

ORDINANCE NO. 672

AN ORDINANCE OF THE VILLAGE OF MURRAY, NEBRASKA, TO ENACT TITLE 130, SECTIONS 16 AND 99 OF THE VILLAGE OF MURRAY'S CODE OF ORDINANCES RELATING TO REGULATIONS AND APPLICATION FOR PEDDLERS AND SOLICITORS IN THE VILLAGE OF MURRAY BY ADOPTING THE FOLLOWING; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MURRAY, NEBRASKA:

Section 1. The Village of Murray's Code of Ordinances Section 130.16 is enacted as follows regarding regulations and application for peddlers and solicitors:

130.16 PEDDELERS AND SOLICITORS

1. To prevent the sale of fraudulent, dangerous, and unhealthy goods and services, and to protect the public by maintaining records of the products sold and the persons and companies responsible for such sales, all non-resident salespersons, peddlers, and solicitors shall register with the Village Clerk and obtain a permit before doing business with the Village. The permit fee is \$50.00 per day. Any non-resident salesperson who is not able to show proof of permit may be subject to penalty. (Neb. Rev. Stat. §17-207)

2. The registration/permit form supplied by the Clerk shall contain all necessary information required for the protection of the residents of the Village. All peddlers and solicitors shall be subject to any fees, occupation taxes, and other rules and regulations which the Village Board deems appropriate for the purposes stated herein. (Neb. Rev. Stat. §17-525)

3. It shall be unlawful for any peddler, solicitor, or salesperson to solicit any individual or residence between the hours of 8:00 pm and 8:00 am unless the vendor has previously arranged an appointment with the resident or at the residence location.

4. It shall be unlawful at any hour for a peddler, solicitor, or salesperson to solicit without keeping a valid permit from the Village on their person at all times.

5. The provisions of 130.16 shall not extend to any person or persons selling produce raised within the village or to representatives of a non-profit or charity organization soliciting on behalf of that organization including churches, Boy Scouts, or Girl Scouts.

Section 2. The Village of Murray's Code of Ordinances Section 130.99 is enacted as follows regarding the penalty for violations of Section 130:

130.99 PENALTY

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at length herein or incorporated by reference shall be deemed guilty of an offense and upon conviction thereof, shall be fined not more than \$100 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.

Section 3. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 4. This ordinance is adopted and published in pamphlet form.

Section 5. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 9th day of NOVEMBER, 20 22



Jeff Anderson, Chairman

ATTEST:



Shelli S. Hayes, Village Clerk

Publication Date: DEC 1, 2022

(SEAL)

ORDINANCE RECORD

ORDINANCE # 672

1 READING

Chairman Anderson introduced and read by title Ordinance # 672.

TRUSTEE FLAK moved, seconded by TRUSTEE STRONG that the statutory rule requiring reading on three different days be suspended so that Ordinance # 672 be introduced, read by title, and adopted (3/4 vote required).

The following BOARD OF TRUSTEES voted: AYES:

BLESSING, FLAK, STRONG, ANDERSON,
_____ ; MOTION CARRIED.

Chairman Anderson raised the question "Shall Ordinance # 672 be adopted as read by title?" TRUSTEE STRONG moved, seconded by TRUSTEE FLAK that said Ordinance #672 be adopted, published, or posted as required by law.

The following BOARD OF TRUSTEES voted: AYES:

BLESSING, FLAK, STRONG, ANDERSON,
_____ ; MOTION CARRIED.

Upon passage and adoption having been concurred in by majority vote of the Board of Trustees, the Chairperson declared the Ordinance adopted. A true and correct copy of the Ordinance is attached.

DATED THIS 9TH DAY OF NOVEMBER, 2022.


CHAIRMAN
VILLAGE OF MURRAY

ATTEST:


VILLAGE CLERK

(SEAL)

CERTIFICATION OF PASSAGE

ORDINANCE #672

STATE OF NEBRASKA
COUNTY OF CASS
VILLAGE OF MURRAY

I, Shelli S. Hayes, Village Clerk of the Village Of Murray, Cass County Nebraska, hereby certify that a true and exact copy Ordinance #672 as attached herewith, was passed and approved on the 9TH day of NOVEMBER, 20 22, and has been published in a legal newspaper, the Plattsmouth Journal as per the attached **affidavit of publication**, OR posting as required by law. Posting sites: Cornerstone Bank, Murray Post Office, Murray Municipal Building.

Posted this 23RD day of NOVEMBER, 20 22.


Shelli S. Hayes, Village Clerk

(SEAL)