

**RESOLUTION 35-2022**

**A RESOLUTION AUTHORIZING A FOOD TRUCK FESTIVAL IN THE VILLAGE OF COMMERCIAL POINT ON CERTAIN VILLAGE-OWNED PROPERTY ON SATURDAY, OCTOBER 15, 2022.**

**WHEREAS**, the Village of Commercial Point is authorized by Ohio Revised Code Section 715.01 to hold, manage, and control property owned by the Village; and

**WHEREAS**, the Village of Commercial Point owns certain property located in the Old Town of Commercial Point, specifically, Pickaway County Auditor Parcel ID Nos. L28-0-003-00-024-00, L28,0-003-00-023-00, L28-0-003-00-022-00, and L28-0-003-00-019-01 ("Village Property"); and

**WHEREAS**, the Village Council wishes to authorize the use of the Village Property for a food truck festival to take place on Saturday, October 15, 2022.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO THAT:**

**Section 1. Authorization for use of Village Property for Food Truck Festival.** The Village Council hereby authorizes the use of the Village Property for a food truck festival on Saturday, October 15, 2022, subject to Section 2 of this Resolution. For purposes of this Resolution, "food truck" shall be defined as a vehicle propelled by an engine and which has been specifically designed or used for mobile food vending. "Food" shall mean a raw, cooked, or processed edible substance, ice beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption. The Parks and Recreation Committee of the Village Council shall generally be responsible for the implementation of this Resolution, but the members of such Committee shall receive no additional compensation beyond the compensation established by Ordinance 2021-10 and Village of Commercial Point Codified Ordinances Section 220.14.

**Section 2. Waiver of Liability by Food Truck Vendors Required.** Each food truck vendor participating in the food truck festival shall be required to execute a waiver of liability form approved by the Village Solicitor, which generally shall hold the Village of Commercial Point harmless of any injuries or damages sustained as the result of any negligence of any food truck vendor or the Village during the food truck festival on Saturday, October 15, 2022.

**Section 3. Food Truck Vendors Shall Name Village as Additional Insured and Compliance with Ohio Revised Code Chapter 3717.** Each food truck vendor participating in the food truck festival shall be required to name the Village of Commercial Point as an additional insured on the vendor's certificate of liability insurance and show proof of the certificate naming the Village as an additional insured to the Parks and Recreation Committee in advance of the food truck festival. All food truck vendors shall comply with Ohio Revised Code Chapter 3717, as applicable, and all rules and regulations thereunder.

**Section 4. Closure of Streets in the Vicinity of the Village Property.** The Village Council hereby authorizes the closure of the public streets that abut or are adjacent to the Village Property on Saturday, October 15, 2022. The Mayor and Police Chief are authorized to take whatever actions they deem necessary and appropriate to ensure the safe closure of such public streets and shall, in cooperation with the Parks and Recreation Committee, determine the proper duration of such closures on Saturday, October 15, 2022.

**Section 5. Open Meetings Certification.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 6. Effective Date.** This Resolution shall take effect and be in force from the earliest date allowed by law.

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Vote on Passage of the Resolution:

Motion by: Audrea Ratliff

2<sup>nd</sup>: Laura Wolfe

Roll Call:

Yes Nancy Geiger

Yes Ryan Mitchem

Yes Laura Wolfe

Yes Ross Crego

Yes Audrea Ratliff

Adopted this 12<sup>th</sup> day of September, 2022.

  
Allan D. Goldharet, Mayor

  
Wendy L. Hastings, Fiscal Officer

Approved as to Form:

  
Joshua Cartee, Village Solicitor