

## ORDINANCE NO. 2123

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO RATES, FEES, AND CHARGES; TO AMEND SECTIONS 1-930; 3-100; 3-101; 3-121; 3-123; 3-125; 3-201; 3-206; 3-220; 3-221; 3-223; 3-225; 3-301; 3-302; 3-307; 3-321; 3-323; 3-325; 3-325.01; 3-702; 3-1101; 3-1102; 4-213.01; 5-235; 5-308; 5-425; 5-436; 6-102.05; 6-108.05; 6-109.02; 9-201; 9-206; 9-303; 9-710; 9-711.04; 9-711.05; 9-711.07 to 9-711.09; 9-711.12; 9-1001; 9-1002; 10-201; 10-304; 10-401; 10-503; 10-701; 10-801; 10-804; 10-1003; AND 10-1101 OF THE CRETE MUNICIPAL CODE; AND TO PROVIDE FOR A MASTER FEE SCHEDULE.

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

**Section 1.** That Chapter 1, Article 9, Section 1-930 of the Crete Municipal Code shall be amended by adding a new section 1-930 to read as follows:

**1-930 Fiscal management; master fee schedule; amendment; conflicts.**

- (1) Each fiscal year, the City Council shall adopt, by resolution, a Master Fee Schedule, which shall establish rates, fees, charges, and other costs imposed by the City for goods and services provided to the public, for permits, licenses, and other grants of privilege, and for any other costs that may be imposed by law. A copy of the Master Fee Schedule, which shall be kept continually current, shall be readily available for public inspection at the City Clerk's Office. Except as otherwise provided by law, all rates, fees, charges, and other costs found in the Master Fee Schedule shall be cumulative, and all rates, fees, charges, or other costs that may apply in a particular situation shall be due and payable.
- (2) The Master Fee Schedule may be amended from time to time by resolution, order, or other appropriate action of the City Council.
- (3) In the event of a conflict between the Master Fee Schedule and any other provision of the Crete Municipal Code, the highest rate, fee, charge, or other cost shall apply.

**Section 2.** That Chapter 3, Article 1, Section 3-100 of the Crete Municipal Code shall be amended as follows:

**3-100 Electric system; ownership and tax levy.**

~~The Municipality City shall own and operate the Municipal Electrical System, which shall be operated by the Electric Department through the Public Works Director. The Governing Body City Council, for the purpose of defraying the cost of the construction, care, management, and maintenance of the Municipal Electrical System, may each year levy a tax, not exceeding the maximum limit prescribed by state law, on the actual valuation of all real estate and personal property within the corporate limits that is subject to taxation. The revenue from the said tax shall be known as the Electrical Fund and shall remain in the custody of the Municipal City Treasurer. The Public Works Director shall have the direct management and control of the Municipal Electrical System and shall faithfully carry out the duties of his office. He shall have the authority to adopt rules and regulations for the safe and efficient management of the Electrical System, subject to the supervision and review of the Governing Body. The Governing Body shall by ordinance set the rates to be charged for services rendered and shall file the same in the office of the Municipal Clerk for public inspection at any reasonable time.~~

**Section 3.** That Chapter 3, Article 1, Section 3-101 of the Crete Municipal Code shall be amended as follows:

**3-101 Electric Department; administration.**

The Director of Public Works ~~Director~~ shall have the direct management and control of the Municipal Electric Department and shall faithfully carry out the duties of his ~~the~~ office. The Director of Public Works ~~Director~~ shall have the authority to adopt rules and regulations for the proper and efficient management of the Electrical Department and the Municipal Electrical System, subject to the supervision and review of the City Council.

~~The City Council shall set the rates to be charged for services rendered by ordinance and shall file a copy of the rates in the office of the Public Works Director and in the office of the City Clerk for public inspection at any reasonable time.~~

**Section 4.** That Chapter 3, Article 1, Section 3-121 of the Crete Municipal Code shall be amended as follows:

**3-121 Electric Department; service deposit; refund.**

- (1) ~~An~~ Applicants for electric service shall be required to ~~accompany his application for electric service with~~ include a service deposit with their application to insure the payment of electric bills and other charges. The amount of the service deposit amounts are set by ordinance by the City Council shall be set forth in the City's Master Fee Schedule.
- (2) ~~The~~ Service deposits shall remain in the custody of the Utility Electric Department for ~~a minimum of up to~~ up to ten years. ~~Service deposits shall but may~~ be refunded to ~~the a~~ customer when (i) service has not been disconnected or payment waived past a disconnection date on ~~no~~ more than one occasion ~~for over~~ two consecutive years for residential service or over three consecutive years for other service classifications commercial customers or when (ii) service is no longer desired or otherwise permanently terminated. In the event of disconnection after a service deposit has been refunded, the customer will be required to pay reconnection fees in addition to a new service deposit, which will be based on eighty percent (80%) of the customer's averaged two months average monthly billing. Any service deposit may be transferred by a customer between service locations in the City but may not be transferred by a customer to any other customer.

**Section 5.** That Chapter 3, Article 1, Section 3-123 of the Crete Municipal Code shall be amended by repealing the existing section 3-123 in full and replacing it with the following:

**3-123 Electric Department; rates.**

The rates charged by the City for electric service shall be at an equal rate for all customers within the same service classification. The rates for each service classification shall be set forth in the City's Master Fee Schedule.

**Section 6.** That Chapter 3, Article 1, Section 3-125 of the Crete Municipal Code shall be amended by repealing the existing section 3-125 in full and replacing it with the following:

**3-125 Electric Department; fees, charges, and deposits; exemptions; waivers.**

- (1) Except as otherwise provided by law, the fees, charges, and deposits related to the provision of electric service shall be set forth in the City's Master Fee Schedule.
- (2) Deposit amounts for Large Power Service customers shall be set by contract between the customer and the City.
- (3) Any agency of the Federal Government may be exempt from the requirement to post a service deposit on electrical service upon written request to the City Council.
- (4) The Director of Public Works or their designee may grant waivers for the payment of bills after the due date. The granting of waivers shall be on a case-by-case basis at the discretion of the City and shall be based only on extenuating, unusual, and non-reoccurring circumstances. Any waiver granted shall be subject to per diem and collection fees.

**Section 7.** That Chapter 3, Article 2, Section 3-201 of the Crete Municipal Code shall be amended as follows:

**3-201 Water Department; administration.**

The ~~Director of Public Works Director~~ shall have the direct management and control of the ~~Municipal Water Department~~ and shall faithfully carry out the duties of ~~his~~ the office. The ~~Director of Public Works Director~~ shall have the authority to adopt rules and regulations for the proper and efficient management of the Water Department and the Municipal Water System, subject to the supervision and review of the City Council.

~~The City Council shall set the rates to be charged for services rendered by ordinance and shall file a copy of the rates in the office of the Public Works Director and in the office of the City Clerk for public inspection at any reasonable time.~~

**Section 8.** That Chapter 3, Article 2, Section 3-206 of the Crete Municipal Code shall be amended as follows:

**3-206 Water Department; tap fee.**

Upon application for the installation of a water supply line, the ~~Director of Public Works Director~~ shall determine the required tap fee to be paid by the applicant. The schedule of tap fees shall be set forth in ~~section 3-225~~ the City's Master Fee Schedule. The fee shall be paid in full in advance of installation of the water tap and the water supply line.

**Section 9.** That Chapter 3, Article 2, Section 3-220 of the Crete Municipal Code shall be amended as follows:

**3-220 Water Department; accounts and billing.**

- (1) Accounts between the customer and the City shall be kept by the ~~Public Works Director~~ Water Department under such bookkeeping system as shall be provided by the ~~Director of Public Works Mayor and Council~~. A customer's ledger shall be kept current with a separate account for each customer. All water meters shall be read monthly by the Water Department ~~under the direction of the Public Works Director~~. Customers shall pay ~~Utilities~~ Water Department bookkeepers and cashiers at the ~~Utilities Department~~ Office the amount due for water service.

- (2) All bills for water service shall be due on the billing date and shall become delinquent on the due date as shown on the bill. If the customer shall neglect or refuse to pay his bill on or before five o'clock p.m. on the due date shown on the bill, the amount due will be increased by the late payment charge, if applicable. If the bill is not paid on or before the due date, a notice will be mailed to the customer that water service will be discontinued no earlier than ten nor more than sixteen days after the due date shown on the bill, with no further notice, and that service will not be restored until the bill is paid in full, together with collection fees, reconnection fees, and the repayment of a service deposit, if applicable, ~~as set by ordinance.~~

**Section 10.** That Chapter 3, Article 2, Section 3-221 of the Crete Municipal Code shall be amended as follows:

**3-221 Water Department; service deposit.**

- (1) ~~An~~ Applicants for water service shall be required to ~~accompany his application for water service with~~ include a service deposit with their application to insure the payment of water bills and other charges. ~~The amount of the service deposit amounts are set by ordinance by the City Council shall be set forth in the City's Master Fee Schedule.~~
- (2) ~~The~~ Service deposits shall remain in the custody of the ~~Utility~~ Water Department for a minimum of two years. Service deposits shall ~~may~~ be refunded to ~~the~~ customers when (i) service has not been disconnected or payment waived past a disconnection date on ~~no~~ more than one occasion ~~for~~ over two consecutive years for residential service or over three consecutive years for other service classifications ~~commercial customers~~ or when (ii) service is no longer desired or otherwise permanently terminated.

**Section 11.** That Chapter 3, Article 2, Section 3-223 of the Crete Municipal Code shall be amended by repealing the existing section 3-223 in full and replacing it with the following:

**3-223 Water Department; rates.**

The rates charged by the City for water service shall be at an equal rate for all customers within the same service classification. The rates for each service classification shall be set forth in the City's Master Fee Schedule.

**Section 12.** That Chapter 3, Article 2, Section 3-225 of the Crete Municipal Code shall be amended by repealing the existing section 3-225 in full and replacing it with the following:

**3-225 Water Department; fees, charges, and deposits; waivers.**

- (1) Except as otherwise provided by law, the fees, charges, and deposits related to the provision of water service shall be set forth in the City's Master Fee Schedule.
- (2) The Director of Public Works or their designee may grant waivers for the payment of bills after the due date. The granting of waivers shall be on a case-by-case basis at the discretion of the City and shall be based only on extenuating, unusual, and non-reoccurring circumstances. Any waiver granted shall be subject to per diem and collection fees.

**Section 13.** That Chapter 3, Article 3, Section 3-301 of the Crete Municipal Code shall be amended as follows:

**3-301 Sewer system; ~~operation and funding ownership and tax levy.~~**

The ~~Municipality~~ City shall ~~owns and operates~~ the Municipal Sewer System, which shall be operated by the ~~Sewer Department~~ through the ~~Public Works Director~~. The ~~Governing Body~~ City Council, for the purpose of defraying the cost of the construction, care, management, and maintenance of the Municipal Sewer System, may each year levy a tax, not exceeding the maximum limit prescribed by state law, on the actual valuation of all real estate and personal property within the corporate limits that is subject to taxation. The revenue from the said tax shall be known as the Sewer ~~Construction~~ Fund and shall remain in the custody of the City Treasurer. The ~~Public Works Director~~ shall have the direct management and control of the ~~Sewer Department~~ and shall faithfully carry out the duties of his office. He shall have the authority to adopt rules and regulations for the sanitary and efficient management of the ~~Department~~ subject to the supervision and review of the ~~Governing Body~~.

**Section 14.** That Chapter 3, Article 3, Section 3-302 of the Crete Municipal Code shall be amended as follows:

**3-302 Sewer Department; administration.**

The ~~Director of Public Works~~ Director shall have the direct management and control of the Sewer Department and shall faithfully carry out the duties of his the office. The ~~Director of Public Works~~ Director shall have the authority to adopt rules and regulations for the proper and efficient management of the Sewer Department and the Municipal Sewer System, subject to the supervision and review of the City Council. The ~~City Council~~ shall set the rates to be charged for services rendered by ordinance and shall file a copy of the rates in the office of the ~~Public Works Director~~ and in the office of the City Clerk for public inspection at any reasonable time.

**Section 15.** That Chapter 3, Article 3, Section 3-307 of the Crete Municipal Code shall be amended as follows:

**3-307 Sewer Department; tap fee; ~~amount.~~**

Upon application for the installation of a building or house sewer line, the ~~Director of Public Works~~ Director shall determine the required tap fee to be paid by the applicant. The schedule of tap fees shall be set forth in the City's Master Fee Schedule by resolution of the City Council and kept on file in the Utilities Department Office. The fee ~~thus determined~~ shall be paid in full in advance of installation of the tap and the building or house sewer line.

**Section 16.** That Chapter 3, Article 3, Section 3-321 of the Crete Municipal Code shall be amended as follows:

**3-321 Sewer Department; service deposit.**

(1) ~~An~~ Applicants for sewer service may be required to accompany his application for sewer service with include a service deposit with their application to insure the payment of sewer bills and other charges. The amount of the service deposit ~~amounts are set by ordinance by the City Council~~ shall be set forth in the City's Master Fee Schedule.

(2) ~~The~~ Service deposits shall remain in the custody of the Utility Sewer Department as long as the applicant is a customer of the Sewer Department. Service deposits less such amount as the customer may owe the Sewer Department for service and other charges, if any, shall be refunded to the customer when service is no longer desired or otherwise permanently terminated.

**Section 17.** That Chapter 3, Article 3, Section 3-323 of the Crete Municipal Code shall be amended by repealing the existing section 3-323 in full and replacing it with the following:

**3-323 Sewer Department; rates.**

The rates charged by the City for sewer service shall be at an equal rate for all customers within the same service classification. The rates for each service classification shall be set forth in the City's Master Fee Schedule.

**Section 18.** That Chapter 3, Article 3, Section 3-325 of the Crete Municipal Code shall be amended by repealing the existing section 3-325 in full and replacing it with the following:

**3-325 Sewer Department; fees, charges, and deposits; waivers.**

- (1) Except as otherwise provided by law, the fees, charges, and deposits related to the provision of sewer service shall be set forth in the City's Master Fee Schedule.
- (2) The Director of Public Works or their designee may grant waivers for the payment of bills after the due date. The granting of waivers shall be on a case-by-case basis at the discretion of the City and shall be based only on extenuating, unusual, and non-reoccurring circumstances. Any waiver granted shall be subject to per diem and collection fees.

**Section 19.** That Chapter 3, Article 3, Section 3-325.01 of the Crete Municipal Code shall be repealed in full.

**Section 20.** That Chapter 3, Article 7, Section 3-702 of the Crete Municipal Code shall be amended as follows:

**3-702 Parks and Recreation Department; camping.**

- (1) Camping is defined as the temporary lodging out-of-doors for recreational purposes and presupposes occupancy of a shelter designed for such purpose, such as sleeping bag, tent, trailer, or other recreational vehicle.
- (2) Camping and the use of trailers or other camping units is permitted only at designated ~~locations~~ camping areas. Within those designated areas ~~locations~~, the pitching of tents or parking of trailers or other camping units is permitted only at designated sites.
- (3) Any persons desiring to use ~~the a~~ a designated camping area in ~~Tuxedo Park~~ for camping purposes shall pay ~~a the fee set forth in the City's Master Fee Schedule of eight (\$8.00) dollars per day per camping unit,~~ which fee shall be paid in advance to the Parks and Recreation Office during regular office hours or to the Police Department after regular office hours. An appropriate receipt will be issued ~~to persons so paying said fee to~~ that must be displayed on the left front window of the vehicle of the person so camping. No camping shall be allowed in the City outside the designated camping areas ~~of Tuxedo Park~~.
- (4) No camping shall be allowed for more than seven consecutive days during a thirty day period without the express, written permission from ~~of~~ the Director of Parks and Recreation ~~Director~~.

**Section 21.** That Chapter 3, Article 11, Section 3-1101 of the Crete Municipal Code shall be amended as follows:

**3-1101 Ambulance service; ownership; administration.**

- (1) ~~The Municipality~~ City shall ~~owns and manages~~ the Municipal Ambulance Service, ~~which shall be managed by through~~ the Fire Chief. ~~The Governing Body~~ City Council, for the purpose of defraying the cost of the management, maintenance, and improvements ~~on of~~ the Municipal Ambulance Service, may each year levy a tax not exceeding the maximum limit prescribed by state law on the actual valuation of all real estate and personal property within the ~~city Municipality~~ that is subject to taxation. The revenue from ~~the~~ said tax shall be known as the Ambulance Fund, ~~which shall also~~ include all gifts, grants, deeds of conveyance, bequests, or other ~~valuable income-producing~~ personal property and real estate from any source given for the purpose of endowing the Municipal Ambulance Service. The Ambulance Fund shall at all times be in the custody of the ~~Municipal City~~ Treasurer.
- (2) The Fire Chief shall be responsible for the direct management and control of the Municipal Ambulance Service ~~have the power to hire and supervise such employees as they may deem necessary and shall pass may recommend~~ such rules and regulations for the operation of the Ambulance Service as may be proper for its efficient management. All actions by the Fire Chief shall be under the direct supervision and control of the City Administrator. ~~All rate schedules for ambulance service and wages for drivers and attendants shall be set by ordinance and on file with the Municipal Clerk.~~

**Section 22.** That Chapter 3, Article 11, Section 3-1102 of the Crete Municipal Code shall be amended by repealing the existing section 3-1102 in full and replacing it with the following:

**3-1102 Ambulance service; rate schedule; billing.**

- (1) Except as otherwise provided by law, the rates, fees, and charges related to the provision of ambulance services shall be set forth in the City's Master Fee Schedule.
- (2) Ambulance service shall include either two certified attendants or one non-certified driver and one certified attendant. Any additional certified attendants that may be required will be paid at a scale rate, and the cost for which shall be billed to the recipient of ambulance services. Advanced life support services provided by outside agencies shall be paid by mutual agreement with the City and billed to the recipient of ambulance services. Advanced life support services provided by the City, in the absence of or in addition to outside agencies, will be billed directly by the City.
- (3) All charges for ambulance services shall be payable to the City of Crete and shall be due ten days from the date of services.

**Section 23.** That Chapter 4, Article 2, Section 4-213.01 of the Crete Municipal Code shall be repealed in full.

**Section 24.** That Chapter 5, Article 2, Section 5-235 of the Crete Municipal Code shall be amended as follows:

**5-235 License to remove snow and ice on public property.**

- (1) For the purpose of this section, the words "remove snow or ice on public property" shall be deemed to be any service or system which that purports to furnish or does furnish, for consideration, any snow, ice, or hard-packed snow removal services from for sidewalks or other public ways located on public property or for pushing or carrying ~~of~~ snow, ice, or hard-packed snow on or across public property.

~~but~~ The phrase shall not include the removal of snow, ice, or hard-packed snow without consideration or remuneration or for anyone under the age of sixteen years old performing the services, whether for consideration or not.

- (2) ~~It is hereby declared to be unlawful for any person, firm, or corporation, either as principal or agent, to engage in the business of conducting, maintaining, or soliciting business for any snow, ice, or hard-packed snow removal on public property without first obtaining a permit from the Public Works Director for the City therefore and without paying the annual license fee hereinafter provided for.~~
- (2) ~~(3)~~ Before any person, firm, or corporation shall ~~engage in the business of conducting or, maintaining, or solicit~~ any snow, ice, or hard-packed snow removal services on public property ~~in the City, he or she shall make an application shall be made~~ in writing to the Director of Public Works Director for permission to engage in such ~~business and services, which shall~~ describe ~~therein~~ what, where, and how the service will be conducted.
- (3) ~~(4)~~ Any such permit ~~and license~~ issued ~~pursuant thereto shall be for a period of one year and may at any time be revoked at any time~~ for cause by the Director of Public Works Director ~~and shall be for a period of one year~~. The person, firm, or corporation operating such services in the City shall comply with all applicable federal, state, and local laws ordinances and shall maintain such public liability property damage insurance ~~and such an in such amounts as may be required by the City, from time to time~~. The fee for the permit shall be set forth in the City's Master Fee Schedule.
- (4) It is hereby declared to be unlawful for any person, firm, or corporation, either as principal or agent, to conduct, maintain, or solicit any snow, ice, or hard-packed snow removal services on public property without first obtaining a permit from the Director of Public Works.
- ~~(5) Every person, firm, or corporation as herein provided conducting any snow, ice, or hard-packed snow removal service shall pay a license fee to the City of ten dollars (\$10.00) per annum, payable yearly, in advance.~~

**Section 25.** That Chapter 5, Article 3, Section 5-308 of the Crete Municipal Code shall be repealed in full.

**Section 26.** That Chapter 5, Article 4, Section 5-425 of the Crete Municipal Code shall be amended as follows:

**5-425 Parking; ~~trucks other than pickups~~ prohibited vehicles; impoundment and fee.**

- (1) It shall be unlawful for the operator of any ~~truck~~ vehicle with an overall length of more than twenty feet to stop or park any such vehicle on a street ~~which that~~ the ~~Governing Body~~ City has designated to be within the Central Commercial Zone, except to load or unload and then only when loading or unloading in an alley is impossible. Vehicles may stop or stand for a period of time not to exceed what is reasonably necessary to load or unload. In those cases where a vehicle, as defined above, must park on a street within the Central Commercial Zone to load or unload, the owner or driver thereof shall first obtain permission from the Police Department. Permission must be obtained each time parking within the Central Commercial Zone is necessary. It shall be unlawful for the operator of any ~~truck~~ vehicle, regardless of length, to park said vehicle within a street intersection, on a crosswalk, in front of a private driveway, or on a sidewalk. ~~The Governing Body may, by resolution, City may designate provide~~ truck parking areas adjoining or adjacent to the Central Commercial Zone, ~~and~~. When such parking areas are provided, it shall be the duty of all truck operators to use such parking areas for all parking purposes.



- (2) No truck (~~except pickup trucks~~), truck tractor, or semi-trailer (~~except pickup trucks~~), including oil tankers, shall park or stop for any period of time ~~within the limits of~~ on any streets within any residential district except for the purpose of loading, unloading the cargo thereof, or performing a service in the area in the ordinary course of business, ~~unless otherwise posted~~, and except when parking in special designated truck parking areas provided by the Governing Body by resolution.
- (3) Any ~~such trucks vehicles which that~~ are parked in violation of this section or any resolution or order of the ~~Governing Body adopted pursuant to authority of this section~~ City Council may be impounded by the Police Department by the application ~~to such truck~~ of a wheel-locking mechanism, the effect of which is to prevent the movement of such vehicles from the place where parked, ~~by attachment of such mechanism to the wheels or wheel thereof~~. The owner or operator of ~~such truck the vehicle~~ may cause the release and removal of such impoundment and by paying to the City an the impoundment fee set forth in the City's Master Fee Schedule of twenty five Dollars (\$25.00) to defray costs and extra work and time required for such impoundment and removal thereof and any other fees, fines, or costs imposed by law of administration and shall in addition thereto pay such parking fee or fees due the Bureau of Violations of the City for such parking violation. The impoundment fee provided for herein shall be paid over to the Treasurer of the City and credited to the General Fund of the City.
- (4) When ~~such truck a vehicle~~ has been so impounded so as to prevent its movement, written notice shall be placed on said truck vehicle, visible to the operator thereof, giving notice that said vehicle has been impounded and rendered immobile by the attachment of the immobilizing wheel-locking mechanism authorized herein and that said impoundment will be released and discharged upon payment of the impoundment fee of twenty five dollars (\$25.00) in addition to any parking fee due the Bureau of Violations of the City for such parking violation. In addition thereto, where possible and practicable, similar notice shall be given the owner or lessor of the truck vehicle so impounded. Within thirty days after payment of such impoundment fee, the operator, owner, or lessor may request a hearing before the City Council to contest said fee and request refund thereof; setting forth the reasons and grounds upon which such contest is based.

**Section 27.** That Chapter 5, Article 4, Section 5-436 of the Crete Municipal Code shall be amended as follows:

**5-436 Parking; fines, costs, and fees; appeal.**

- (1) The owner or operator of any vehicle or trailer removed or impounded by the ~~Municipal Police, as authorized within this Article,~~ Police Department shall be responsible for any and all fines, costs, and fees associated with such impoundment, removal, and any subsequent storage.
- (2) The owner or operator of such vehicle or trailer may cause the release ~~or removal of such removal or of the~~ impoundment by paying to the City an impoundment fee of twenty five dollars (\$25.00) to defray costs, extra work, and time required by the City for such removal or impoundment thereof, a daily storage fee of five dollars (\$5.00) for each day the vehicle or trailer is held, and any other fees, fines, or costs imposed by law of administration and shall in addition thereto pay such parking fees due the Bureau of Violations of the City for such parking violation. The impoundment fee, storage fee, and any other fees, fines, or costs provided for herein shall be set forth in the City's Master Fee Schedule payable at City Hall and paid over to the Municipal Treasurer and credited to the General Fund of the City.
- (3) The owner or operator of such vehicle or trailer shall also pay any private tow service for costs related to the impoundment, removal, and storage of said vehicle or trailer prior to release.

~~(4) Within thirty days after payment of such impoundment or storage fees, the owner or operator may request a hearing before the City Council to contest said fees and request refund thereof; setting forth the reasons and grounds upon which such contest is based. Requests for such hearing shall be made through the City Clerk. The Governing Body may, upon the conclusion of said hearing, direct the Municipal Treasurer to refund all or part of said fees.~~

**Section 28.** That Chapter 6, Article 1, Section 6-102.05 of the Crete Municipal Code shall be amended by repealing the existing section 6-102.05 in full and replacing it with the following:

**6-102.05 Animal Control Authority; fees, costs, and expenses; payment prior to release.**

- (1) Except as otherwise provided by law, the fees, costs, and expenses related to the impounding, caretaking, boarding, and euthanasia of any animal impounded by the Animal Control Authority shall be set forth in the City's Master Fee Schedule.
- (2) The owner of the impounded animal shall be responsible for all fees, costs, and expenses related to the impounding, caretaking, boarding, or euthanasia of such animal regardless of the disposition of the animal. All fees, costs, and expenses shall be paid prior to the release of the impounded animal.

**Section 29.** That Chapter 6, Article 1, Section 6-108.05 of the Crete Municipal Code shall be amended as follows:

**6-108.05 Dangerous dogs; license tax fee.**

The ~~Municipal tax~~ license fee for an individual dangerous dog license shall be set forth in the City's Master Fee Schedule  ~~fifty dollars (\$50.00) per year.~~ The Animal Control Authority will not accept, process, or approve the license application or issue tags for any dangerous dog license until the license fee such payment is received.

**Section 30.** That Chapter 6, Article 1, Section 6-109.02 of the Crete Municipal Code shall be amended as follows:

**6-109.02 Domestic dogs and cats; license tax fee.**

Any person who shall own, keep, or harbor a domestic dog or cat over the age of four months within the ~~Municipality~~ city shall, within thirty days after acquisition of said dog or cat, acquire a license for each dog or cat. The owner shall renew the license within thirty days prior to the expiration of the previous license period. The Animal Control Authority may issue licenses for a period of one, two, or three years upon receipt of the applicable state and local license tax and state fees. ~~Spayed female or neutered male; Ten dollars (\$10.00) per year or unspayed female or unneutered male over twelve months; Twenty dollars (\$20.00) per year.~~ The license fee shall be set forth in the City's Master Fee Schedule and shall include the annual fee identified by the State of Nebraska within NRS specified in Neb. Rev. Stat. § 54-603 for the collection, administration, and disposition of funds for the Commercial Dog and Cat Operator Inspection Program Cash Fund. No license period shall extend beyond the rabies vaccination certificate expiration date. The Animal Control Authority shall not ~~accept~~ process the license application until such ~~taxes and~~ fees are received.

**Section 31.** That Chapter 9, Article 2, Section 9-201 of the Crete Municipal Code shall be amended by repealing the existing section 9-201 in full and replacing it with the following:

**9-201 Building permits; fees.**

- (1) Any person who plans to erect, construct, enlarge, alter, repair, improve, remove, convert, or demolish any structure, building, or dwelling, or cause the same to be done, shall file an application for a building permit with the Building Inspector's Office.
  - (a) Applications shall be in writing on a form furnished by the City. Every application shall set forth the legal description of the land upon which the construction activities will take place, the nature of the current and future use or occupancy, the principal dimensions of the parcel or lot and any structures appurtenant thereto, the estimated costs, the names of the owner, architect, and contractor, and any other information as may be required.
  - (b) Applications shall include three sets of construction plans and a detailed drawing of the property, which shall depict and show measurements for all lot boundaries, the location of current and proposed structures on the property, the location of structures on adjoining property, the location of any utilities, and any other information required by the City.
- (2) The Building Inspector shall issue permits, collect permit fees, and make periodic inspections to determine if the construction activities are in compliance with zoning regulations, all city building and housing codes, and any other applicable federal, state, or local laws.
- (3) The fees, charges, and costs for all building permits shall be set forth in the City's Master Fee Schedule.

**Section 32.** That Chapter 9, Article 2, Section 9-206 of the Crete Municipal Code shall be amended as follows:

**9-206 Building permits; mobile homes; information and fees; notification.**

- (1) Building permits and flood plain development permits shall be required for all mobile or manufactured homes placed ~~either~~ on individual lots or in mobile home parks.
- (2) The mobile home building permit shall contain ~~such all of the information as shall be that is~~ required by the City and the Building Inspector and ~~there shall be a charge of \$27.00 for mobile or manufactured homes placed in mobile home parks. All mobile or manufactured homes placed outside of mobile home parks~~ The owner of the mobile or manufactured home shall pay such permit fees as are set forth in the City's Master Fee Schedule established for other building permits by this code.
- (3) The owner or operator of each mobile home park ~~is required to~~ shall notify the Building Inspector ~~within at least~~ at least twenty-four hours ~~each time before~~ a mobile or manufactured home is moved into a mobile home park.

**Section 33.** That Chapter 9, Article 3, Section 9-303 of the Crete Municipal Code shall be amended as follows:

**9-303 Building moving; permit fee.**

- (1) ~~Upon~~ Prior to the approval of an application to move a building or structure, the applicant shall ~~at the time the moving permit is issued,~~ pay a license the permit fee set forth in the City's Master Fee Schedule of seventy five dollars (\$75.00) payable to the City and collected by the Administrative Official, and no other charge shall be made or assessed against said applicant by the City; provided, however,

- (2) In the event it is necessary to disconnect, remove, lift, or shift any electrical lines or appurtenances or any other utilities or instrumentalities of said the City in order to permit facilitate the moving of said building or structure to be moved, the applicant shall, in addition to said license the permit fee, pay the actual cost of repairs or replacement, or in the event of any other damage to the city, the applicant will pay the actual full amount thereof of the repairs, replacement, and damages and any other fines, penalties, or costs.

**Section 34.** That Chapter 9, Article 7, Section 9-710 of the Crete Municipal Code shall be amended by repealing the existing section 9-710 in full and replacing it with the following:

**9-710 Registration of plumbers; examination; insurance; .**

- (1) Before any person shall be issued a registration certificate for master plumber contractor or journeyman plumber, they shall submit to and pass a written examination to determine their qualifications and fitness for executing the class of work. The examination shall be administered by the City within a reasonable amount of time after the request for registration. Any examinee who fails to pass the required examination shall not be eligible to take another examination for at least one month after their last examination date. Each examinee shall pay the examination fee set forth in the City's Master Fee Schedule.
- (2) Master plumber contractors shall at all times maintain public liability insurance coverage for all claims that may arise out of any work done by or under the supervision of the master plumber.
- (a) Such insurance shall be in the form of a commercial or comprehensive general liability policy, or an acceptable substitute policy form as approved by the City Attorney, with a minimum combined single limit of one million dollars (\$1,000,000) aggregate for any one occurrence on any job for which a permit is required, and the City of Crete shall be named an additional insured thereunder. The coverages required herein shall be subject to review and approval by the City Attorney.
- (b) A current certificate of insurance signed by a qualified agent of an insurance company licensed to do business in the State of Nebraska shall be kept on file with the Building Inspector's Office at all times. The certificate shall be subject to review and approval by the City Attorney and shall contain all of the terms and information required by the City.
- (c) Any termination, reduction, or lapse of the insurance policy required herein shall automatically terminate the master plumber contractor's registration certificate unless other insurance meeting the requirements of this section is provided and in full force and effect at the time of the termination, reduction, or lapse.
- (3) Master plumber contractors shall deposit a three thousand dollar (\$3,000) payment bond with the City, which shall provide for the reimbursement of any costs associated with unfinished or improper workmanship in or under the City's right-of-way.
- (4) The annual registration fee set forth in the City's Master Fee Schedule shall be paid prior to the initial issuance or subsequent renewal of a registration certificate. Registrations shall expire on December 31 of each year and shall not be assignable.
- (5) No registered master plumber contractor or journeyman plumber shall allow any person who is not registered as a plumber's apprentice with the City to work on the installation, alteration, repair, or removal of any plumbing, drainage, or gas piping. No plumber's apprentice shall be permitted to work on any plumbing, drainage, or gas piping except at the same job site as and under the direct supervision of a duly registered master plumber contractor or journeyman plumber.

(6) The City may suspend or revoke any master plumber contractor or journeyman plumber registration certificate if the same was obtained by error or fraud, if the holder thereof is shown to be no longer competent or qualified, or such holder fails, neglects, or refuses to comply with federal, state, or local laws, rules, and regulations.

(7) It shall be unlawful for any registered master plumber contractor or journeyman plumber to allow any other person, directly or indirectly, to obtain a permit for the installation, alteration, or repair of any plumbing, drainage, or gas piping system under the name of the plumber or their company. Violating this subsection shall be sufficient grounds for the suspension or revocation of the plumber's registration certificate.

**Section 35.** That Chapter 9, Article 7, Section 9-711.04 of the Crete Municipal Code shall be amended as follows:

**9-711.04 Water conditioners; examination fee.**

Each applicant for a water conditioning contractor or installer's license shall appear before the Building Inspector upon notice and submit to such examination and test of his or her ability and qualifications as may be required by the City and shall pay ~~to the city department an~~ the examination fee set forth in the City's Master Fee Schedule of fifty dollars (\$50.00).

**Section 36.** That Chapter 9, Article 7, Section 9-711.05 of the Crete Municipal Code shall be amended by repealing the existing section 9-711.05 in full and replacing it with the following:

**9-711.05 Water conditioners; license fee.**

The annual license fee for a water conditioning contractor or installer's license shall be set forth in the City's Master Fee Schedule.

**Section 37.** That Chapter 9, Article 7, Section 9-711.07 of the Crete Municipal Code shall be amended as follows:

**9-711.07 Water conditioners; license term.**

At the time of ~~approval by the City Council and the payment of a~~ the license fee of seventy five dollars (\$75.00), the Building ~~official~~ Inspector shall issue a license to do water conditioning contracting work in the city which shall be effective and valid through December 31 of each calendar year.

**Section 38.** That Chapter 9, Article 7, Section 9-711.08 of the Crete Municipal Code shall be amended as follows:

**9-711.08 Water conditioners; license renewal; fee.**

(1) ~~Before the expiration of any license issued from or by the Building Inspector term,~~ the license holder may, upon payment of a renewal the annual license fee in the amount of seventy five dollars (\$75.00), make application to the Building Inspector for renewal of his or her the license. Failure License holders who fail to make an application and pay the renewal fee for renewal of a license annual license fee before the expiration date thereof of the license shall be subject the applicant to pay the renewal fee plus an to any additional late fees in the amount of twenty dollars (\$20.00) set forth in the City's Master Fee Schedule for each month or partial month since the expiration date of the license up to and including three months from such expiration date.

- (2) If the application for renewal is filed and the fees are paid in accordance with the above, the Building official Inspector shall issue a renewal of such license without examination unless there are revocation or suspension proceedings in progress against such individual the license holder. If the license holder of a license fails to make an application for renewal of his or her the license within ninety days from after the expiration date, he or she the holder shall lose all rights of his or her the license and shall proceed in the same manner as if he or she they had never held a license. If The Building official Inspector has reason to believe that the licensee has violated the provisions of section 9-819, he or she shall have the power to impose any revocation or suspension clause contained within the context of this article if there is reason to believe the license holder has violated any federal, state, or local laws, rules, and regulations.

**Section 39.** That Chapter 9, Article 7, Section 9-711.09 of the Crete Municipal Code shall be amended as follows:

**9-711.09 Water conditioners; examination results.**

When the applicant for a license required by ~~department~~ section 9-711.01 passes the required examination to the satisfaction of the ~~Building Inspector~~ City, the Building official Inspector shall notify the applicant of his or her score within fifteen days of the examination. The Building official Inspector shall provide the City Council Director of Public Works with the names of all successful applicants for licensing under this article with recommendations for or against the issuance of such license. At the time of approval by the city council and the payment of a license fee of seventy five dollars (\$75.00), the building official shall issue a license to do water conditioning work in the city which shall be effective and valid through December 31 of each calendar year.

**Section 40.** That Chapter 9, Article 7, Section 9-711.12 of the Crete Municipal Code shall be amended by repealing the existing section 9-711.12 in full and replacing it with the following:

**9-711.12 Water conditioners; installation permit fee.**

The installation permit fee set forth in the City's Master Fee Schedule shall be paid to the City prior to the installation of any water conditioning apparatus.

**Section 41.** That Chapter 9, Article 10, Section 9-1001 of the Crete Municipal Code shall be amended as follows:

**9-1001 Interconnection of water lines; general.**

- (1) It shall be unlawful for any person to construct, install, or make a major revision of any lawn sprinkling system ~~without first having obtained from the Building Inspector a permit for said construction or installation within the City limits or the two mile zone surrounding the City within the corporate limits of the City or its extraterritorial zoning jurisdiction without first having obtained a permit for said construction or installation from the Building Inspector.~~ Any person who shall construct, install or make a major revision of a lawn sprinkling system without first having obtained the required permits shall pay the additional permit fees, fines, or penalties ~~which are twice the amount of the applicable fees hereinafter prescribed set forth in the City's Master Fee Schedule~~ and such person shall not in any way be relieved from complying with all of the provisions of the laws, rules, or regulations applicable to the construction and installation of lawn sprinkling systems. An exemption from the permit requirement is made for sprinkler systems which are not served or supplied by the public potable water system of the City of Crete.

- (2) Application for a permit shall be made in writing to the Building Inspector on a form approved by ~~said inspector~~ the Director of Public Works. All such applications shall be accompanied by plans and specifications in sufficient detail to show clearly the supply piping, pipe sizes, and depth of pipes below ground surface, the location of valves, vacuum breakers, adjacent curbs, sidewalks, and property lines, and such other pertinent information required or deemed necessary by the ~~Building Inspector~~ Director of Public Works. ~~A fee of fifteen dollars (\$15.00) per permit shall be paid to the City Clerk.~~

**Section 42.** That Chapter 9, Article 10, Section 9-1002 of the Crete Municipal Code shall be amended as follows:

**9-1002 Interconnection of water lines; lawn sprinkler contractor; license; fee.**

- (1) Any person, firm, partnership, or corporation engaging in the business of installing, constructing, altering, or repairing any lawn sprinkling system within the corporate limits of the City or ~~within the two mile zone adjacent to the corporate limits of the City of Crete~~ its extraterritorial zoning jurisdiction, shall be licensed as lawn sprinkler contractors.
- (2) Application for a ~~license as a~~ lawn sprinkler contractor license shall be made to the Building Inspector. This application shall include the name and address of applicant, the business location of the applicant, a statement of the practical experience of the applicant, and such other relevant information as may be required by the ~~said~~ Building Inspector.
- (3) ~~A~~ The lawn sprinkler contractor license fee ~~of twenty five dollars (\$25.00) set forth in the City's Master Fee Schedule~~ shall be paid with the application to the Building Inspector. A license issued pursuant to this section shall expire on December 31 of the year in which it is issued.
- (4) Any person, firm, partnership, or corporation ~~engaging~~ that engages in the business of installing, constructing, altering, or repairing any lawn sprinkler system without first having obtained the required license shall pay the additional license fees, fines, or penalties set forth in the City's Master Fee Schedule twice the amount of the applicable fees herein prescribed and such person, firm, partnership, or corporation shall not in any way be relieved from complying with all of the provisions of the laws, rules, and regulations applicable to the construction and installation of water sprinkler systems.

**Section 43.** That Chapter 10, Article 2, Section 10-201 of the Crete Municipal Code shall be amended as follows:

**10-201 Itinerant sales; application; regulations.**

- (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 itinerant sales personnel shall, before doing business within the Municipality city, make application for and be issued a permit. This regulation shall apply to all sales made or solicited by businesses or organizations having no permanent business office or store building located in the Municipality city.
- (2) Applications for ~~said~~ itinerant sales permits shall be made to the City Clerk's Office and shall contain the necessary information required thereby and any forms of identification and or documents required for the protection of the residents of the Municipality city. Upon approval by the City Administrator, Clerk's Office, ~~the City Clerk shall then have authority to issue a sales permit~~ an itinerant sales permit may be issued to said approved applicant. Each person ~~granted~~ approved for a permit shall pay a the permit fee of twenty five dollars (\$25.00), for a seven (7) day permit or three hundred twenty five dollars (\$325.00) for a seasonal permit, to the City, and upon payment to the City Clerk may issue a

~~sales permit to such approved applicant set forth in the City's Master Fee Schedule. Such Standard permits shall be valid for a period of seven continuous days from and after the date of issuance, unless the permit is. Seasonal permits, for continuous seasonal sales of seasonal items, as determined by the City Clerk, and then the permit shall be for a period of time not to exceed one hundred twenty continuous days, as determined by the City Clerk. The date of its expiration date of seasonal permits shall be clearly marked on the permit. A sales permit shall be required for each person desiring to do business within the Municipality. Permit fees may be waived by the City for sales by non-profit organizations or seasonal sales events like weekly farmers' markets.~~

- (3) Any person or persons granted ~~such an itinerant sales permit~~ shall be subject to any occupation taxes and other rules and regulations ~~which the Governing Body deems appropriate for the purposes stated herein adopted by the City.~~ Any person or persons granted such a permit shall also provide proof of ~~to the City Clerk~~ of any necessary state or federal licensing and sales tax permits. Any permit so granted shall be subject to revocation for good and sufficient cause by the City Clerk. ~~The permit fee may be waived by the City for sales by not for profit organizations, and/or for seasonal sales events, including, but not limited to, weekly farmers market.~~

**Section 44.** That Chapter 10, Article 3, Section 10-304 of the Crete Municipal Code shall be amended as follows:

**10-304 Business registration fee.**

- (1) ~~The required business registration fee of \$20.00 for first time registrants, \$10.00 for renewals, shall be set forth in the City's Master Fee Schedule and shall be paid for each business subject hereto on or before the 30th day of January in each year. This fee may be amended from time to time by resolution of the City Council.~~
- (2) A separate registration ~~and registration~~ fee shall be required for each place of business and for each business conducted at one address. The registration fee will be prorated if a business is registered during the year. No refund shall be made for a business that is discontinued.
- (3) ~~The City will allow for a one time waiver of the annual business registration fee for all businesses operating within the City on this date this ordinance becomes effective for registration fees applicable to registration of businesses for the year 2018.~~

**Section 45.** That Chapter 10, Article 4, Section 10-401 of the Crete Municipal Code shall be amended as follows:

**10-401 Bingo; regulation; permit fee.**

- (1) Games of bingo shall be conducted within the ~~Municipality city~~ in accordance with all ~~federal, state, and local laws, rules, and regulations of the Municipality and the State of Nebraska~~ if the said game of bingo is played for or involves profit or gain. Any association duly licensed by the State of Nebraska to conduct the game of bingo shall obtain a written permit from the ~~Governing Body City~~ before commencing operation of said game. Applications ~~for such permit~~ shall be made to the ~~Municipal City Clerk for such permit. Said application form and~~ shall contain such information and documents or copies thereof as ~~the Governing Body deems~~ deemed necessary to determine whether to grant or reject the application.
- (2) Upon the determination that granting ~~the application a bingo permit~~ would be proper, the ~~Governing Body shall immediately direct the Municipal Clerk to~~ City may issue the said license permit to the applicant upon the payment of an annual ~~the permit fee of ten (\$10.00) dollars set forth in the City's~~



Master Fee Schedule. Said ~~license permit~~ shall be subject to revocation at any time for good cause. Any person or persons, so licensed, shall be subject to any other fees, rules, and regulations ~~which the Governing Body may designate~~ adopted by the City. All permits so issued will automatically expire on September 30 ~~following its issuance or renewal of each calendar year. The fee for each renewal unless otherwise prescribed shall be in the sum of ten (\$10.00) dollars. Said fee shall be credited to the General Fund.~~ The permit shall be on display at any place where a game of bingo is conducted

**Section 46.** That Chapter 10, Article 5, Section 10-503 of the Crete Municipal Code shall be amended as follows:

**10-503 Junk and junk dealers; license; bond.**

- (1) Any person desiring to obtain a license for the keeping, conducting, and operating ~~within the city~~ a junk business or junk yard or the storage of iron or junk shall make an application in writing to the ~~Mayor and Council~~ City for such license. The application shall particularly describe the location of the proposed business and shall set out the names of the owners thereof and any other information required by the City. Said application shall be filed with the City Clerk and ~~action shall be taken thereon either at a special meeting or at the next regular meeting of the Council; and the Mayor and Council may grant or reject said application as the majority thereof shall decide~~ approved or rejected by the City Administrator.
- (2) The application shall be accompanied by a the license fee of ~~one (\$1.00) dollar and shall be payable to the City set forth in the City's Master Fee Schedule~~. If the license is granted, the City Clerk shall issue the same under the seal of the City, and the license shall recite the name of the applicant, the date issued, the character of business sought to be engaged in, the location thereof, the owners thereof; ~~and the same~~. Licenses shall terminate at the end of the fiscal year during which ~~it is~~ they are granted or issued and shall not be assignable.
- (3) As a condition precedent to the granting of ~~said~~ a license, the applicant shall execute and file with the City a bond ~~in the penal sum of two hundred (\$200.00) dollars, with one or more sufficient sureties, to be approved by the Clerk in such amount as required by the City and conditioned for on~~ the faithful performance and observance of this article and all federal, state, and local laws, rules, and regulations ~~of this City respecting~~ relating to such business; and provided further, that if the holder of the license shall violate the ~~provisions of this Article or the regulations made by the City respecting such business conditions of the bond~~, said bond shall be forfeited, ~~and~~ the City shall be entitled to recover the amount of the bond, and the license shall be revoked.
- (4) Any license issued under this ~~Article~~ section may be revoked by the ~~Mayor and Council~~ City whenever the licensee shall ~~violate the provisions of this Article~~ become noncompliant with any federal, state, or local laws, rules, or regulations. ~~All licenses shall be taken out at the beginning of each fiscal year and shall be good only until the end of the fiscal year.~~

**Section 47.** That Chapter 10, Article 7, Section 10-701 of the Crete Municipal Code shall be amended as follows:

**10-701 Tobacco sales; license.**

- (1) It shall be unlawful for any person to sell, keep for sale, or give away any cigars, tobacco, cigarettes, or cigarette material to anyone without first obtaining a license as hereinafter provided.
- (2) Every person desiring a license under this Article shall file with the ~~Clerk~~ City a written application stating the name of the person, partnership, or corporation for whom such license is desired and the

exact location of the place of business; ~~and. Each applicant shall deposit with such application the sum of fifteen dollars (\$15.00) application fee set forth in the City's Master Fee Schedule.; provided, Any person selling cigarettes or tobacco in any form at wholesale shall pay a the additional license fee of one hundred dollars (\$100.00) set forth in the City's Master Fee Schedule. Licenses shall expire on December 31 of each year. The term for which said license shall run shall be for one year; provided, however, if application for license is made after July 1 of any calendar year, the fee shall be one half (1/2) of the fee provided in this section. All moneys collected as license fees under the provisions of this article shall be paid over by the Clerk to the Treasurer of the School District lying wholly or partially within the corporate limits.~~

**Section 48.** That Chapter 10, Article 8, Section 10-801 of the Crete Municipal Code shall be amended as follows:

**10-801 Natural gas distribution; regulation; rates.**

- (1) ~~This article~~ Sections 10-801 to 10-804 shall apply to any person, firm, or corporation supplying natural gas service to the City of Crete, ~~Nebraska and the inhabitants thereof~~ its citizens. Any such person, firm, or corporation shall be hereinafter referred to as the Gas Distribution Company ~~or Company~~.
- (2) The Gas Distribution Company shall provide two classes of service to its customers ~~as hereinafter specified and defined~~:
  - (a) FIRM GAS SERVICE: Firm gas service is defined as gas service that is supplied on a non-interruptible basis. Firm gas service shall be made available to all customers whose maximum space heating requirements are less than one thousand cubic feet per hour.
  - (b) INTERRUPTIBLE GAS SERVICE: Interruptible gas service is defined as gas service that is supplied on an interruptible basis. It shall be subject to curtailment or interruption on demand of the Gas Distribution Company whenever necessary to protect the service of its firm gas customers.
- (3) The Gas Distribution Company shall not charge more for such gas service than the applicable gas rates ~~that are set by ordinance and on file with the Municipal Clerk set forth in the City's Master Fee Schedule. Such~~ The Gas Distribution Company may, however, enter into written contracts with any customer or class of customer, ~~making application therefor~~ without discrimination for special gas service, for commercial and industrial uses at such rates and on such conditions as the contracting parties may agree.

**Section 49.** That Chapter 10, Article 8, Section 10-804 of the Crete Municipal Code shall be amended as follows:

**10-804 Natural gas distribution; other rate changes.**

- (1) In the event the ~~Franchisee~~ Gas Distribution Company desires to change its rates for natural gas service within the City other than to reflect an adjustment for the cost of purchased gas, the ~~Franchisee Gas Distribution Company will present to the City~~ shall submit copies of present and proposed rate schedules and information supporting the proposed rates to be charged for natural gas service ~~within the City. The rate schedules and supporting information submitted with the rate schedules shall be referred to as the Rate Filing. Any such Rate Filing shall be deemed filed upon receipt of the same and the filing fee by the City Clerk. A~~ The filing fee in the amount of one thousand (\$1,000.00) dollars set forth in the City's Master Fee Schedule shall be paid to the City with the Rate Filing. Such fee shall be considered as an operating cost of the Franchisee Gas Distribution Company and shall not be separately itemized on any customer bill.

- (2) The ~~Governing Body~~ of the City shall have the right to select and engage rate consultants, accountants, auditors, attorneys, engineers, and other experts as deemed necessary or desirable to advise and represent the ~~Governing Body~~ City in evaluating any proposed rate change. ~~Franchisee~~ Within ninety days after notice by the City, the Gas Distribution Company shall reimburse the City ~~within ninety days of the presentation of a bill by the City for the reasonable~~ any costs of those services ~~only to the extent that said costs exceed the filing fee for the Rate Filing.~~
- (3) If the proposed rates sought by the ~~Franchisee~~ Gas Distribution Company in its Rate Filing have not been ~~passed on final reading~~ acted on by the City Council within ninety days after it was filed, or as such time may be extended by agreement between ~~Franchisee~~ the Gas Distribution Company and the City ~~in order to supply additional information if requested by the City,~~ the proposed rates shall be put into effect as interim rates and shall be collected subject to refund pursuant to Neb. Rev. Stat. 18-415, as the same may be amended from time to time. Such interim rates shall remain in effect pending final determination by the City, which determination shall be made within one year, or, in the event of litigation, final rate determination by the courts.
- (4) The rates proposed to be charged for non-contract firm natural gas service within the City shall be based upon the ~~utility's~~ the Gas Distribution Company's cost of providing service to the City or the representative costs in that part of ~~utility's~~ the Gas Distribution Company's service area ~~which that~~ which includes the City. ~~The period for which the cost of service is to be recognized is to be~~ shall be based on the projected twelve month period commencing not later than the proposed effective date of the increase. The cost of service shall be determined in a manner consistent with regulated public utility practices and shall include appropriate costs, as defined and set forth in the Federal Energy Regulatory Commission Uniform System of Accounts Prescribed for Natural Gas Companies FERC Accounts and a reasonable return on the ~~utility's~~ Gas Distribution Company's rate base.
- (a) In determining a reasonable return, a percentage rate shall be employed that is representative of the cost of debt, preferred stock, and common equity capital. The rate base shall consist of the applicable net investment in utility plant (as defined in the FERC Accounts), allowance for working capital, and such other items as may reasonably be included; less such investment as may, unless otherwise prevented by law, be attributed to other than investor capital.
- (b) The ~~Franchisee's~~ Gas Distribution Company's appropriate costs and items of rate base shall include allocated or apportioned expenses and rate base items when such allocations or apportionments are reasonably representative of assigned common costs and arise from the manner in which the ~~Franchisee's~~ Gas Distribution Company's operations are conducted or from an avoidance of excessive and costly financial record keeping.
- (5) Rate Filings, not including changes reflecting the cost of gas, shall be limited to a maximum of one in any twelve ~~calendar~~ month period.

**Section 50.** That Chapter 10, Article 10, Section 10-1003 of the Crete Municipal Code shall be amended as follows:

**10-1003 Amusement devices; license fee.**

The license fee of ~~each operator and proprietor as hereto defined shall be ten (\$10.00) dollars per year for each coin-operated amusement device set up for operation, used, played, or exhibited for use or play shall be set forth in the City's Master Fee Schedule.~~ All license fees shall be payable annually in advance. In no case shall any portion of said license fee be refunded to the licensee.

**Section 51.** That Chapter 10, Article 11, Section 10-1101 of the Crete Municipal Code shall be amended as follows:

**10-1101 Hobbyist permit.**

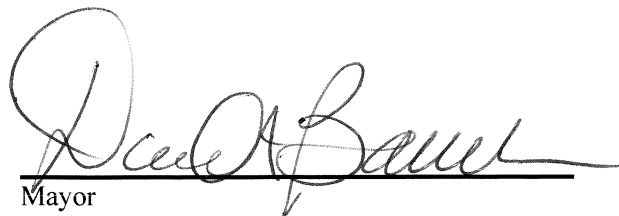
- (1) The Crete Police Department may issue a hobbyist permit to any owner, agent, occupant, tenant, or person in possession of, charge, or control of any real property for the restoration or repair of no more than two non-operating, partially dismantled, and unregistered vehicles for a period of no more than one hundred eighty days.
- (2) The applicant shall file an application for a hobbyist permit with the Crete Police Department on a form provided by the City. The application shall contain the name and address of the applicant and the make, model, year, location, and vehicle identification number of each vehicle to be restored or repaired.
- (3) The applicant shall own the vehicles to be restored or repaired and shall provide proof of ownership to the Crete Police Department at time of application.
- (4) The applicant shall pay a the permit fee of \$100 per vehicle set forth in the City's Master Fee Schedule at time of application.
- (5) All hobbyist permits shall expire on the one hundred eightieth day following the issuance thereof.
- (6) If the applicant demonstrates just progress toward the restoration or repair of said vehicles prior to the expiration of the hobbyist permit, ~~to the Crete Police Department, the Department~~ City may renew the hobbyist permit, but only one time, for an additional 90 days. ~~The applicant shall pay a fee of \$100 per vehicle at time of renewal.~~
- (7) No individual may hold hobbyist permits for more than two vehicles, and no property may contain more than two vehicles to be restored or repaired at any given time. Said vehicles found on any property after the expiration of the hobbyist permit shall be declared a nuisance.

**Section 52.** That the changes specified in the above sections shall be codified as part of the Crete Municipal Code as stated herein.


**Section 53.** That all ordinances, parts of ordinances, or code provisions in conflict herewith shall be repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

**Section 54.** That this ordinance shall be published in pamphlet or book form and shall take effect and be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED AND ENACTED this 6th day of April 2021.

  
\_\_\_\_\_  
Mayor

ATTEST:

*Atty*  
  
\_\_\_\_\_  
City Clerk

**OPENING**

Crete, Nebraska  
April 6, 2021

The Council of the City of Crete, Saline County, Nebraska, met in regular session. Mayor Dave Bauer presided. The City Clerk called the roll and the following Council members were present: Jack Oelschlager, Ryan Hinz, Kyle Frans, Dale Strehle and Travis Sears. The following Council Members were absent: Brian Carnes.

**SUSPENSION OF RULES**

Councilmember Hinz introduced Ordinance No. 2123 entitled:

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO RA TES, FEES, AND CHARGES; TO AMEND SECTIONS 1-930; 3-100; 3-101; 3-121; 3-123; 3-125; 3-201; 3-206; 3-220; 3-221; 3-223; 3-225; 3-301; 3-302; 3-307; 3-321; 3-323; 3-325; 3-325.01; 3-702; 3-1101; 3-1102; 4- 213.01; 5-235; 5-308; 5-425; 5-436; 6-102.05; 6-108.05; 6-109.02; 9-201; 9-206; 9-303; 9-710; 9-711.04; 9-711.05; 9-711.07 to 9-711.09; 9-711.12; 9-1001; 9-1002; 10-201; 10-304; 10-401; 10-503; 10-701; 10-801; 10-804; 10-1003; AND 10-1101 OF THE CRETE MUNICIPAL CODE; AND TO PROVIDE FOR A MASTER FEE SCHEDULE.**

and moved that the statutory rule requiring reading on three days be suspended. Councilmember Frans seconded the motion to suspend the rules and upon roll call vote on the motion the following Council members voted:

ABSTAIN: None.

YEA: Oelschlager, Hinz, Frans, Strehle, Sears.

NO: None.

ABSENT: Carnes.

The motion to suspend the rules was adopted by three-fourths of the council present and the statutory rule was declared suspended for consideration of said ordinance.

**FINAL PASSAGE**

Said ordinance was then read by title and thereafter Councilmember Hinz moved for final passage of the ordinance, which motion was seconded by Councilmember Frans.

Mayor Dave Bauer then stated the question, "Shall Ordinance No. 2123 be passed and adopted?" Upon roll call vote, the following Councilmembers voted:

ABSTAIN: None.

YEA: Oelschlager, Hinz, Frans, Strehle, Sears.

NO: None.

ABSENT: Carnes.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council, Mayor Bauer declared the ordinance duly passed and adopted as an ordinance of the City of Crete, Nebraska.

MAY 10 2021

THE CRETE NEWS  
PO BOX 40  
CRETE, NE 68333

### AFFIDAVIT OF PUBLISHER

STATE OF NEBRASKA  
Saline County,

**NOTICE OF PUBLICATION  
OF ORDINANCE 2123 IN  
PAMPHLET FORM**

Public Notice is hereby given that at a meeting of the Mayor and City Council of the City of Crete, Nebraska (the "City") held at 6:00 p.m. on April 6, 2021 there was passed and adopted Ordinance 2123 entitled:

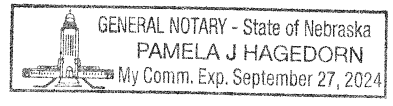
AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO RATES, FEES, AND CHARGES; TO AMEND SECTIONS 1-930; 3-100; 3-101; 3-121; 3-123; 3-125; 3-201; 3-206; 3-220; 3-221; 3-223; 3-225; 3-301; 3-302; 3-307; 3-321; 3-323; 3-325; 3-325.01; 3-702; 3-1101; 3-1102; 4- 213.01; 5-235; 5-308; 5-425; 5-436; 6-102.05; 6-108.05; 6-109.02; 9-201; 9-206; 9-303; 9-710; 9-711.04; 9-711.05; 9-711.07 to 9-711.09; 9-711.12; 9-1001; 9-1002; 10-201; 10-304; 10-401; 10-503; 10-701; 10-801; 10-804; 10-1003; AND 10-1101 OF THE CRETE MUNICIPAL CODE; AND TO PROVIDE FOR A MASTER FEE SCHEDULE.  
CR — May 05, 2021

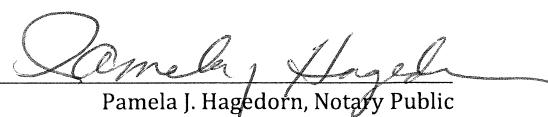
**Kevin L. Zadina** being by me first duly sworn, deposes and says that he is the publisher of THE CRETE NEWS, a legal weekly newspaper printed and published at Crete in Saline County, NE, and of general circulation in said County and State; that said newspaper has a bona fide circulation of more than 300 copies weekly, in said County; and, has been published in said County for more than 52 successive weeks prior to the first publication of the attached notice, that the attached notice was published in said newspaper for 1 consecutive week(s) being the issues of:

MAY 5, 2021

  
Kevin L. Zadina, Publisher

Subscribed in my presence and sworn to before me this 5th day of MAY, 2021.



  
Pamela J. Hagedorn, Notary Public

Printer's Fees for Publishing This Notice/Advertisement .....	\$	12.27
Preparation of Affidavit and Billing .....	\$	
Copy .....	\$	
TOTAL .....	\$	12.27

AFFIDAVIT OF PUBLICATION



CERTIFICATE OF PASSAGE

STATE OF NEBRASKA     )  
                                  )  
COUNTY OF SALINE     )  ss.  
                                  )  
CITY OF CRETE         )

I, Jerry Wilcox, City Clerk of the City of Crete, Saline County, Nebraska, hereby certify that the annexed ordinance, purporting to be Ordinance No. 2123 of said city, was passed as such by the City Council of the City of Crete, Saline County, Nebraska, pursuant to the rules and regulations prescribed by general law and by said city for the passage of ordinances, and was duly approved by the Mayor of said city, said passage and approval having been made on the 6<sup>th</sup> day of April, 2021, with respect to said ordinance foresaid which said Ordinance No. 2123 has been published in pamphlet form.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal this 7<sup>th</sup> day of April 2021.



( S E A L )

  
\_\_\_\_\_  
City Clerk