

CHAPTER 4 – BUSINESS REGULATIONS

ARTICLE 1 – LIQUOR REGULATIONS

SECTION 4-101: TERMS DEFINED

Unless the context otherwise requires, the words and phrases defined in R.R.S. Neb. 1943, or as hereafter amended or revised, shall be adopted for the purpose of construing this article; and said words and phrases are hereby incorporated by reference the same as though copied at full length herein. ▫

Source: Neb. Rev. Stat. §53-103

SECTION 4-102: LICENSE REQUIRED

No persons shall manufacture for sale, sell, keep for sale, barter, or exchange under any pretext any alcoholic liquor within this village unless said person shall have in full force and effect a license therefor as provided by the Nebraska Liquor Control Act, as amended. ▫

Source: Neb. Rev. Stat. §53-168.06 (Ord. 241, 7/12/93)

SECTION 4-103: DISPLAY OF LICENSE

Every licensee in this village shall cause his/her license to be framed and hung in plain view in a conspicuous place in the licensed premises. ▫

Source: Neb. Rev. Stat. §53-148

SECTION 4-104: LICENSE APPLICATION; LICENSING STANDARDS

The Village Board adopts the following licensing standards and criteria for consideration by the Board of any applicant for a retail alcoholic liquor license, for the upgrading of a license to sell alcoholic liquor, or for the expansion or change in location of the premises: ▫

1. The adequacy of existing law enforcement services in the area. ▫
2. Existing motor vehicle and pedestrian traffic flow in the vicinity of the proposed licensed premises, potential traffic and parking problems, and the proximity and availability of on-street and off-street parking. ▫
3. Zoning restrictions. ▫
4. Sanitation or sanitary conditions on or about the proposed licensed premises. ▫
5. The existing population and projected growth, both village-wide and within the area to be served. ▫

6. Existing liquor licenses, the class of such licenses and the distance and time of travel to such licenses. ▫

7. The nature and needs of the neighborhood or community where the proposed premises is located as well as its projected growth. ▫

8. Whether the type of business or activity proposed to be operated in conjunction with the proposed license is and will be consistent with the public interest. ▫

SECTION 4-105: SALE TO MINORS AND INCOMPETENTS PROHIBITED

1. No persons within this village shall sell, give away, dispose of, exchange or deliver or permit the sale, gift or procuring of any alcoholic liquor to or for any person who is incompetent or who is physically or mentally incapacitated by the consumption of such liquors. ▫

2. No minor shall have in his/her possession alcoholic liquor in any tavern, public place, street or alley in this village or inside a vehicle while upon any street, alley or public place in this village. ▫

3. No minor shall obtain or attempt to obtain alcoholic liquor by misrepresentation of age or any other method in any tavern or other public place where liquor is sold in this village. ▫

4. Any person violating subsection (1) of this section shall, on conviction thereof, be fined not less than \$50.00 nor more than \$100.00 and shall be assessed the court costs of prosecution. Any person violating subsections (2) or (3) of this section shall, on conviction thereof, be fined not less than \$25.00 nor more than \$100.00 and shall be assessed the court costs of prosecution. ▫

Source: Neb. Rev. Stat. §53-180 and 53-180.01 (Ord. 241, 7/12/93)

SECTION 4-106: HOURS OF SALE

1. For the purposes of this section, (A) "on-sale" shall be defined as alcoholic beverages sold by the drink for consumption on the licensed premises; (B) "off-sale" shall be defined as alcoholic beverages sold at retail in the original container for consumption off the licensed premises. ▫

2. It shall be unlawful for any person or persons, or their agents, to sell at retail or dispense any alcoholic beverages within the Village except during the hours specifically provided herein, as follows: ▫

MONDAY THROUGH SATURDAY SALES:

Alcoholic Liquors (except beer and wine)

Off Sale 6:00 A.M. to 1:00 A.M.

On Sale 6:00 A.M. to 1:00 A.M.

Beer and Wine	
Off Sale	6:00 A.M. to 1:00 A.M.
On Sale	6:00 A.M. to 1:00 A.M.

SUNDAY SALES:

- A. From April 1 through October 31 each year, no alcoholic liquors including beer, or wine or liquor shall be sold at either retail or restaurant sale between 1 A.M. and 10 A.M. ▫
- B. From November 1 through the following March 31, such exclusion shall be from 1 A.M. through 12 o'clock noon. ▫
- C. From April 1 through October 31, 10 a.m. through 1 a.m., and from November 1 through the following March 31, 12 noon through 1. A.M., all beer and wine and liquor may be sold at retail and restaurant sales may include both beer and wine and liquor by the drink, but said sale of liquor by the drink shall be strictly for consumption on the premises. ▫

(Ord. 241, 7/12/93)

3. Such limitations shall not apply after 12:00 noon on Sunday to a licensee which is a nonprofit corporation and the holder of a Class C license or a Class I license. ▫

4. No person or persons shall be allowed to consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed herein for the stopping of sales of alcoholic beverages on said premises. ▫

5. Nothing in this section shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section. ▫

SECTION 4-107: REVOCATION OF LICENSE

The chairman and the Village Board shall, by resolution and subject to the right of appeal to the Nebraska Liquor Control Commission, revoke the license of any licensee finally convicted of violating any provisions of this article. ▫

SECTION 4-108: ENTRY OF PREMISES FOR INSPECTION

The chairman, any member of the Board, any law enforcement officer or the village attorney shall have the right to enter any licensed premises at any time for the purpose of determining whether the licensee is violating any provision of the Nebraska Liquor Control Act or of this article, and for that purpose to examine and inspect said premises. ▫

SECTION 4-109: COMPLAINTS; PROCEDURE

1. The village clerk shall supply the complaint forms prescribed herein and shall, on request, supply one to any resident of this village desirous of initiating a complaint against a liquor licensee. Any complaint duly executed on one of the aforesaid forms by five residents of this village and filed with the village clerk shall be presented by him/her to the chairman and Board at their next meeting. If the chairman and the Board are satisfied that the complaint substantially charges a violation and that from the facts alleged there is a reasonable cause for such belief they shall, by resolution, set the matter for hearing within ten days from the filing of the complaint. Said resolution shall state the time and place of said hearing and shall direct the village police to serve the same on the licensee by delivering to him/her personally a true and certified copy thereof at least 72 hours prior to the time of hearing. Said resolution shall also state the section or sections of the Nebraska Liquor Control Act, the regulations prescribed by the Nebraska Liquor Control Commission or this code alleged to have been violated and the facts on which said allegations are based as stated in the complaint. ▫

2. Present at said hearing shall be the village attorney and the licensee, who may be represented by counsel employed by him/her. The complainants shall be present and may be represented by counsel employed by them. Within 30 days from the date the complaint is filed, the chairman and the Board shall, by resolution, dispose of the complaint, which resolution shall be deemed the final order for purposes of appeal to the Nebraska Liquor Control Commission. ▫

SECTION 4-110: FORM FOR CITIZEN COMPLAINT

The following form is hereby prescribed for the use of residents of this village desiring to complain to the chairman and the Board that any licensee is violating any provision of the Nebraska Liquor Control Act, regulations prescribed by the Nebraska Liquor Control Commission or any provision of this ordinance: ▫

To the Chairman and Board of the Village of Inglewood, Nebraska.

The undersigned respectfully state:

1. That they are each residents of the Village of Inglewood, Nebraska.
2. That they believe that _____, the holder of a Class ____ license in the aforesaid village, has violated Section _____ of (check one or more)
_____ the Nebraska Liquor Control Act.
_____ the regulations prescribed by the Nebraska Liquor Control Commission.
_____ the Municipal Code of the Village of Inglewood, Nebraska.
3. That the aforesaid belief is based on the following facts, to-wit:

(Name) (Name)
(Name) (Name)
(Name)

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

Subscribed in my presence and sworn to before me by _____,
_____, this _____ day of _____, 20____. and

My commission expires _____.

Notary Public □

SECTION 4-111: COMPLAINT INITIATED BY BOARD

The chairman and Board may on their own motion, by resolution, fix the time and place for a hearing on whether a licensee has violated any section of the Nebraska Liquor Control Act, the regulations of the Nebraska Liquor Control Commission or this code, which resolution shall state the section or sections in question. Said resolution shall be served in the same manner and within the same time as the initial resolution mentioned in Section 4-109 of this code, and insofar as possible the procedure shall be the same as is provided in that section. □

SECTION 4-112: PREREQUISITES TO DELIVERY OF LICENSE

Retail licenses issued or renewed by the Nebraska Liquor Control Commission for licensees within this village shall be delivered to said licensee by the village clerk, but he/she shall not deliver any such license to a licensee who does not exhibit receipts showing payment of the license fee, payment of the publication fee for giving notice of the hearing before the Village Board on any application for license and, if a renewal, payment of the publication fee of the automatic renewal notice provided for in this code. □

SECTION 4-113: ACTION ON APPLICATION FOR LICENSE

1. Upon receipt from the Nebraska Liquor Control Commission of the notice

and copy of the application provided for in R.R.S. Neb. 1943, the village clerk shall present it to the chairman and the Village Board at their next meeting. Said chairman and Board shall, by resolution, fix a time and place at which a hearing will be had and evidence taken under oath from any person desiring to be heard on the propriety of the issuance of the license in question. Notice of the time and place of such hearing shall be published in a legal newspaper in this village one time, not less than three nor more than seven days before the time of hearing. ▫

2. The hearing shall be held not more than 21 days after the date of receipt of the notice and copy of the application by the village clerk. After said hearing, the chairman and Board shall, by resolution, spread at large in the minute record of their proceedings, recommend either the issuance or the refusal of said license. The village clerk shall thereupon mail to the Nebraska Liquor Control Commission by first class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice. ▫

SECTION 4-114: RENEWAL OF LICENSE

1. The village clerk shall cause to be published in a legal newspaper in this village one time between January 10th and January 30th of each year, individual notice of the right of automatic renewal of each retail liquor and beer license, except that notice of the right of automatic renewal of Class C licenses shall be published between the dates of July 10th and July 30th of each year within this village, for which provisions are made in R.R.S. Neb. 1943 in the following form: ▫

NOTICE OF RENEWAL OF RETAIL LIQUOR LICENSE

Notice is hereby given that pursuant to Nebraska law, the liquor license may be automatically renewed for one year from May 1, 20____, (or August 10, 20____,) for the following retail liquor licensee, to-wit:

(Name of Licensee)
(Address of licensed premises)

Notice is hereby given that a written protest to the issuance of automatic renewal of license may be filed by any resident of the Village of Inglewood on or before February 10, 20____, (or August 10, 20____,) in the office of the village clerk; that in the event protests are filed by three or more such persons, hearing will be had to determine whether continuation of said license should be allowed.

(NAME)
(VILLAGE CLERK) ▫

2. The village clerk shall file or cause to be filed with the Nebraska Liquor Control Commission proof of publication of said notices on or before February 6th or August 6th of each year. ▫

SECTION 4-115: PROTESTS AGAINST RENEWAL

In the event written protests are filed with the village clerk by three or more residents of this village against the automatic renewal of a license, the clerk shall present the same to the chairman and Village Board at their next meeting and they shall thereupon, by resolution, direct the licensee to submit an application in the same manner as he/she would be required to do for an original license. The village police shall forthwith serve said resolution on said licensee by delivering to him/her personally a true and certified copy thereof. Upon receipt by the village clerk from the Nebraska Liquor Control Commission of the notice and copy of application, the same procedure shall be followed as is provided for in the case of an application for an original license. ▫

SECTION 4-116: CHANGE OF PREMISES

Any retailer licensee desiring to transfer his/her license from one premises to another shall file with the village clerk a written request for permission to do so, along with a sworn statement showing that the premises to which removal is to be made comply in all respects with the requirements of the Nebraska Liquor Control Act as amended. The clerk shall present said application and statement to the chairman and Village Board at their next meeting and they shall, by resolution, approve or disapprove the transfer. If they approve the transfer, the approval thereof shall be endorsed on the license by the chairman and attested by the village clerk. ▫

SECTION 4-117: GAMBLING

Unless sanctioned by Nebraska law, no licensee in this village holding a license covering premises open to the public for the sale of intoxicating liquor or beer shall directly or indirectly permit gambling on or in the licensed premises; nor shall he/she permit the operation or possession of any pay-off gambling device, slot machine or punchboard, mechanical or otherwise, whether pay-off is in cash or merchandise, in, on or about the licensed premises. ▫

SECTION 4-118: SALE FOR RESALE

No retail licensee in this village shall engage, directly or indirectly, in any transaction including or conspiring as to the resale of any liquors owned by him/her as a licensee, nor shall such licensee so permit the sale or delivery of any such liquors in such quantities as would place a reasonable-minded person on notice that such liquor might be intended for resale. ▫

SECTION 4-119: TRANSPORTATION OF LIQUOR OF RETAIL LICENSEES

No retail licensee in this village shall permit the transportation of alcoholic liquor from his/her licensed premises for storage purposes in any manner for any purpose

or to any location other than has been expressly authorized in writing by the Liquor Control Commission. ▫

SECTION 4-120: NO DELIVERY AFTER CLOSING HOURS

No retail licensee in this village operating premises open to the public shall act as retainer or keeper of liquor for customers or other persons for the purpose of delivering or disposing of such liquor after closing hours as provided by state law, ordinance or resolution or on days when sales are prohibited. ▫

SECTION 4-121: RESTRICTIONS ON CONDUCT OF OTHER BUSINESS

Retail licensees in this village shall not maintain in their licensed premises any door opening into or access leading into premises owned, used, or occupied by other persons; nor shall any retail licensee permit any other person to use his/her licensed premises for the purpose of carrying on within such licensed premises any business activity of such other persons in any of its phases, such as solicitation, sale, service, delivery, storage or otherwise. ▫

SECTION 4-122: CONDUCT PROHIBITED ON LICENSED PREMISES

No licensee in this village shall engage in, allow or suffer in or upon the licensed premises any disturbances, lewdness, immoral activities or displays, brawls or unnecessary noise; or allow, permit or suffer the licensed premises to be used in such a manner as to create public censure or become a nuisance, public or private. ▫

SECTION 4-123: ADVERTISEMENTS AND SALES

Advertising by licensees in this village shall not contain misrepresentation or misleading statements, and no sales shall be promoted or made by any licensee by unlawful means. Alcoholic liquors shall not be offered, delivered or disposed of by any licensee as a prize. ▫

SECTION 4-124: CONDITION OF PREMISES

All licensees having licenses for on sale consumption of beer or intoxicating liquor or both shall maintain their premises in a neat and clean condition at all times. Licensees shall maintain two restrooms, one for men and one for women, clearly marked and available for the public. ▫

(Ord. 214, 7/7/86)

SECTION 4-125: SALES FOR CASH ONLY

No person shall, in this village, sell or furnish alcoholic liquor at retail: (1) on credit or on a passbook; (2) order on a store; (3) in exchange for any goods, wares or merchandise; or (4) in payment for any services rendered. ▫

SECTION 4-126: REMOVAL OF INTOXICATED PERSONS FROM PUBLIC OR QUASI-PUBLIC PROPERTY

1. Any law enforcement officer with the power of arrest for traffic violations may take a person who is intoxicated and, in the judgment of the officer, dangerous to himself, herself or others, or who is otherwise incapacitated, from any public or semi-public property. Any officer removing an intoxicated person from public or quasi-public property shall make a reasonable effort to take such intoxicated person to his/her home or to place such person in any hospital, clinic, alcoholism center or with a medical doctor as may be necessary to preserve life or to prevent injury. Such effort at placement shall be deemed reasonable if the officer contacts those facilities or doctors who have previously represented a willingness to accept and treat such individuals and who regularly do accept such individuals. If such efforts are unsuccessful or are not feasible, the officer may then place such intoxicated person in civil protective custody, except that such custody shall be used only as long as is necessary to preserve life or to prevent injury and under no circumstances longer than 24 hours. The placement of such person in civil protective custody shall be recorded at the facility or jail to which he/she is delivered and then communicated to his/her family or next of kin, if they can be located, or to such person designated by that person taken into civil protective custody. ▫

2. The law enforcement officer who acts in compliance with this section shall be deemed to be acting in the course of his/her official duty and shall not be criminally or civilly liable for such actions. The taking of an individual into civil protective custody under this section shall not be considered an arrest. No entry or other record shall be made to indicate that the person has been arrested or charged with a crime. ▫

3. For purposes of this section, "public property" shall mean any public right-of-way, street, highway, alley, park or other state, county or village-owned property; "quasi-public property" shall mean and include private or publicly owned property utilized for proprietary or business uses which invites patronage by the public or which invites public ingress and egress. ▫

Source: Neb. Rev. Stat. §53-1,121

SECTION 4-127: SPIKING BEER; PROHIBITED

No licensee holding a license for the manufacture, distribution or sale of alcoholic liquors under the Nebraska Liquor Control Act and no agent or employee of such licensee shall sell or offer for sale within the village limits any beer to which has been added any alcohol, or shall permit any person to add alcohol to any beer on the licensed premises of such licensee. ▫

Source: Neb. Rev. Stat. §53-174

SECTION 4-128: PROHIBITED CONDUCT; NUISANCE

It shall be unlawful for any licensee under the Nebraska Liquor Control Act or any of

the licensee's employees, agents, directors or officers to engage in, allow, permit or suffer any disturbances, lewdness, immoral or illegal activities or displays, brawls or unnecessary noises, or allow, permit or suffer the licensed premises to be conducted in such a manner as to create public censure or become a nuisance, public or private, in or upon any licensed premises within the Village. ▫
(Ord. 305, 2/6/06)

SECTION 4-129: NUDE ENTERTAINMENT PROHIBITED

It shall be unlawful for any licensee under the Nebraska Liquor Control Act or any of the licensee's employees, agents, directors or officers to authorize, permit or suffer any live person to appear in a state of nudity, defined as (A) the showing of the human male or female genitals or pubic area with less than a fully opaque covering; (B) the showing of the female breast with less than a fully opaque covering on any part of the areola and nipple; or (C) the showing of covered male genitals in a discernibly turgid state, for the purpose of providing entertainment, or providing service, while acting as a host or hostess, or while serving as an employee or independent contractor in any capacity in or upon any licensed premises within the Village. ▫
(Ord. 305, 2/6/06)

SECTION 4-130: CERTAIN PHYSICAL CONTACT PROHIBITED

It shall be unlawful for any licensee under the Nebraska Liquor Control Act or any of the licensee's employees, agents, directors or officers to permit or allow any physical contact, such as kissing, fondling or embracing, between employees or performers or independent contractors and patron or patrons for gratuity, pay or other remuneration, direct or indirect, including tips, or in conjunction with or as part of any performance or entertainment in or upon any such licensed premises within the Village. ▫
(Ord. 305, 2/6/06)

ARTICLE 2 – OCCUPATION TAX

SECTION 4-201: PURPOSE

For the purpose of raising revenue, there is hereby levied an occupation tax upon each and every occupation and business carried on within the corporate limits of this village as hereinafter specified and enumerated; and every person, firm, association or corporation carrying on the occupation or business herein specified within the limits of said village shall pay to the village treasury the sum hereinafter named as a tax upon such occupation or business. All money so collected shall be credited to the General Fund of said village; the said money shall be and remain under the control of the Village Board for such use and purpose as other monies belonging to the General Fund. ▫

SECTION 4-202: OCCUPATIONS ENUMERATED; AMOUNT OF TAX; EXEMPTION

There is hereby levied an occupation tax upon each and every occupation and business within the corporate limits of this village as hereinafter enumerated, in the several different amounts and upon the several respective occupations, professions and lines of business, as follows: ▫

Retail of alcoholic liquors for consumption on the premises (sale in original packages only)	\$300.00 ▫
Retail of beer only for consumption on the premises	100.00 ▫
Retail of beer only for consumption off the premises (sale in original packages only)	100.00 ▫
Retail of alcoholic liquors, including beer, for consumption off the premises (sale in original packages only)	250.00 ▫

SECTION 4-203: INTERSTATE OR GOVERNMENT BUSINESS

The license tax levied by this ordinance is not levied upon any business or occupation which is interstate or which is done or conducted by any department of the government of the United States, the State of Nebraska, this village or the officers thereof in the course of its or their official duties or by any county or subdivision of this state or its officers. ▫

SECTION 4-204: WHEN DUE

On all occupations and businesses on which said tax is levied yearly, the year for such tax shall be deemed to begin the first day of August. Said tax for the year

shall be due and payable in advance on the first day of August of every year and thereafter shall be delinquent. On all occupations or businesses on which said tax is levied at a daily rate, the tax shall be due and payable in advance before the business begins, for the number of days for which the occupation or business is to be carried on within the taxing year. Occupation taxes collected from Class C liquor licensees shall be due and payable on the 1st day of November. ▫

SECTION 4-205: DUTIES OF PARTIES LIABLE

It is hereby made the duty of each and every person, firm, association or corporation to pay the tax levied against him, her, them or it at the time the same becomes due as provided in the foregoing section. ▫

SECTION 4-206: PAID TO TREASURER; NOT ASSIGNABLE

The tax herein levied shall be paid in cash to the village treasurer who, upon the payment thereof, shall issue receipt therefor to the person, persons, partnership, firm or corporation paying the same, properly dated and specifying on behalf of whom and for what the sum is paid. The treasurer's receipt shall be the warrant and proper authority of any person to carry on and conduct the business specified on said receipt and for which the money has been paid; provided, said receipt shall not be assignable. ▫

SECTION 4-207: DAILY OR YEARLY PAYMENTS; NO REFUND

Every occupation tax levied at a daily or yearly rate must be paid in one payment, in advance, before the business is commenced, whether commenced at the beginning of the day or year or at any time thereafter. No person paying occupation tax shall be entitled to a refund of any part of the tax so paid. ▫

SECTION 4-208: NON-PAYMENT BY APPLICANT; DENIAL OF LICENSE

The village clerk shall account to and pay all occupation tax fees to the village treasurer immediately after said license is issued, and the treasurer shall credit the same to the General Fund of said village. Upon the failure of any such applicant to pay said occupation tax as herein provided, it shall be mandatory upon the Village Board to pass a resolution denying the application for license and requesting the Nebraska Liquor Control Commission to deny said application. Said resolution shall state the reason therefor and shall be forwarded to the Commission. ▫

(Ord. 214, 7/7/86)

SECTION 4-209: VIOLATION; PENALTY

Any person, firm, association or corporation who shall refuse or neglect to pay the occupation tax or taxes herein levied or who shall transact any such business or engage in any such occupation without having complied with the provisions of this article shall, upon conviction thereof, be fined in a sum not less than \$5.00 nor more

than \$500.00 and assessed the court costs of prosecution; provided that (1) every suit brought under this section shall be in the name of this village and may be commenced by a warrant and arrest of the person or persons against whom the suit is brought, or that (2) suit may be commenced by a common summons; and provided further, whenever any of the above-enumerated businesses or occupations shall be conducted by an agent for a corporation or a non-resident, such agent shall be subject to arrest and punishment under the provisions of this section if his/her principal shall not have complied with the provisions of this ordinance. ▫

ARTICLE 3 – BUILDING REGULATIONS

SECTION 4-301: BUILDING PERMIT REQUIRED

(1) No person, firm or corporate entity shall erect, construct enlarge, alter, repair, move, improve or convert any building or other structure in the Village or cause or permit the same to be done without first obtaining a building permit from the Village of Inglewood for each building or structure and for each job or work to be done thereon. (Ord. 122, 5/3/65)

(2) The Board of Trustees may by resolution adopted from time to time establish or amend a building and zoning code Fee Schedule setting minimum requirements for when a building permit is required, building permit fees, fees for required inspections, and such other fees related to the building and zoning code provisions as the Board of Trustees shall deem needed and proper. (Rev'd 8/3/15)

(3) A revised building permit application automatically rescinds the prior building permit application by that applicant. (Rev'd 3/7/16)

SECTION 4-302: VIOLATION; REMEDIES AVAILABLE TO VILLAGE

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building or structure or land is used in violation of this ordinance, the appropriate authorities of the Village, in addition to other remedies, may institute injunction, mandamus or other appropriate court action or proceeding to prevent such unlawful erection, construction, reconstruction, conversion, maintenance or use, or to correct or to abate such violation, or to prevent the occupancy of said building, structure or land. ▫

(Ord. 122, 5/3/65)

SECTION 4-303: PERMIT LIMITATION

If the work for which a permit has been issued shall not be begun within one year of the date thereof, or if the construction shall be discontinued for a period of six months, the permit shall be void. Before such work can be resumed, a new permit shall be obtained in the same manner and form as an original permit; provided, before the expiration of one year from issuance of the permit, the permit holder may request from the Village Board an extension for a definite period of time to complete such work, and the Village Board may grant the extension for cause. ▫

SECTION 4-304: BARRICADES AND LIGHTS

It shall be the duty of the owner, lessee or tenant causing the construction or destruction of any building or improvement thereon upon or near any public street, alley or sidewalk to have all excavations, building materials and debris protected by

suitable guards or barricades by day and by warning lights at night during such construction. The failure, neglect or refusal of said persons to erect such guards shall constitute a violation of this section and the village police shall stop all work until guards and warning lights are erected and maintained as required. ▫

SECTION 4-305: BUILDING DESTRUCTION; BOND REQUIREMENT

It shall be the duty of the owner, lessee or tenant intending the destruction of any building to post a \$1,000.00 cash bond with the village clerk prior to such destruction. This bond will be refunded upon payment of all damages to village property occasioned by such destruction and any cleanup work resulting from such destruction. In the event that a nuisance remains on the building permit site for more than six months after the issuance of the building permit, then the bond shall be forfeited and shall be applied to offset the costs of cleanup by the Village. ▫

SECTION 4-306: BUILDING WITHOUT PERMIT; NUISANCE

Every building or other structure hereafter erected, remodeled or moved into or within the Village without a permit therefor as herein required or which is not constructed, remodeled or located in accordance with the permit granted and issued therefor shall be deemed and considered to be a public nuisance and may be abated or removed by the Village at the expense of the owner. ▫

FEE SCHEDULE
VILLAGE OF INGLEWOOD, NEBRASKA
BUILDING AND ZONING CODE

This Fee Schedule adopted pursuant to authority granted in Section 4-301(2) of the Inglewood Municipal Code providing that the Board of Trustees may by resolution adopted from time to time establish or amend a building and zoning code Fee Schedule setting minimum requirements for when a building permit is required, building permit fees, fees for required inspections, and such other fees related to the building and zoning code provisions as the Board of Trustees shall deem needed and proper.

1. Building Permit Required –

- Any time the project cost exceeds \$700.00.
- All fences. (may also require survey to ensure no boundary line encroachment)

2. Cost of Building Permit –

- \$25.00 for projects from \$700.00 to \$1,000.00; plus, in addition,
- \$2.00 per thousand for projects exceeding \$1,000.00.

3. Cost of Required Inspections –

- \$25.00 for footings;
- \$25.00 for framing;
- \$25.00 for final.
- Electrical inspection done by State of Nebraska and paid to the State by Owner

(Adopted August 3, 2015)

ARTICLE 4 – MOVING BUILDINGS

SECTION 4-401: PERMIT AND BOND REQUIRED; PERMIT FEE

1. It shall be unlawful for any person to move any building over or across any street or public way of this village until a permit has been issued by the chairman of the Board and all other provisions of this article complied with. The chairman of the Board is hereby authorized to issue such permit upon the written application of the owner of said building proposed to be removed, or of his/her agent, showing the size and kind of building, its present location and its proposed location. All applications shall be accompanied by a fee set by resolution of the chairman and Board of Trustees and on file in the office of the village clerk. ▫

2. However, said permit shall not be issued until the owner of said building has furnished a bond with good and sufficient surety of \$10,000.00. Among other things, said bond is to be issued on condition that said licensee will in all things strictly comply with all provisions of the ordinances of this village relating to moving a building and that said person will save, indemnify and keep harmless the said village from all liabilities, judgments, costs and expenses which may in any wise accrue against it in consequence of the granting of such license. ▫

3. In addition, said licensee will pay to said village any and all damages which may be sustained by any pavement, curb, gutter, sidewalk, street or other village property through the moving of such building by said licensee, and said licensee shall pay the owner any and all damages caused in a like manner to any private property in said village. Said bond shall be approved in writing by the chairman of the Board before such license is issued. ▫

4. In said permit the chairman of the Board shall limit the time of removal and shall specify the route to be followed in moving said building over and across the streets and public ways of said village, which shall be the route that least interferes with telephone, electrical and lighting systems in said village under all circumstances. It shall be unlawful for any such licensee to digress from such time or specified route without permission or written consent of the chairman of the Board. ▫

SECTION 4-402: NOTICE TO PUBLIC SERVICE COMPANIES REQUIRED

Before moving any building, the licensee shall notify all public service companies whose wires or other appliances may obstruct the moving of such building of the time when such building will be moved and request such public service companies to arrange for the passage of such building. Such licensee shall pay said public service companies the reasonable and actual cost and expense of the work required to be done. ▫

SECTION 4-403: CARE REQUIRED OF LICENSEE

It shall be unlawful for any licensee to make any openings or excavations in any street pavement or to set any stakes therein, and it is hereby made a duty of every licensee to move any buildings in a careful manner and with the least possible injury to the public or private property. For every such injury or damage, he/she shall be liable on his/her bond. The estimate of the chairman of the Board of any damage shall be final and conclusive upon said licensee. ▫

SECTION 4-404: NO GENERAL PERMIT

There shall be no license issued or general permit given to anyone to move buildings at will or generally within the corporate limits of the Village. ▫

ARTICLE 5 – NON-RESIDENT SALES

SECTION 4-501: DOOR-TO-DOOR SALES; REGULATION, LICENSE

All non-resident individuals going door to door in the residential district with the intent to sell any goods, service, product or insurance or to solicit money for any purpose shall, before doing business within the Village, make application for and be issued a license. Such registration and licensing is to prevent the sale of fraudulent, dangerous or unhealthful goods and services, to protect the public by maintaining records of the products sold and the persons and companies responsible for such sales and for the purpose of raising revenue. Application for a license shall be made to the village clerk upon blank forms supplied by the Village. Such application shall contain all the necessary information and documents required for the protection of the residents of the Village and shall be accompanied by a fee of \$10.00. Any license so granted shall be subject to revocation in the event that the information provided is inaccurate or misleading. ▫

SECTION 4-502: HOURS OF SOLICITATION

It shall be unlawful for any license holder to solicit any individual between the hours of 6:00 P.M. and 8:30 A.M. unless they have a previous appointment with the resident of the premises solicited. It shall be unlawful at any hour for any person to solicit without having a proper license on his/her person at all times. ▫

SECTION 4-503: VENDORS; REGULATION, PERMIT

On-street or off-street sales of merchandise including, but not limited to, produce, food items, crafts and other items of commerce by non-resident vendors is prohibited unless each such vendor obtains a permit therefor. All such sales shall be limited to private property off the traveled portion of the street, and each vendor shall provide sufficient off-street parking. The cost of such permit shall be \$25.00 and shall be valid for one calendar year from date of issue. Such permit must be approved and paid at a regular meeting of the Village Board, and any temporary structure used for selling must be approved by the Board at the time the permit is obtained.

(Ord. 255, 9/8/97)

SECTION 4-504: EXCEPTIONS

Nothing herein shall be construed to apply to wholesale salespeople soliciting merchants directly, to residential route salespersons, to local non-profit organizations or to persons canvassing residents within the Village for religious, political or other noncommercial purposes. ▫

ARTICLE 6 – PENAL PROVISION

SECTION 4-601: VIOLATION; PENALTY

Any and all persons violating any of the provisions of the several articles of this chapter for which no other penalty is imposed shall, upon conviction, be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not more than \$500.00. Each day that maintenance of the same continues shall constitute a separate offense. ▫

