

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 14.40.030 of the Lincoln Municipal Code
 2 to provide that block party permits be issued by the Department of Public Works and Utilities
 3 and to add a provision requiring a damage deposit for loss of or damage to barricades; and
 4 repealing Section 14.40.030 of the Lincoln Municipal Code as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 14.40.030 of the Lincoln Municipal Code be amended
 7 to read as follows:

8 **14.40.030 Permits for Private Use of Streets or Sidewalks for Other than Private**
 9 **Construction Purposes; Residential District.**

10 Permits for the private use of a street or sidewalk in a district which is zoned for
 11 residential purposes may be issued by the ~~Mayor~~ Department of Public Works and Utilities
 12 ~~on the approval of the Director of Public Works and Utilities~~ for not to exceed six hours when
 13 from a consideration of an application made and from such other information as may
 14 otherwise be obtained, it is determined that:

15 (a) The use requested is for a community purpose and is not for the purpose of
 16 advertising any product, goods, or event, and is not designed to be held for private profit;

17 (b) The use will not substantially interfere with the safe and orderly movement of
 18 vehicular and pedestrian traffic;

19 (c) The use will not interfere with proper fire and police protection to the area
 20 adjacent thereto;

21 (d) An application therefor is filed ~~in the City Clerk's office~~ with the Department of
 22 Public Works and Utilities setting forth the following information:

23 (1) The name, address, and telephone number of the applicant;

1 (2) If the use is requested for, on behalf of, or by an organization, the name,
2 address, telephone number of the headquarters of the organization, and of the authorized and
3 responsible heads of such organization who will be responsible for the use requested;

4 (3) The date and hours requested, and location requested;

5 (4) Agreement releasing the city from all claims for damages arising from or
6 out of the use of the permit. Every applicant for a permit hereunder shall pay a fee as shall be
7 set from time to time by executive order of the Mayor;

8 (e) All permits issued under this section shall be subject to such additional
9 requirements and conditions as the city deems necessary for protection of health, safety, and
10 public welfare;

11 (f) The permittee shall post with the Department of Public Works and Utilities a
12 refundable damage deposit which may be used by the City to cover the loss of or damage to
13 traffic barricades. The amount of said damage deposit shall be set from time to time by
14 executive order of the Mayor, but in no event shall the amount of the damage deposit exceed
15 the cost to replace the barricade.

16 Section 2. That Section 14.40.030 of the Lincoln Municipal Code as hitherto
17 existing be and the same is hereby repealed.

18 Section 3. That this ordinance shall take effect and be in force from and after
19 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2004:

Mayor