

ORDINANCE NO. 2018-11

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.052 DRIVEWAY PERMITS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska.

Section 1. That Title IX, Chapter 91, Section 91.052 of the Municipal Code of Wayne, is hereby amended as follows:

§ 91.052 DRIVEWAYS ~~PERMITS~~.

(A) It shall be unlawful for any person to construct or cause to be constructed any driveway or other parking area in the right-of-way of the city without acquiring a written **Right-of-Way** permit from the Street Superintendent. Before any person shall obtain such permit, such person shall inform the Street Superintendent of the place where the driveway is to be located, and it shall be the Street Superintendent's duty to cause an inspection of the place of entry into the streets and avenues. When the construction of a driveway or other parking area is permitted, it shall be the duty of the party so constructing or causing to be constructed such driveway or other parking area to do the work in such a manner and under such rules and regulations as may be prescribed by the City Council. Before any permit is issued by the Street Superintendent, the applicant shall **submit a surety bond or a cash deposit along with a certificate of insurance naming the City as an additional insured to** ~~with~~ the City Clerk ~~a cash deposit~~ in an amount set by the Council and on file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent. **City employees performing their duties as public employees and contractors hired by the City shall be exempt from obtaining a Right-of-Way permit for City projects.**

(B) The applicant shall obey all of the laws of the city and the requirements under which the permit is issued in doing such work and will save the city harmless from any damages which may occur as a result of such construction.
(2002 Code, § 70-94) Penalty, see § 91.999

Section 2. The original Section and any other sections in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting, as required by law.

PASSED AND APPROVED this 15th day of May, 2018.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk