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**CHAPTER IV 000 0000 BUSINESS REGULATIONS**

**ARTICLE I - 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. §53-1 03

**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 therefore as provided by the Nebraska Liquor Control Act, as amended.

Source: Neb. Rev. Stat. §53-102

**SECTION 4-103: LIQUOR APPLICATION; RETAINING LICENSING STANDARDS**

The Village Board adopts the following licensing standards and criteria for consideration by the Liquor Control Commission 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, in accordance with the Nebraska Liquor Control Act, R.R.S. Neb. 1943 and Section 7 of LB 911, 89th Legislature, Second Session, 1986:

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 citywide 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 4-104: SALE TO MINORS AND INCOMPETENTS PROHIBITED

1. No persons shall within this village sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquors 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

### SECTION 4-105: HOURS OF SALE

Hours of operation for the on-sale and off-sale of liquors, beer, and wine shall be set by Ordinance and shall be on file at the office of the Village Clerk for public inspection at any reasonable time. The following hours of operation for the on-sale and off-sale of liquors, beer, and wine shall be in effect until changed by Ordinance:

Alcoholic Liquors (except beer and wine):Alcoholic Liquors (except beer and wine)  
Monday through Saturday

Off Sale	6:00 AM. to 1 :00 AM. the following day
On Sale	6:00 AM. to 1 :00 AM. the following day
Sunday	
Off Sale	12:00 Noon to 1 :00 AM. the following day
On Sale	12:00 Noon to 1 :00 AM. the following day

### Beer and Wine

#### Monday through Saturday

Off Sale 6:00 AM. to 1 :00 AM. the following day

On Sale 6:00 AM. to 1 :00 AM. the following day

#### Sunday

Off Sale 6:00 AM. to 1 :00 AM. the following day

On Sale 6:00 AM. to 1 :00 AM. the following day

This Ordinance shall become effective on July 15, 2010 or the earliest date as allowed by Legislative Bill 861 as passed by the Legislature of Nebraska for One Hundred First Legislature, Second Session.

### SECTION 4-106: REVOCATION OF LICENSE

The chairman and the 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 4-107: ENTRY OF PREMISES FOR INSPECTION

The chairman, any member of the Board, the village police officer, any policeman 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 4-108: 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 Union, Nebraska.

The undersigned respectfully state:

1. That they are each residents of the Village of Union, 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 Union, 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 \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and  
\_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

#### SECTION 4-109: FORMS, CONTINUED; PROCEDURE

The village clerk shall supply the forms prescribed herein and shall, on request, supply one to any resident of this village desirous of initiating a complaint thereon. Any complaint duly executed on the aforesaid form by five residents of this village and filed with the village clerk shall be presented by the clerk 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 officer 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.

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. The chairman and the Board shall, within 30 days from the date the complaint is filed, 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: 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 4-209 of this code, and insofar as possible the procedure shall be the same as is provided in that section.

### SECTION 4-111: 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 4-112: ACTION OF APPLICATION FOR LICENSE

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, and 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.

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 4-113: RENEWAL OF LICENSE

The village clerk shall cause to be published in a legal newspaper in this village one time between February 20 and March 5 of each year, individual notice of the right of automatic renewal of each retail liquor and beer license 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\_\_\_\_, 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 Union on or before March 15, 20\_\_\_\_, in the office of the village clerk; that in the event protests are filed by three or more such persons, a hearing will be held to determine whether continuation of said license should be allowed.

(NAME)  
(VILLAGE CLERK)

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 March 12 of each year.

#### SECTION 4-114: 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 village 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, and the village police officer 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 4-115: CHANGE OF PREMISES

Any retailer licensee desiring to transfer his/her license from one premises to another shall file a written request for permission to do so with the village clerk, and shall also file with said clerk 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 village 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 4-116: 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 4-117: 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 commission.

### SECTION 4-118: 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 4-119: 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 4-120: 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 a manner as to create public censure or become a nuisance, public or private.

### SECTION 4-121: 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 4-122: SANITATION



Sanitary conditions conducive to public health and welfare must be maintained at all times in or about licensed premises in this village.

### SECTION 4-123: 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 4-124: PREMISES OPEN TO VIEW

In premises within this village in which the sale of alcoholic liquor for consumption upon the premises is licensed, other than as a restaurant, hotel or club, no screen, blind, curtain, partition, article or thing shall be permitted in the windows or upon the door of such premises which shall prevent a clear view into the interior of such licensed premises from the street, road or sidewalk at all times. No booth, screen, partition or other obstruction nor any arrangement of lights or lighting shall be permitted in or about the interior of such licensed premises which shall prevent a full view of the entire interior of such licensed premises from the street, road or sidewalk. All rooms where liquor is sold for consumption upon the premises shall be continuously lighted during business hours by natural or artificial white light so that all parts of the interior of the premises shall be clearly visible.

### SECTION 4-125: 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 4-126: CATERING LICENSE

1. The holder of a Class C, Class 0 or Class I license issued under subdivision (5) of Rev. Stat. §53-124, or a craft brewery license, may obtain an annual catering license as prescribed in this section. Any such licensee desiring to obtain a catering license shall file an application with the Liquor Control Commission.

2. Upon receipt from the Commission of the notice and copy of the application as provided in Rev. Stat. §53-124.12, the Village Board shall fix a time and place at which a hearing will be held and at which the Village Board shall receive evidence, under oath, either orally or in writing, from the applicant and any other person concerning the propriety of the issuance of such license. The hearing shall be held not more than 45 days after the receipt of the notice from the Commission. The Village Board may examine or cause to be examined, under oath, any applicant; examine or cause to be examined the books and records of any such applicant; hear testimony; and take proof for its information in the performance of its duties. For purposes of obtaining any of the information desired, the Village Board may authorize its agent, the village clerk or the village attorney, to act on its behalf.

3. Notice of the time and place of the hearing shall be published in a legal newspaper in or of general circulation in the Village one time not less than seven nor more than 14 days before the time of the hearing. The notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the Village Board in support of or in protest against the issuance of the license may do so at the time of the hearing.

4. After the hearing, the Village Board shall approve or deny the application within 45 days after receipt of the application from the Commission and shall cause to be spread at large in the minute record of its proceedings a resolution approving or denying issuance of the license. The village clerk shall thereupon mail or deliver to the Commission a copy of the resolution within ten days of its adoption.

5. Any resolution rendered by the Village Board denying an application shall be in writing or stated in the record and shall be accompanied by findings. The findings shall consist of concise statements of the conclusions upon each contested issue. The applicant shall be notified of the decision in person or by mail. A copy of the decision and order and accompanying findings shall be delivered or mailed to the applicant upon request.

6. The Village Board with respect to catering licenses within its corporate limits may cancel a catering license for cause for the remainder of the period for which the license is issued. Any person whose catering license is canceled may appeal to the District Court.

Source: Neb. Rev. Stat. §53-124.12, 53-132, 53-134

## ARTICLE II- OCCUPATIONAL TAX

### SECTION 4-201: PURPOSE

For the purpose of raising revenue, there is hereby levied an occupational 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 occupational 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:

Fire Insurance companies, per year   \$   5.00

### Alcoholic Beverages

Retailer of beer only, for consumption  
on the premises, per year-----\$ 15.00

Retailer of beer only, for consumption  
off the premises (package sales) per year-----\$ 15.00

Retailer of alcoholic liquors, including  
beer, for consumption on and off the  
premises (Class C Licenses) per year-----\$ 15.00

Retailer of alcoholic liquors, including  
beer, for consumption off the  
premises, (package sales) per year-----\$ 15.00

### SECTION 4-203: FIRE INSURANCE COMPANIES

For the use, support and maintenance of the Village Fire Department, all revenue realized from the occupation tax on fire insurance companies shall be appropriated to the Special Occupation Tax Fund of the Volunteer Fire Department of the Village.

### SECTION 4-204: 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, as such in the course of its or their official duties or by any county or subdivision of this state or its officers.

### SECTION 4-205: WHEN DUE

On all occupations and businesses on which said tax is levied at a yearly rate, the year for such tax shall be deemed to begin the first day of May following; and said tax for the year shall be due and payable in advance on the first day of May 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 4-206: 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 4-207: PAID TO TREASURER; NOT ASSIGNABLE

The tax herein levied shall be paid in cash to the village treasurer or other person designated by resolution of the chairman and Board 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 village treasurer's receipt shall be the warrant and proper authority of any person to carry on and conduct the business specified in said receipt and for which the money has been paid; provided, said receipt shall not be assignable.

### SECTION 4-208: DAILY OR YEARLY PAYMENTS; NO REFUND

Every occupational 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 occupational tax shall be entitled to a refund of any part of the tax so paid.

### SECTION 4-209: VIOLATION; PENALTY

Any person, firm, association or corporation who shall refuse or neglect to pay the occupational 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 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 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 III - PEDDLERS AND HAWKERS

### SECTION 4-301: REGULATION

All peddlers and hawkers shall, before doing business within the Village, make application for and be issued a license to prevent the sale of fraudulent, dangerous and 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, and shall contain all the necessary information and documents required for the protection of the residents of the Village. Any person or persons granted a peddler's and hawker's license shall be subject to any fees, occupation taxes and other rules and regulations which the Village Board deems appropriate for the purposes stated herein. Any license so granted shall be subject to revocation for good and sufficient cause by the officials of the Village. All applicants shall pay a license fee of \$5.00 per day.

### SECTION 4-302: HOURS OF SOLICITATION

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

### SECTION 4-303: EXCEPTIONS

Nothing herein shall be construed to apply to any person selling produce raised within the county and to wholesale salespeople soliciting merchants directly, nor shall the foregoing apply to regular route drivers for delivery of products.

## ARTICLE IV - MANUFACTURED HOMES

### SECTION 4-401: STANDARDS

1. A manufactured home may be used as a residential structure in any zone in which residential uses are permitted, if such manufactured home bears an appropriate seal which indicates that it was constructed in accordance with the standards of the Uniform Standard Code for Manufactured Homes and Recreational Vehicles, the Nebraska Uniform Standards for Modular Housing Units Act, or the United States Department of Housing and Urban Development.
2. Manufactured homes permitted pursuant to this section shall be located and installed according to the following standards which are applicable to site-built, single-family dwellings:
  - A. The home shall be located and installed on a permanent perimeter foundation;
  - B. The home shall be installed with permanent utility connections;
  - C. The home shall comply with all setback and lot requirements of the residential zone in which it is located;
  - D. The home shall comply with the minimum square footage requirements of the residential zone in which it is located.
3. Manufactured homes shall also meet the following standards:
  - A. The home shall have no less than 900 square feet of floor area;
  - B. The home shall have no less than an 18 foot exterior width;
  - C. The roof shall be pitched with a minimum vertical rise of two and one-half inches for each 12 inches of horizontal run;

D. The exterior material shall be of a color, material and scale comparable with those existing in residential site-built, single-family construction;

E. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile or rock; and

F. The home shall have wheels, axles, transporting lights and removable towing apparatus removed.

G. The home must meet building code requirements adopted by the Village.

4. Nothing in this section shall be deemed to supersede any valid restrictive covenants of record.

5. For purposes of this section, "manufactured home" shall mean (a) a factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, 24 CFR 3280 et seq. promulgated by the United States Department of Housing and Urban Development, or (b) a modular housing unit as defined in Neb. RS. 71-1557, bearing a seal in accordance with the Nebraska Uniform Standards for Modular Housing Units Act.

Source: Neb. Rev. Stat. § 19-902

## ARTICLE V - PENAL PROVISION

### SECTION 4-501: VIOLATION; PENALTY

Any person, firm, association or corporation violating any of the provisions of Chapter IV hereof for which no other penalty is imposed shall, upon conviction, be deemed guilty of a misdemeanor, and be fined in an amount not more than \$500.00. Each day's maintenance of the same shall constitute a separate offense and may be prosecuted as such.