

Chapter 5.58

INSURANCE AND GENERAL PERMIT PROVISIONS

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5.58.010 City Clerk to Issue Permits.

Upon granting a permit and receiving the applicable fees and occupation tax, if any, the City Clerk shall prepare, sign, and issue a permit containing the purpose of the permit, the name and address of the permittee, and the official city seal. (Ord. 15483 §1; March 5, 1990).

5.58.020 Term of Permits.

(a) Unless otherwise provided by this code or an ordinance of the city, no fees shall be prorated or refunded.

(b) Each permit issued under this title shall contain on its face its date of issue and expiration date. (Ord. 15483 §2; March 5, 1990).

5.58.030 Transferability of Permits.

Unless otherwise provided by applicable law, including this code or an ordinance of the city, no permit issued under this title may be transferred or assigned, and no permit is valid as to any person other than the person named thereon. (Ord. 15483 §3; March 5, 1990).

5.58.040 Posting of Permits.

Unless otherwise provided by applicable law, including this code or an ordinance of the city, each permittee under this title shall post the permit on the primary business premises to which the permit relates prominently in public view. (Ord. 15483 §4; March 5, 1990).

5.58.050 City Clerk to Keep Permit Register.

The City Clerk shall keep a register of all permits issued under this title that includes the name and address of the permittee, the purpose of the permit, the number of the permit, the amount paid therefor, and the permit expiration date. (Ord. 15483 §5; March 5, 1990).

5.58.060 Insurance Required.

Unless otherwise provided by applicable law, including this code or an ordinance of the city, whenever insurance is required of a permittee under this title, such permittee shall:

(a) At all times maintain applicable worker's compensation insurance.

(b) At all times maintain public liability insurance in the form of a commercial or comprehensive general liability policy, or an acceptable substitute policy form as permitted by the City Attorney, with a minimum combined single limit of \$500,000.00 aggregate for any one occurrence. The coverages required herein shall be subject to review and approval by the City Attorney for conformance with the provisions of this section.

(c) At all times keep on file with the City Clerk a current certificate of insurance signed by a qualified agent of an insurance company licensed to do business in the State of Nebraska and approved by the City Attorney for conformance with the provisions of this section evidencing the existence of valid and effective policies of insurance naming the city as an additional insured for the coverage required by subsection (b) of this section, the limits of each policy, the policy number, the name of the insurer, the effective date and expiration date of each policy, the deductibles or self-insurance retainers of each policy, and a copy of an endorsement placed on each policy requiring thirty days' notice by mail to the City Clerk before the insurer may cancel the policy for any reason, and upon request of the City Clerk or the City Attorney, a copy of any endorsements placed on such policies or the declarations page of such policies. (Ord. 15776 §1; November 19, 1990: prior Ord. 15587 §1; June 11, 1990: Ord. 15483 §6; March 5, 1990).

5.58.070 Authority to Deny Issuance of Permits.

Unless otherwise provided by applicable law, including this code or an ordinance of the city, the City Clerk may deny an application for a permit under this title upon a determination that:

(a) The applicant has failed to supply any of the information required on the application;

(b) The applicant has failed to obtain required insurance; or

(c) The applicant has failed to pay the required permit fee or occupation tax. (Ord. 15483 §7; March 5, 1990).

5.58.080 Revocation of Permits.

Unless otherwise provided by applicable law, including this code or an ordinance of the city,

(a) In addition to any other provisions of this code or other ordinances of the city, the City Clerk may revoke a permit issued under this title if:

(1) The permittee fails to meet the qualifications required of an applicant;

(2) The permittee violates any provision of this code or other ordinance of the city governing the activities permitted;

(3) The permittee obtained the permit by fraud or misrepresentation, including providing false information in the application for any permit; or

(4) The permittee is finally convicted of a crime related to the permitted conduct or involving moral turpitude.

(b) No person whose permit is revoked under this title may receive a refund of any part of the permit fee paid for the permit.

(c) No person who has had a permit revoked under this title shall be entitled to obtain the same or any similar permit under this code during the period of two years from the date of such revocation, either in the person's own name or as a principal in another business that applies for a permit. (Ord. 15483 §8; March 5, 1990).

5.58.090 Appeals.

Unless otherwise provided by applicable law, including this code or an ordinance of the city, any applicant aggrieved by a decision or order of the City Clerk under the provisions of this title may appeal such decision or order to the City Council upon filing with the City Clerk a written notice of appeal within fourteen days after the decision or order appealed from is made. The City Clerk shall transmit such notice of appeal to the City Council, and the City Council shall hold a hearing thereon within thirty days after notice is received by the City Clerk. The applicant shall be given written notice of the time and date of such hearing. The City Council, after such hearing, may affirm, reverse, or modify the action of the City Clerk. The decision of the City Council may be appealed to the district court as provided by law. (Ord. 15483 §9; March 5, 1990).

5.58.100 Revocation Not Exclusive Penalty.

Nothing in this title shall be deemed to prohibit the City Clerk from imposing other penalties authorized by this code or other ordinance of the city, including filing a complaint in the county court for a violation of this code or other ordinance of the city. (Ord. 15483 §10; March 5, 1990).