

ORDINANCE 1079

AN ORDINANCE TO AMEND SECTION 2-109; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PUBLISH IN PAMPHLET FORM, AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 2-109 of the Municipal Code of Central City, Nebraska, is amended to read as follows:

SECTION 2-109: FOOD VENDOR PERMIT; GENERAL RULES

All food vendors shall make application, pay a permit fee and obtain a permit from the Central District Health Department prior to the sale of food or drinks on any street, alley, easement, or other public or private property in the City of Central City. The additional regulations shall apply:

(A) All Food Vendors shall make application to the City Clerk, pay a permit fee and obtain a permit prior to using the streets, alley, easements, or other public or private property in Central City to operate under the terms and conditions in Section 2-108.

(B) The owner of each company making application for a Food Vendor permit shall show proof of identity with a photo identification card, and shall pay a nonrefundable application fee to the City Clerk in accordance with the Fee Schedule is 2-109(c) at the time of making such application.

(C) Food Vendor Permits shall be in effect for up to five (5) consecutive days from the date of issuance as requested by the vendor and upon payment of the applicable permit fee of \$40.00 for the first day and \$25.00 for each additional day up to five (5) days in total. No permit shall take effect until forty-eight (48) hours after an application has been received by the City Clerk. The permit fee may be waived by a majority vote of the City Council.

(D) No Food Vendor Permit shall be approved for business within any City Park or recreational area without the prior approval of the City Council.

(E) Food Vendors may conduct business only between the hours of 8:00 a.m. and 9:00 p.m. unless additional hours are approved by the City Council.

(F) A Food Vendor operating on a City street shall vend from the side of the vendors truck away from moving traffic and at the curb or edge of the roadway and shall vend only when the vendors truck is lawfully parked or stopped.

(G) A temporary or mobile facility qualifying under the definition of Food Vendor may be exempt from the provisions of Section 2-109 if said facility is operated on property owned or leased by the operator. Any lease must have a duration of at least 90 days and evidence of said lease must be presented to the City Clerk. The City Council may grant such exemption if, in their judgment, a market based lease on a suitably sized parcel would effectively support the business, its traffic and parking needs.

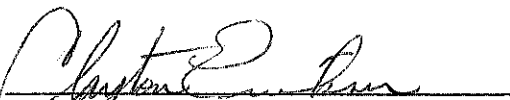
(H) A Food Vendor Permit may be issued to a local vendor for a blanket duration of up to 90 days and the fee for said permit may be waived by a majority vote of the Council.” A “local” vendor is defined as an owner/operator who maintains their primary residence within the City Limits or within 3 miles of said City Limits.

Section 2. Any other ordinance or section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall be published in pamphlet form.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication, and as required by law.

Passed and approved this 14th day of March, 2022.


Clayton Erickson, Mayor

Attest:


Linda Jensen, City Clerk