

ORDINANCE 922

AN ORDINANCE TO AMEND CHAPTER 4 ARTICLE 1 TO THE CENTRAL CITY MUNICIPAL CODE; TO REPEAL ALL OTHER CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CENTRAL CITY, NEBRASKA:

Section 1. That Chapter 4, Article 1 of the Central City Municipal Code be amended read as follows:

ARTICLE 1 – NON-RESIDENT SALESPEOPLE

SECTION 4-101: APPLICATION FOR LICENSE

Any non-resident salesperson intending to sell or attempting to sell at retail any merchandise, magazines, books, services or other items of value or attempting to take orders or subscriptions for the same within the corporate limits of the City shall prior to making any attempt to sell such items, register with the City Clerk. There shall be a charge of \$20.00 per day for any license, to be paid at the time such license is issued. A license may be granted after the following is provided:

- (1) The applicant's full name, current address, telephone number and proof of identity;
- (2) A brief description of the nature, character and quality of goods, wares or merchandise to be offered for sale;
- (3) The specific location, if any, in which the vendor intends to conduct business;
- (4) If the applicant is employed by another, the name and address of the person, firm, association, organization, company or corporation;
- (5) If a motor vehicle is to be used, a description of the vehicle together with the motor vehicle registration number and license number;
- (6) A sales tax permit as required by Neb. R.S. § 77-2705; and,
- (7) Proof of a public liability bond or insurance policy in an amount not less than \$300,000.00 for property damage and injuries, including death, caused by the operation of the business.

SECTION 4-102: ISSUANCE OF LICENSE

The applicant shall be notified in writing by the City Clerk of the city's decision to issue or deny the vending license no earlier than three (3) days nor later than thirty

(30) days after the applicant has filed a completed application with the city clerk. Each license shall show the name and address of the licensee, the type of license issued, the kind of goods to be sold, the amount of the license fee, the date of issuance, the license number, an identifying description of any vehicle or conveyance used by the licensee plus, where applicable, the motor vehicle registration number. Each license shall also show the expiration date of the license and the vendor's plate number which is issued by the city.

SECTION 4-103: DUTY TO CARRY AND DISPLAY LICENSE

The license herein provided shall at all times be carried on the person of said salesperson and shall be displayed by the salesperson upon the request of any citizen of the City or any police officer of the City.

All licenses, permits and identification badges issued under this section are valid for the term of the occupation tax paid by the vendor unless suspended or revoked and shall be both non-assignable and non-transferable.

SECTION 4-104: HOURS OF SOLICITATION

It shall be unlawful for any solicitor, salesperson or peddler to solicit any individual between the hours of 5:00 P.M. and 9:00 A.M., unless they have a previous appointment with the resident or residents on the premises solicited.

Section 7. Any other ordinance or section passed and approved prior to passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.

Section 8. This ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this 12th day of January, 2009.

Attest:

Clayton Erickson, Mayor

David Rish, City Clerk