate pursuant to this Section on public property or any public street or right-of-way shall allow any person who is a currently registered sex offender, or has been previously convicted of a felony offense, to engage in any activity as regulated by this Chapter.

732.06 BUSINESS OR VENDOR RESTRICTIONS.

(a) The following restrictions shall govern the establishment or operation of any other Transient Vendor that is not otherwise regulated as a Mobile Food Vendor or Food Truck pursuant to Section 732.05 of this Chapter:

- (1) Transient Vendor stands shall not impede access to the entrance of any adjacent building or driveway. Each vendor stand shall be placed at least ten (10') feet from any existing access drive or curb cut.
- (2) No Transient Vendor shall operate in a manner as to impair or hinder line of sight for vehicles and/or pedestrians entering or exiting any public roadway, onto any other public or private street, road, access driveway, alleyway, or other intersection.
- (3) Transient Vendors shall not operate in a manner that blocks, obstructs, or restricts the free passage of pedestrians or vehicles in the lawful use of the sidewalks, streets, or other public places or rights-of-way.
- (4) Transient Vendors shall not erect any freestanding structures, canopies, or chairs for customer use. Canopies, tents, or awnings utilized as part of the Transient Vendor's operation shall be secured in a manner as to firmly anchor the canopy from damage due to winds or other adverse weather conditions. All canopies shall meet or exceed applicable building code and fire code requirements.
- (5) Transient Vendors shall be permitted to maintain one (1) sign, permanently affixed to the stand, cart, table, or fixture utilized by the vendor. No such sign

shall exceed ten square feet (10 sq.ft.) in area. In addition, Transient Vendors may utilize one portable sandwich-style sign in conformance with the City of Loveland Zoning Code, which shall be placed not further than ten (10') feet from the Vendor's operating location.

- (6) No Transient Vendor shall conduct business within twenty-five (25') feet of any handicapped parking space or access ramp established pursuant to the Americans with Disabilities Act (ADA).
- (7) No Transient Vendor shall park, operate, obstruct, or locate within a designated fire lane, private ingress/egress easement, or other designated vehicular circulation area.
- (8) Transient Vendors shall make accommodations for trash or rubbish disposal in conjunction with their proposed operations. Transient vendors are responsible for maintaining trash receptacles and shall maintain all areas surrounding the permitted location free from all litter and debris arising from its operations. Trash receptacles shall be emptied and removed at the end of each day.

(b) No Transient Vendor shall operate within any residential zoning district, as established by the City of Loveland Planning and Zoning Code, unless otherwise authorized by the Zoning Administrator. In addition, any vendor seeking to operate within a residentially zoned area that is also subject to a recognized Homeowner's Association (HOA) shall first obtain approval from the HOA prior to applying to the City for a permit pursuant to this Chapter.

- (1) Transient Vendors shall observe the same operational hour restrictions established for mobile food vendors and food trucks in Section 732.05(f)(5) of this Chapter, unless specifically modified, waived, or extended by the Zoning Administrator. In the event an extension, modification, or waiver is granted by the City, the extension, modification, or waiver shall be specified on the permit.

(c) Application and Approval Process. The application process for Transient Vendors regulated by this Section shall follow the application and approval process and filing requirements established within Section 732.02 and Section 732.03 of this Ordinance.

(d) Time Limitation for Approval. Transient Vendors engaged in vending activities, as regulated by this Section, shall be authorized to apply for a permit to operate pursuant to this Chapter, provided however, that no permit shall be valid for more than five (5) calendar days, consecutive or cumulative, unless specifically authorized by the Zoning Administrator.

(e) Supplementary Conditions and Safeguards. In granting any permit, the Zoning Administrator may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter, any other adopted City Ordinance or policy, or as required to protect public health and safety. Violation of such conditions and safeguards when made a part of the terms under which a permit is granted shall be deemed a violation of this Ordinance, punishable under Section 732.99 of this Chapter.

(f) No Transient Vendor applicant, owner, or operator receiving a permit to operate pursuant to this Section on public property or any public street or right-of-way shall allow any person who is a currently registered sex offender, or has been previously convicted of a felony offense, to engage in any activity as regulated by this Chapter.

732.07 PERMIT DISPLAY.

(a) Permits issued under this Chapter shall be displayed at the site during business hours of operation in a prominent location and shall be available for inspection.

(b) Permits shall be used by the individual to whom they were granted and are not transferable to any other person or business.

(c) Failure to display a permit granted under this Chapter shall constitute a violation of this Ordinance, subject to the penalties described in Section 732.99. In addition, the failure to display a permit will result in immediate revocation of any previously approved permit.

732.08 REVOCATION OF PERMIT.

(a) No vendor shall directly or indirectly make or perpetrate any misstatement, deception, omission, or fraud for any purpose, or in any application or report filed under this chapter.

(b) The City may revoke any permit issued pursuant to this Chapter if the permitholder is found to be operating in violation of these regulations, or at any time for good cause due to complaints of intimidating, discourteous, harassing, offensive, profane, obscene, disruptive, threatening or abusive conduct or claims of damage by residents arising from any transient vendor or mobile food vendor engaging in activities as regulated by this Chapter.

(c) In the event that a permit is revoked pursuant to this Section, the Zoning Administrator shall evidence the revocation of the permit in writing and shall furnish a copy of the permit revocation to the permit holder.

(d) The determination of the Zoning Administrator to revoke a permit issued pursuant to this Chapter may be appealed to the City Manager pursuant to Section 732.10.

732.09 INSURANCE.

(a) No permit for a transient vendor or mobile food vendor engaging in activity as regulated by this Chapter shall be issued under this section unless the applicant furnishes proof to the City of a current Commercial Liability Insurance Policy related to the operation of the business, issued in the minimum amount of \$1,000,000 per occurrence / \$3,000,000 aggregate. Such proof of insurance shall accompany an application submitted in accordance

with Section 732.02 of this Chapter. Failure to submit proof of sufficient insurance shall result in denial of the permit application.

(b) For activities and events regulated by this Chapter that are conducted on any public street, roadway, right-of-way, or other publicly owned property, the applicant shall provide, in addition to proof of coverage, a Certificate naming the City of Loveland, Ohio, and its agents, assignees, or designees, as additional insured parties for the duration of the time for which a permit is sought and activities are to be conducted.

(c) If the permit is being issued as part of a special event as defined by the City's Special Event Policy, the Special Event organizer shall ensure that at least one (1) of the following requirements is met:

- (1) Each transient vendor or mobile food vendor engaging in activity as regulated by this Chapter shall demonstrate proof of liability insurance related to the operation of the business; or
- (2) The organizer shall demonstrate sufficient proof of liability insurance covering each transient vendor or mobile food vendor that is participating in the regulated activity.

(d) The City Manager may modify or waive the requirements of this Section if, in the opinion of the City Manager, the public interest will be served if such modification or waiver is granted.

732.10 APPEALS.

(a) In the event that a Vendor Permit Application is denied by the Zoning Administrator, or in the event that a previously issued permit is revoked pursuant to the authority granted herein, the decision of the Zoning Administrator to deny or revoke the permit may be appealed to the City Manager by the party filing the original application. The following provisions shall govern the application process and process for an appeal of the Zoning Administrator's determination:

- (1) Timely Appeal Required. The appeal shall be filed within five (5) calendar days after the issuance of the Zoning Administrator's determination to deny a permit or revoke a previously issued permit.
- (2) Application Form Required. The appeal shall be made on the application form prescribed by the office of the City Manager.
- (3) Application Materials and Fees Required. The appeal shall be filed in person and shall include the following information:
 - A. Application Form;
 - B. Filing Fees in the amount of \$75.00;

- C. A copy of the original application and filing seeking a permit to conduct activities as regulated by this Chapter, along with the receipt evidencing receipt of the request by the City and the payment of the required fees, or in the case of an appeal involving a permit revocation, a copy of the issued permit;
- D. A copy of the signed written denial letter issued by the Zoning Administrator, or in the case of a permit revocation, a copy of the written order issued by the Zoning Administrator revoking the previously issued permit;
- E. A written statement documenting the reasoning for the appeal and how the adverse decision specifically results in the imposition of an undue hardship upon the appealing party.

(4) **Certification of Application.** Upon receipt of the appeal, the City Manager, or a designated representative, shall immediately date stamp the request and shall review the application for completeness, to ensure that the required documentation has been provided.

(5) **Review Process.** After processing the request and determining that all required information has been provided by the appealing party, the City Manager shall review the request and shall issue a determination as to whether to grant the appeal, or to uphold the determination of the Zoning Administrator within ten (10) business days of receiving the appeal.

(6) **City Manager's Determination.** In reviewing the request, the City Manager may review the totality of the evidence presented and may conduct other investigatory and fact-finding activities prior to issuing a determination regarding the appeal, provided that the determination is issued within the required ten (10) day period as prescribed herein. The City Manager's determination shall be evidenced in writing and furnished to the appealing party. The determination of the City Manager shall be final and non-appealable.

(7) **Supplementary Conditions and Safeguards.** In granting any appeal, the City Manager may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter, any other adopted City Ordinance or policy, or as required to protect public health and safety. Violation of such conditions and safeguards when made a part of the terms under which the appeal is granted shall be deemed a violation of this Ordinance, punishable under Section 732.99 of this Chapter.

732.99 PENALTY.

(a) Whoever violates any of the provisions of this chapter shall be guilty of a minor misdemeanor. Each day during which such person engages in such practice after receiving a citation as provided in this Section without such permit shall be considered a separate

offense. If, within one year of an offense, the offender previously has been convicted of or plead guilty to a previous violation of this ordinance, whoever violates this ordinance is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more prior violations of this ordinance, whoever violates this ordinance is guilty of a misdemeanor of the third degree.

(b) In addition to the penalties described in subsection (a) hereof, repeat offenders may be either temporarily or permanently banned from filing future applications seeking authorization to conduct activities regulated by this Chapter, to be determined at the City Manager's sole discretion. The City Manager's determination to temporarily or permanently suspend or bar repeat offenders shall be final and non-appealable.