

ARTICLE III – LICENSED PLUMBERS

SECTION 7-301: LICENSED PLUMBER DEFINED

The term "licensed plumber" as used in the ordinances of this city is hereby defined to denote any person to whom a plumber's license has been duly issued or renewed, as hereinafter provided, which has not been revoked or terminated by lapse of time.

SECTION 7-302: PROCEDURE TO OBTAIN LICENSE

Any person wishing to perform plumbing services within the City or the City's zoning jurisdiction shall register with the City Clerk and state his/her willingness to be governed in all respects by the City's ordinances now in effect or hereafter adopted by the City concerning its utility systems. Such registration shall be accompanied by documentation that the person is licensed as a plumber in another jurisdiction of the State of Nebraska. The fee for registration shall be \$25.00 and must accompany the registration form, together with a bond with corporate surety in the penal sum of \$5,000.00. The registration is conditioned upon applicant's indemnifying and keeping harmless the City of Plattsmouth from all liability for any damage arising from any negligence or unskilled act in doing or protecting his/her work, or from any unfaithful or inadequate work done in pursuance of his/her license, and conditioned upon his/her restoring the streets, alleys, sidewalks, and pavements over the pipes he/she may lay, and filling all excavations made by him/her so as to leave said streets, alleys, sidewalks and pavements in as good condition as he/she found them, and keeping and maintaining the same in good order to the satisfaction of the City Council for a period of one year next thereafter and that he/she will pay all fines that may be imposed upon him/her for a violation of any of the ordinances, rules and regulations adopted by this city and in force during the term of his/her license. Said license and bond shall cover all employees of the applicant. **(Amended April 2004, Ordinance No. 1705)**

SECTION 7-303: RENEWAL OF LICENSES

Any registration may be renewed from year to year pursuant to 7-302 upon payment of the registration fee for the year and the renewal of applicant's bond. (Amended April 19, 2004, Ord. No. 1705)

SECTION 7-304: TERM OF LICENSE

The registration or renewal may be revoked if the license holder violates any terms of the International Plumbing Code or for cause after notice and hearing by the City Council. Such revocation may be appealed to the District Court of Cass County, Nebraska. (Amended April 19, 2004, Ord. No. 1705)

SECTION 7-305: FEES TO BE PAID TO CITY TREASURER

The city clerk shall pay over to the city treasurer all license fees collected pursuant to this article.

ARTICLE IV – GARBAGE AND REFUSE COLLECTION

SECTION 7-401: DEFINITIONS

"Garbage" shall mean rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that is intended for the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetable, and dead animals rejected by rendering plants.

"Hazardous waste" shall mean a solid waste, or combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may (a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness, or (b) pose a substantial present or potential hazard to human or animal health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

"Junk" shall mean old scrap, copper, brass, iron, steel, rope, rags, batteries, paper, trash, rubber, debris, waste, dismantled or wrecked automobiles or parts thereof, and other old and scrap ferrous or nonferrous material.

"Refuse" shall mean putrescible and nonputrescible solid wastes, except body wastes, including garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, and solid market and industrial wastes.

"Rubbish" shall mean nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery or litter of any kind that will be a detriment to the public health and safety.

"Waste" shall mean sewage, industrial waste, and all other liquid, gaseous, solid, radioactive or other substances which may pollute or tend to pollute any air, land or waters.

SECTION 7-402: GARBAGE; TRASH AND WASTE

It shall be unlawful for any person to keep in, on or about any dwelling, building or premises, or any other place in the City, decayed vegetable or animal substance, garbage or refuse of any kind that may be injurious to the public health or offensive to the residents of the City unless the same is kept in receptacles not exceeding a 55 gallon capacity, sacked in durable bags of such a nature that they can be easily placed in trucks or placed in a dumpster or similar container. All persons shall have their garbage removed at least once a week by the regular city solid waste system. (Ref. Neb. Rev. Stat. §19-2106)

SECTION 7-403: DEAD ANIMALS

All dead animals shall be immediately removed by the owner of such animals. If the owner of any such animal cannot be found within two hours after discovering the same, then such animal shall be removed by and at the expense of the City. Dead animals shall not be buried within the corporate limits of the City, nor within two miles thereof, nor in or above the course of groundwater that is used for drinking purposes by the City or its inhabitants

SECTION 7-404: HAZARDOUS WASTE

The City and the contractor for hauling and disposing of solid waste for the City shall not be responsible for removal of hazardous waste. Hazardous waste shall not be placed in the regular disposal system. If any resident or business in the City has hazardous waste, the hazardous waste must be disposed of by a person or organization that is authorized and equipped to dispose of the same and must be disposed of in an area where hazardous waste is authorized by federal and state laws, rules or regulations. The following items are not to be disposed of in the regular disposal system or commingled with any of the items mentioned above: oil, paint, lead acid batteries, tires, fertilizer, chemicals, animal manure, household appliances, and oil waste.

SECTION 7-405: GARBAGE, RUBBISH AND WASTE; DEPOSIT ON OTHER PREMISES

It shall be unlawful for any person to willfully, maliciously or negligently place or throw any garbage, rubbish, waste or other matter upon the premises of another. (Ref. Neb. Rev. Stat. §19-2106, 28-523)

SECTION 7-406: HAULING PERMIT REQUIRED

Before any person engages in the business of hauling garbage in the City, such person shall first make application for a permit to do so and submit the equipment he/she proposes to use to inspection by the City Council. Such applicant shall also file with the city clerk a schedule of rates he/she shall charge for such services. If the City Council shall find that such equipment consists of a vehicle suited to the purpose, and of containers which are watertight and a method of covering the same, such permit shall be issued without costs by the city clerk and be in force for one year. In the event the City Council or Board of Health shall afterward determine that such person is using leaky containers or failing to keep the same clean, or hauling garbage in such a manner as to constitute a menace to health, such permit shall be revoked.

SECTION 7-407: VEHICLE SPECIFICATIONS

Before making application for a permit as hereinbefore provided, the applicant

shall have his/her vehicles inspected by the City Council as provided in Section 7-407 to determine compliance with the specifications of this section. If such vehicles comply in all respects with the specifications set forth below, the City Council shall issue a certificate of approval for such vehicles, describing and identifying the vehicles so approved.

Any vehicle used by any licensed garbage collector in collecting and hauling refuse over the streets of the City shall comply with the following specifications:

1. The vehicle shall have a watertight, metal body, fully enclosed. Watertight, as used herein, shall mean so constructed that liquid materials will not spill or be discharged therefrom between point of loading and the designated disposal ground. This shall not prohibit permit holders from having an open truck for the transporting of refuse other than garbage; provided, said truck is covered by tarpaulin or other cover approved by the Board of Health;
2. The vehicle shall be so constructed as to be readily cleaned; and
3. The vehicle shall be so constructed as to enclose materials carried in it to prevent them from falling therefrom while moving through and upon the streets of the City and to the dumping ground.

All vehicles licensed hereunder shall be kept clean and presentable as possible, both inside and outside, at all times.

SECTION 7-408: PERMIT REVOCATION

The permit of any garbage collector permitted to collect, haul or convey refuse or garbage for hire within the City may be revoked by the City Council upon good cause and upon failure of such permitted garbage collector for hire to comply with the garbage and health and sanitation ordinances of the City. No revocation of permit shall be made except after public hearing before the City Council with proper notice of such hearing given, stating the reasons therefor, to the permitted garbage collector of the time and date of said hearing by certified or registered mail.

SECTION 7-409: LOCATION OF GARBAGE CONTAINERS

The garbage containers required by this article shall be kept in the rear of the premises or in passageways most accessible to the collector. If a container is not easily accessible to the collector, it shall be promptly delivered to him/her upon request. In residential districts, no garbage container shall be located forward of the main dwelling structure except for a 24-hour period before and after the time scheduled for regular pickup or actual pickup by the collector. Such containers shall not be used for the reception of garbage by more than one family, householder, hotel, restaurant, store, wholesale business or retail business of

any kind. All garbage created upon the premises shall be deposited in the garbage containers required by this article.

SECTION 7-410: GARBAGE AND REFUSE COLLECTION; AUTHORITY

The City Council may provide for the collection and removal of garbage or refuse found upon any lot or land within its corporate roads or alleys abutting such lot or land which constitutes a public nuisance. The City may require the owner, duly authorized agent, or tenant of such lot or land to remove the garbage or refuse from such lot or land and streets, road or alleys. (Ref. Neb. Rev. Stat. §16-230, 16-231, 16-246, 16-901)

SECTION 7-411: GARBAGE AND REFUSE COLLECTION; NOTICE, REMOVAL

Notice that removal of garbage or refuse is necessary shall be given to each owner's duly authorized agent and to the tenant, if any. Such notice shall be provided by personal service or by certified mail. After providing such notice, the City through its proper offices shall, in addition to other proper remedies, remove the garbage or refuse, or cause it to be removed, from such lot or land and streets, roads or alleys. (Ref. Neb. Rev. Stat. §16-230, 16-231, 16-246, 16-901)

SECTION 7-412: GARBAGE AND REFUSE COLLECTION; NUISANCE

If the mayor declares that the accumulation of such garbage or refuse upon any lot or land constitutes an immediate nuisance and hazard to public health and safety, the City shall remove the garbage or refuse, or cause it to be removed, from such lot or land within 48 hours after notice by personal service or following receipt of a certified letter in accordance with Section 7-412 if such garbage or refuse has not been removed. (Ref. Neb. Rev. Stat. §16-230, 16-231, 16-246, 16-901)

SECTION 7-413: GARBAGE AND REFUSE COLLECTION; LIEN

Whenever the City removes any garbage or refuse, or causes it to be removed, from any lot or land pursuant to this article, it shall, after a hearing conducted by the City Council, assess the cost of the removal against such lot or land. (Ref. Neb. Rev. Stat. §16-230, 16-231, 16-246, 16-901)

ARTICLE V – NATURAL GAS RATE REGULATION

SECTION 7-501: ADOPTION OF NATURAL GAS REGULATION ACT

The provisions of Article 46, Chapter 19 of the Municipal Natural Gas Regulation Act as set forth in R.R.S. Neb. 1943, 1987 Supplement thereto and any amendments, except as otherwise provided for in this ordinance, are hereby adopted by this reference thereto and made a part hereof as fully as if set forth at length herein, except as otherwise hereinafter provided.

SECTION 7-502: GAS RATE COLLECTION FEE

A fee of \$300.00 shall be imposed for each rate filing by the city gas supplier.

ARTICLE VI - PENAL PROVISION

SECTION 7-601: VIOLATION; PENALTY

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.