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### **Sec. 845-1. - Definitions.**

For the purpose of this chapter, the words and phrases defined in the sections hereunder shall have the meanings therein respectively ascribed to them unless a different meaning is clearly indicated by the context.

(Ord. No. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-1-C. - Repealed.**

(Ordained by Ord. No. 286-2000; eff. Aug. 2, 2000; r. Ord. No. 073-2001, eff. Mar. 14, 2001)

**Sec. 845-2. - Scope of Chapter.**

The provisions of this chapter do not apply to sales of tickets to an event, without regard to whether the sale is regulated under Chapter 840, Street Ticket Sales, of the Cincinnati Municipal Code.

(Ordained by Ord. No. 073-2001, eff. Mar. 14, 2001)

**Sec. 845-3. - Duties of Market Manager.**

The market manager shall be designated by the city manager and shall be responsible for the enforcement and execution of all laws, ordinances and rules and regulations relating to city markets, and such other functions as designated by the city manager. No person shall resist any lawful order of the market manager or his or her designee in the lawful discharge of the several duties imposed upon them. The market manager may designate others to assist in the enforcement and execution of all laws, ordinances and rules and regulations relating to city markets, and such other functions as designated by the city manager.

(Ord. No. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-5. - Location of Markets.**

City Market locations are designated as follows:

- (a) *Findlay Market*: Elder Street, from the west line of Vine Street to Elm Street; together with Findlay Market House.

(Ord. No. 289-1994, eff. Aug. 8, 1994; a. Ord. No. 323-1996, eff. Nov. 15, 1996; a. Ord. No. 431-1999, eff. Dec. 10, 1999; a. Ord. No. 363-2009, § 7, eff. Jan. 16, 2010)

**Sec. 845-7. - Days and Times of Markets.**

The days and times of operation of city markets shall be determined by the market manager after due consideration of the needs of the public and the city market tenants. Such days and times shall be provided in the city market rules and regulations.

(Ord. No. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-9. - Market Spaces.**

City market spaces are designated as follows:

- (a) *Inside Findlay Market House*: The market spaces inside the Findlay Market House shall be divided into spaces for the sale of meats and for the sale of other provisions.
- (b) *Outdoor Market Spaces*: Outdoor market spaces located at Findlay Market shall be divided into spaces in such measurements and in such locations as determined to be in the best interest of the public by the market manager. Such spaces and their permitted uses shall be designated in

the market rules and regulations.

(Ord. No. 289-1994, eff. Aug. 8, 1994; a. Ord. No. 323-1996, eff. Nov. 15, 1996; a. Ord. No. 363-2009, § 9, eff. Jan. 16, 2010)

**Sec. 845-11. - Repealed.**

(Ord. 289-1994, eff. Aug. 8, 1994; a. Ord. No. 323-1996, eff. Nov. 15, 1996; rpld. by Ord. No. 82-2004, eff. April 9, 2004)

**Sec. 845-13. - Market Spaces Lease Agreements.**

Each person to whom an award of a city market space has been made, before occupying such city market space at any city market, shall enter into a written lease agreement with the city of Cincinnati for such city market space for one year, except as otherwise provided in Section 845-15 of this chapter. Said agreement shall include, but not be limited to, each of the following: the annual rental to be paid by the city market tenant; that the annual rental shall be paid by the city market tenant in installments at the times designated in the agreement; that the city market tenant agrees to be bound by, and conform to, all laws of the United States, the State of Ohio, ordinances of the city of Cincinnati, lawful orders of the city manager, market manager and/or their designees, and city market rules and regulations; that the city market tenant agrees to delegate to the city manager, the manager of facilities management, and the market manager the authority to make special rules and regulations as are reasonable and for the common benefit of all city market tenants as the particular circumstances may require from time to time; and that the city market tenant agrees that upon violation of any of the terms of the agreement or upon the nonpayment of any installment of rent within 10 calendar days after it becomes due, all rights of such city market tenant regarding the city markets and/or any market space shall be forfeited, and no part of any installment of rent paid by such city market tenant shall be refunded, but shall be retained by the city of Cincinnati as liquidated damages for the breach of such contract.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-15. - Short Term Rental of Market Spaces.**

Any city market space that has not been leased pursuant to a written, annual lease agreement by January 31 of each year, may be designated by the market manager as available for rental for a term of less than one year. The market manager shall establish the length of term of such rental, the rate for such rental and the type of merchandise that may be sold at such city market space. City market tenants who lease market space for terms less than one year shall have no right of renewal, shall have no transfer rights, and shall have no tenure rights.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-17. - Compliance with Market Rules and Regulations, Orders, Laws and Code Provisions.**

Every city market tenant and all persons issued permits by the market manager, shall comply with city market rules and regulations, all laws of the United States, State of Ohio, ordinances of the city of Cincinnati, lawful orders of the city manager, market manager and/or their designees, and city market rules and regulations.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-19. - Occupation Without Permit Unlawful.**

No person shall occupy, for the sale of merchandise, any city market space for the occupancy of which a permit has not been issued to such person by the market manager. No person shall occupy, for the sale of merchandise, any space within the market boundaries established in 845-5 which has not been designated as a market space and for which a permit has been issued to such person by the market manager. Each day's operation without a permit shall constitute a separate offense.

(Ord. 289-1994, eff. Aug. 8, 1994; a. Ord. No. 323-1996, eff. Nov. 15, 1996)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-21. - Issuance of Permits.**

Permits for the occupancy of city market spaces shall be issued by the market manager as follows:

(a) *Leased city market space:* Whenever the market manager agrees upon the lease of any city market space, the market manager shall certify the fact, together with a statement of the location of the city market space, the city market in which it is situated and the amount of rent to be paid therefor, to the city treasurer. The city treasurer shall receive the amount of advance rent to be paid by the person named in the certificate. Upon proof of payment of rent to the city treasurer the market manager shall issue to such person a permit in writing authorizing such person to occupy and use the premises leased for the term therein stated.

(b) *Permits for non-profit organizations:* The market manager may issue permits to non-profit organizations to occupy city market space if such space is otherwise not occupied. The market manager shall create standards for the issuance of permits to occupy market space by non-profit organizations. Such standards shall be provided in the market rules and regulations.

(c) *Permits for musicians and performers:* The city market manager may issue permits to musicians and performers. The market manager shall create standards for the issuance of permits to musicians and performers that regulate the conduct and presence of musicians and performers in city markets. Such standards shall be provided in the market rules and regulations.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-23. - Interfering with Occupancy.**

No unauthorized person shall interfere with any person lawfully occupying a market space by virtue of a valid permit.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-25. - Subletting, Assignments and Transfers.**

No city market tenant shall sublet, assign or transfer any interest in a city market space lease agreement or allow any unauthorized person to occupy any city market space or any part thereof except as otherwise authorized in this chapter; or with the written consent of the market manager; or in accordance with the standards established by the market manager to be provided in the city market

rules and regulations.

Persons to whom city market space is sublet, assigned or transferred shall comply with all city market tenant requirements; and

Except as otherwise provided in this chapter, persons to whom city market space is sublet, assigned or transferred shall have no right of renewal, shall have no transfer rights and shall have no tenure rights.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-27. - Partnerships and Corporations as Market Tenants.**

For a partnership or a corporation to be eligible to be a city market tenant such partnership or corporation must be composed only of individuals and said individuals shall number no more than five. Said business shall enter into an agreement with the city manager or the city manager's designee whereby such partnership or corporation agrees to change partners or stockholders only with the approval of the city manager or designee. Approval shall only be given in those cases where a change in ownership complies with Sections 845-33, 845-35, or 845-39 of this code. In addition, a corporation desiring to become a city market tenant must have the following language typed or printed in printed in capital letters on the obverse side of all of its stock certificates:

THESE SHARES AND ALL OTHER SHARES OF THIS CORPORATION ARE SUBJECT TO AND LIMITED AS TO TRANSFER IN ACCORDANCE WITH SECTION 845-27 OF THE CINCINNATI MUNICIPAL CODE, AND WITH AN AGREEMENT BETWEEN THIS CORPORATION AND THE CITY OF CINCINNATI DATED \_\_\_\_\_.

A partnership desiring to become a city market tenant must amend its partnership agreement to reflect the requirements of this section, and the language of the amendment must be approved by the market manager.

Prior to entering into a lease with the city of Cincinnati, and prior to each yearly renewal of the lease, each partnership or corporation shall file with the market manager, a statement setting forth the name and address of every partner or shareholder.

Partnerships and corporations which are not in compliance with this section shall not be issued a permit to occupy a city market space.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-29. - Renewals.**

Except as otherwise provided in this chapter, persons to whom city market space has been leased, shall have the right to renew the lease for such city market space for one year and for successive years thereafter, by giving written notice of intent to renew to the market manager between 15 and 30 calendar days prior to the end of the rental period. Such renewal leases shall be subject to all current rental fees, and conditions and requirements as provided in the lease agreement, this chapter and the market rules and regulations.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-31. - Withdrawal of Market Spaces.**

The market manager may, after giving notice to the city manager at least 60 calendar days in advance, withdraw city market space from use for city market purposes. In the event of such withdrawal the city market tenant of the withdrawn city market space shall vacate such city market space at the time required by the market manager. Such city market tenant shall have the right to relocate to an available city market space or shall be entitled to receive from the city treasurer a refund of the unearned rent paid for the unexpired portion of the rental period, or any installment thereof. A city market tenant that relocates to a city market space pursuant to this section shall continue under the term of his or her existing lease agreement and permit and shall maintain any right of renewal, transfer rights and tenure rights belonging to the city market tenant at time of such transfer. A withdrawal of a space pursuant to this section shall otherwise constitute a termination and cancellation of the agreement previously entered into between the city of Cincinnati and the city market tenant of such space, and a revocation of the permit issued therefor.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-33. - Transfer Upon Death.**

In the event of the death of a city market tenant, the widow or widower, or direct lineal descendant or descendants of the deceased city market tenant may apply to the market manager within 45 calendar days after the death of the city market tenant, for permission to occupy the space for the remainder of the rental year. If the applicant satisfies any requirements prescribed in this chapter for occupants of city market spaces, the market manager shall, upon the applicant's entering into a lease agreement with the city of Cincinnati, transfer the unexpired permit of the deceased city market tenant to the applicant.

Persons to whom city market space is transferred under this section shall also be transferred any right of renewal, transfer rights and tenure rights belonging to the deceased city market tenant at time of death.

If no application is made within 45 calendar days as provided for herein, the permit for the city market space shall terminate, and the city of Cincinnati shall refund to the proper person the unearned portion of the rent previously paid.

In the event of the death of a person who is a partner in a partnership or a shareholder in a corporation which is a city market tenant, the widow or widower, or a direct lineal descendant or descendants of the deceased may, without affecting such business' right to market tenancy, either replace the deceased as a partner or shareholder, or may transfer the interest of the deceased to the surviving partners or shareholders.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-35. - Transfer Upon Retirement.**

In the event of the retirement of a city market tenant, such city market tenant with the approval of the market manager may transfer his or her leasehold interest in such space to his or her spouse or to a direct lineal descendant if the transferee satisfies any requirements prescribed in this chapter for occupants of city market spaces. To accomplish such transfer, the city market tenant shall request permission from the market manager in writing no later than 30 calendar days prior to the proposed transfer. The request shall contain the name, address and relation to city market tenant of the

transferee, and the proposed date of transfer. The transferee shall enter into a lease agreement with the city of Cincinnati prior to taking possession of the city market space. The term of the new agreement shall be for the unexpired portion of the rental period, and any rental or portion thereof paid by the transferor-market tenant shall be credited to the rental of the transferee.

Persons to whom city market space is transferred pursuant to this section shall also be transferred any right of renewal, transfer rights and tenure rights belonging to the retired city market tenant at time of retirement.

In the event of the retirement of a person who is a partner in a partnership or a shareholder in a corporation which is a city market tenant, the retiree may, without affecting such business' right to city market tenancy, transfer his or her interest in the business to his or her spouse or to a direct lineal descendant or descendants, or to the remaining partners or shareholders of the business.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-37. - Award of Market Space.**

The market manager shall establish a procedure for the award of vacant city market space outside the Findlay Market House. Such procedure shall be provided in the city market rules and regulations.

Upon the vacancy of a city market space inside the Findlay Market House, the city of Cincinnati shall assume the role of a tenured city market tenant as provided in 845-39 and offer the vacant space for sale within 30 days of such vacancy. The minimum acceptable bid, as required in 845-39(a), shall be set at \$20,000. Upon the successful sale of the vacant space, the proceeds of such sale shall be deposited by the City Treasurer to Fund 405 for the sole use of operating and improving Findlay Market.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-39. - Tenure; Transfer Upon Sale of Business.**

If a city market tenant has occupied the same city market space for a period of 5 consecutive years, the city market tenant shall be deemed to have tenure and may transfer his or her leasehold interest in such space upon the sale of his or her entire business interests in such space, subject to the following requirements:

- (a) The city market tenant shall first notify the market manager in writing of intent to sell the city market space interest. This notice shall include the minimum price sought for the interest, and the proposed date of sale which shall not be less than 30 calendar days, nor more than 60 calendar days from the date of the notice.
- (b) The city market tenant shall then advertise in at least 2 newspapers of general circulation for a period of at least 3 consecutive days, that the interest is for sale. Such advertisement shall include the minimum acceptable bid, the date of the sale of the interest, the bid opening date and time, and notice of each of the following requirements:
  - (1) That sealed bids shall be submitted to the market manager on or before the date and time set for the opening of the bids;
  - (2) That a deposit equal to 10% of the annual space rental fee shall be submitted to the city of Cincinnati with the bid.

- (3) That the interest shall be sold and transferred to the highest bidder.
- (c) The bid opening date shall be within 14 calendar days before the proposed date of the sale of the interest and at least 10 calendar days after advertisement of the sale is first published.
- (d) At the bid opening date and time, the sealed bids shall be opened by the market manager.
- (e) The city of Cincinnati shall return deposits to unsuccessful bidders. The city of Cincinnati shall retain the deposit of the highest bidder and apply such deposit to the lease agreement fee upon the execution of the lease agreement for the city market space. Should the highest bidder fail to complete the purchase of the interest by the date set for the sale, unless such failure is beyond bidder's control, the deposit shall be forfeited to the city of Cincinnati.
- (f) Upon completion of the sale of the interest, the successful bidder shall be entitled to enter into a lease for the city market space. The term of the lease shall be for the unexpired portion of the transferor-market tenant's rental period. The city of Cincinnati shall refund to the transferor-market tenant the unearned portion of any rent previously paid.
- (g) Should the city market tenant fail to complete the sale of the interest by the date set for the sale, unless such failure is beyond the control of the city market tenant, the market manager may terminate the city market tenant's lease and the highest bidder shall be entitled to enter into a lease for the city market space; such lease shall be for the unexpired portion of the city market tenant's rental period; and the city of Cincinnati shall not refund to the city market tenant the unearned portion of any rent previously paid.
- (h) If the highest bidder fails to complete the purchase or fails to enter into a lease agreement by the specified date, the next highest bidder shall take such bidder's place and shall have an additional 14 calendar days to complete the purchase of the interest and enter into a lease with the city of Cincinnati.
- (i) Persons to whom city market space is transferred pursuant to this section shall also be transferred any right of renewal, transfer rights and tenure rights belonging to the city market tenant at time of transfer.
- (j) The market manager shall establish a procedure for award of city market space where two or more bidders make the highest bids in equal amounts. Such procedure shall be provided in the city market rules and regulations.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-41. - Surrender of City Market Space.**

Where no sale is completed or no qualified bids are submitted pursuant to Section 845-39, the city market tenant may either continue the lease with the city of Cincinnati or may surrender the leasehold interest to the city of Cincinnati. Upon surrender of the leasehold interest, the city of Cincinnati shall refund to the city market tenant the unearned portion of rent previously paid. Upon surrender of the leasehold interest the market manager may lease the city market space in compliance with this chapter.

(Ord. 289-1994, eff. Aug. 8, 1994)



**Sec. 845-43. - Limitation on Occupancies.**

No person shall occupy or have a financial interest in more than 10 city market spaces in the same city market located outside the Findlay Market House, or in more than 2 city market spaces located inside the Findlay Market House, except to the extent that city market spaces would otherwise be unoccupied.

Notwithstanding the notice provisions of Section 845-31 of this chapter, the market manager shall upon 10 calendar days written notice revoke the permit to occupy any city market space in excess of 10 city market spaces, whenever a qualified applicant has entered into an agreement to occupy such city market space as provided for in Section 845-13.

Except in instances where the city market tenant obtained city market space by fraud or misrepresentation, in the event of revocation of city market space pursuant to this section, the city market tenant shall be entitled to receive from the city treasurer a refund of the unearned rent paid for the unexpired portion of the rental period.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-45. - Permittee to Operate.**

Each city market space shall be operated by or under the direct supervision of its city market tenant. The market manager shall establish standards for the determination of "direct supervision." Such standards shall be provided in the city market rules and regulations.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-47. - Occupancy Before and After Market Hours.**

No city market tenant shall occupy any city market space, erect or place in position in any street, sidewalk or curb within a city market, any items of any kind whatsoever which are to be used, sold or exposed for sale in the city market, earlier than 2 hours before the opening of such city market, or later than 1 hour after the closing of such city market, except as otherwise provided by the market manager.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-49. - Sales by Standard Weights and Measures.**

No person shall offer, sell or expose for sale, in any city market, any foodstuffs or other articles, except by standard weight or measure, or sell anything which shall not be full weight or measure according to the legal standard.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-51. - Receptacle for Refuse.**

City market tenants shall provide suitable receptacles for refuse to hold all the perishable refuse matter that accumulates at his or her city market space. The market manager shall create standards for

suitable receptacles for refuse. Such standards shall be provided in the city market rules and regulations.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-53. - Deposit of Non-Market Area Waste Prohibited.**

No person shall bring refuse from outside any city market and deposit such refuse for pickup in any location inside the market area.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-55. - Noisy Trade Soliciting and Profanity Prohibited.**

No city market tenant or any person employed at a city market space shall use profane or abusive language, utter loud cries for the purpose of soliciting trade, or solicit business from other city market tenants by making public statements in the city market about the quality or value of the products or goods of other city market tenants.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-57. - Market Tenant Responsible for Employees.**

Each city market tenant shall be responsible for his or her employees working at his or her city market space, insofar as conduct during city market hours and honest dealing with the public are concerned, and any violation by an employee of any ordinances, laws, or city market rules and regulations, relating to the conduct of persons occupying city market space, or relating to weights, scales and measures, shall also be deemed a violation by the city market tenant who employs such person.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-59. - Sales Limited.**

Inside the Findlay Market House no person shall offer, sell or expose for sale any articles, goods or merchandise other than foodstuffs, items used to prepare, serve or transport foodstuffs or promotional items that advertise the city market tenant's business or the city markets. In all city markets not inside the Findlay Market House, no person shall offer, sell or expose for sale any articles, goods or merchandise other than foodstuffs, horticultural items or other items that have been specifically authorized by the market manager or his or her designee. Such other items that may be authorized by the market manager or his or her designee may include, but not be limited to, arts and crafts items or prepared foodstuffs.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Cross reference—** Penalty, § 845-99.

**Sec. 845-61. - Revocation of Permit.**

Revocation of a permit shall constitute a termination of the city market tenant's lease agreement and all city market rights and privileges. A city market tenant whose permit is revoked shall not be entitled to any refund of any unearned rent paid by such city market tenant.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-63. - Suspension of Permit.**

Suspension of a permit shall not exceed 30 calendar days and shall constitute a suspension of all the city market tenant's rights and privileges in the city market during the term of the suspension. A city market tenant whose permit is suspended shall not be entitled to any refund of any rent paid by the city market tenant for the term of the suspension.

(Ord. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-65. - Fines, Suspensions and Revocations of Permit.**

The market manager may fine a city market tenant, suspend, revoke and/or deny a permit for any one or more of the following reasons:

- (a) Violation of any provision in this chapter, violation of any laws, ordinances or statutes, violation of any federal laws regulating the use of food stamps, violation of any city market rule or regulation, violation of any laws related to city markets or weights, scales and measure, or rules of the board of health.
- (b) Violation of any provision of city market tenant's lease agreement or permit.
- (c) Failure to comply with any lawful order of the city manager, the manager of facility management, the market manager or their designees.
- (d) Misrepresenting or providing a false statement in the obtaining of a permit or lease for city market space.
- (e) Non-use for a period in excess of 30 calendar days of city market space inside the Findlay Markets House by a city market tenant with a one year lease agreement for such space; or non-use for a period of 4 consecutive months of city market space outside the Findlay Market House by a city market tenant with a one year lease agreement for such space. Upon written request, the market manager may waive this forfeiture provision for a specific period of time, when in the determination of the market manager it is in the best interest of the city market to do so, where non-use was due to circumstances such as, but limited to, injury, military service, or illness.
- (f) Failure to pay a fine imposed upon a city market tenant by the market manager.

(Ord. No. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-67. - Procedure for Fine, Suspension, Denial or Revocation of Permit.**

The market manager shall provide written notice by certified mail, return receipt requested, to the applicant or city market tenant of the market manager's intent to fine the city market tenant, or suspend, deny or revoke a permit. Such written notice shall include a description of the violation that is the basis

for the fine, denial, suspension or revocation, the effective date of the fine, suspension, or revocation and a description of the right to a hearing before the manager of facility management. If no hearing before the manager of facility management is requested by the applicant or market tenant within 10 calendar days from receipt of such notice, the market manager's decision shall become effective on the 11th calendar day following receipt of such notice.

(Ord. No. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-69. - Right to a Hearing.**

On or before the 10th calendar day after receipt of written notice from the market manager of intent to fine a city market tenant, or suspend, deny or revoke a permit, the applicant or city market tenant may request a hearing before the manager of facility management. If no hearing before the manager of facility management is requested by the applicant or city market tenant on or before the 10th calendar day after receipt of such notice, the market manager's decision shall become effective on the 11th calendar day following receipt of such notice. The manager of facility management shall provide a written decision to the applicant or city market tenant within 10 calendar days from the termination of the hearing. The decision of the manager of facility management shall be final.

(Ord. No. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-71. - Closing of Elder Street During Hours Needed for Operation of Findlay Market.**

The market manager shall be empowered to close Elder Street, Sellew Alley, and Glass Alley, between Race and Elm Streets, Clymer Alley, between Glass Alley and Green Street and between Sellew Alley and Findlay Street, Fenwick Alley, between Sellew Alley and Findlay Street, and Pleasant Street, between Findlay and Green Streets to the traffic of all vehicles except service, emergency and public safety vehicles during the hours needed for operation of Findlay Market as determined in accordance with the provisions of Section 845-7 of this chapter.

A service vehicle shall be any truck or delivery vehicle entering Elder Street, Sellew Alley, and Glass Alley, between Race and Elm Streets, Clymer Alley, between Glass Alley and Green Street and between Sellew Alley and Findlay Street, Fenwick Alley, between Sellew Alley and Findlay Street, and Pleasant Street, between Findlay and Green Streets, for the express purpose of loading at, or delivering to, any city market space within the Findlay Market. During city market hours service vehicles shall remain on Elder Street, Sellew Alley, and Glass Alley, between Race and Elm Streets, Clymer Alley, between Glass Alley and Green Street and between Sellew Alley and Findlay Street, Fenwick Alley, between Sellew Alley and Findlay Street, and Pleasant Street, between Findlay and Green Streets, only so long as they are actively engaged in loading or unloading merchandise or equipment to or from city market spaces within or adjacent to Findlay Market or to or from stores abutting or having access to Elder Street, Sellew Alley, and Glass Alley, between Race and Elm Streets, Clymer Alley, between Glass Alley and Green Street and between Sellew Alley and Findlay Street, Fenwick Alley, between Sellew Alley and Findlay Street, and Pleasant Street, between Findlay and Green Streets, but no longer than 15 minutes.

Emergency and public safety vehicles shall be as defined in Chapter 501 of the Cincinnati Municipal Code. The market manager shall cause to be erected such signs and barriers as are necessary to enforce the provisions of this section.

(Ord. No. 289-1994, eff. Aug. 8, 1994; a. Ord. No. 96-1998, eff. April 17, 1998)

**Sec. 845-73. - Rules and Regulations.**

The city manager is authorized to adopt city market rules and regulations and revisions as required, necessary for the orderly and efficient administration, regulation, management, supervision and control of the city markets. Regarding the operation of city markets, all persons shall be subject to the orders of the city manager, market manager and/or their designees, to the city market rules and regulations and to the provisions of this Chapter.

(Ordained by Ord. No. 289-1994, eff. Aug. 8, 1994)

**Sec. 845-75. - Repealed.**

(Ordained by Ord. No. 286-2000, eff. Aug. 2, 2000; r. Ord. No. 073-2001, eff. Mar. 14, 2001)

**Sec. 845-99. - Penalties.**

Any person who violates any section of this chapter for which no other penalty is specifically provided, and whoever violates any lawful city market rule or regulation adopted in pursuance of any such section, shall be guilty of a misdemeanor of the fourth degree.

(Ordained by Ord. No. 289-1994, eff. Aug. 8, 1994)