

ORDINANCE NO. 477

AN ORDINANCE OF THE CITY OF PONCA, NEBRASKA ESTABLISHING REQUIREMENTS FOR APPLICATIONS FOR LICENSES FOR ITINERANT MERCHANTS, PEDDLERS, AND SOLICITORS; REPEALING ANY AND ALL ORDINANCES AND RESOLUTIONS CONFLICTING HERewith; PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL EFFECT; AND PROVIDING FOR PUBLICAITION OF THIS ORDINANCE IN PAMPHLET FORM.

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

SECTION 1. PERMIT; APPLICATION.

- A. Every applicant for a license required by this ordinance shall file an application with the City Clerk. The application shall be signed by the applicant if an individual, by all partners in a partnership, or by the president of a corporation, or by a managing member of a limited liability company. The applicant shall provide the following items:
1. The name and address of the applicant;
 2. The name of the individual having management authority or supervision of the applicant's business during the time that it is proposed to be carried on in the City; the local address of such individual; the permanent address of such individual; and the capacity in which such individual shall act;
 3. The name and address of the person, if any, for whose purpose the business will be carried on and, if an organized business entity, the state in which it is organized;
 4. The nature of advertising to be done for the business if applicable;
 5. Whether or not the applicant, or the individual identified in (A)(2) herein, or the person identified in subsection (A)(3) herein has been convicted of any crime and, if so, the nature of each offense and the penalty assessed for each offense;
 6. A complete description of the nature of the business proposed to be conducted;
 7. A description of the make, model, identification number, and license and registration numbers of any vehicle proposed to be in the business;
 8. Copy of the State of Nebraska Sales tax Permit or proof of applicable exemption;
 9. To the extent the proposed business is subject to any licensing, permit, or inspection authority of any state regulatory agency or other jurisdiction, a true and correct copy of a current and valid license, permit, or inspection certificate or other evidence deemed sufficient by the City Clerk to conduct the proposed business; and
 10. A certificate of insurance or other evidence deemed sufficient by the City Clerk that the proposed business has a policy of commercial general liability insurance at all times business is intended to be conducted within the City.
- B. Every applicant for a permit required by this ordinance shall, if required by the City Clerk, attach to his or her application credentials from that person, if any, for which the

applicant proposes to do business, authorizing the applicant to act as such representative.

SECTION 2. APPLICABILITY. This ordinance applies to all itinerant merchants, peddlers, and solicitors conducting business within the City. "Itinerant merchant" is defined to include, but not limited to, food truck vendors conducting business on public property within the City.

SECTION 3. HOURS OF OPERATION; FOOD TRUCK VENDORS. The hours during which itinerant merchants that are food truck vendors may operate are 6am to 11pm on Mondays only. If a food truck vendor is hired for a private event, written approval from the real estate owner on which the food truck will operate must accompany the permit application.

SECTION 4. DURATION OF A VALID PERMIT. Each permit issued to a vendor by the City Clerk will be valid for one calendar year, regardless of application date, to use within the City of Ponca. The applicant will have to reapply with current application documents each calendar year. Permits are non-transferable.

SECTION 5. FEES. When the permit application is deemed "approved", there will be a \$10.00 per day fee assessed. This fee is to be paid to the City Clerk. If fee is failed to be paid, the City Clerk has the right to revoke the permit.

SECTION 6. Any and all ordinances and resolutions and parts thereof in conflict are herewith repealed.

SECTION 7. This Ordinance shall become effective up its reading, passage and publication according to law.

PASSED AND APPROVED THIS 30th DAY OF May, 2024.

CITY OF PONCA, NEBRASKA



DJ Smith, Mayor

ATTEST:



Jaime Schweers, City Clerk-Finance Director