

**HASTINGS CITY COUNCIL
WORKSESSION AGENDA**

**Hastings Municipal Airport
3300 W. 12th Street
August 18, 2025
6:00 PM**

ROLL CALL:

PLEDGE OF ALLEGIANCE:

MOTION TO ADOPT CURRENT AGENDA for August 18, 2025 Worksession.

PUBLIC NOTICE - Official Notice of the Worksession was published in the Hastings Tribune on Friday, August 15, 2025. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review and a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

CITIZEN COMMUNICATIONS: (Only for agenda items.)

DISCUSSION ITEMS

1. Update on regulating motorized vehicles.
2. Discussion of mobile vendors.
3. Discussion of proposed 2025-2026 City Budget and Utility Budget.

ADJOURN:

The Mayor and City Council reserve the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in sequential order. However, the Mayor and City Council reserve the right to take up matters in a different order to accommodate the schedules of the city council members, person having items on the agenda, and the public.

Worksession meetings are intended to allow for communication and discussion amongst the elected officials. At the prerogative of the presiding officer of the worksession, city staff, consultants or citizens may be requested or allowed to address specific items on the worksession agenda.

Ordinance No. 48XX

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO REGULATE MOBILE VENDORS BY ADOPTING CHAPTER 28, ARTICLE V, SECTIONS, 28-501 THROUGH 28-___; TO PROVIDE THAT ANY ORDINANCES OR PROVISIONS INCONSISTENT HERewith ARE HEREBY REPEALED; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE; AND RELATED MATTERS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA, AS FOLLOWS:

SECTION 1. That Chapter 28, Article V, Sections 28-501 through 28-___ of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby adopted to read as follows:

ARTICLE V. -MOBILE VENDORS

Sec. 28-501. Purpose

The purpose of this ordinance is to establish reasonable regulations and a license requirement for the operation of mobile vendors within the city limits to protect public health, safety, and welfare, while promoting economic opportunities,)

Sec. 28-502. Definitions

Mobile Vendor refers to any person or business that sells, offers for sale, or displays for sale any goods, wares, merchandise, or food and beverages from a cart, trailer, tent, stand, or vehicle that is movable and not permanently affixed to the ground,.

City Parking Lot refers to any parking lot owned and maintained by the City of Hastings.

Sec. 28-503. -Permits and Licenses

No Mobile Vendor shall operate within city limits without first obtaining a Mobile Vendor Permit from Development Services and paying all applicable fees as provided in the City of Hastings' Fee Resolution.

- (a) At time of application, applicant must supply all required state licenses or permits under the provisions of Nebraska State law to operate in Nebraska,
- (b) All Mobile Vendors shall display in plain view proof of a valid Mobile Vendor Permit.
- (c) All Mobile Vendors shall be able to provide a copy of the vendor's sales tax certificate on-site during hours of operation.
- (d) Permits may be denied if any requested personal or business information provided in the application is false or misleading, or if the application is incomplete and/or missing required State of Nebraska Licenses for the operation of the proposed business.

Sec. 28-504. -Health and Safety

All Mobile Vendors preparing food and/or beverages must:

- (a) Obtain and maintain a Food Establishment Permit or Mobile Food Unit Permit issued by the appropriate public health authority.
- (b) Display a copy of a valid health inspection certificate on the unit during operation;
- (c) Maintain a fire extinguisher if cooking with open flames or hot oil;
- (d) Provide a trash receptacle for customer use and clean the area within 25 feet of the mobile vending unit.

Sec. 28-505. -Location Restrictions

No Mobile Vendors shall operate within any area zoned residential. Mobile Vendors shall operate in accordance with the following:

- (a) Private Property: Mobile Vendors may operate on private property with written permission from the property owner. A copy of such permission must be available upon request.
- (b) Public Streets and Street Parking: Mobile Vendors shall not operate in public right-of-way, including streets and public parking, unless part of an event approved by the City Council during which the street is closed to vehicular traffic.
- (c) City Parking Lots: mobile vendor may operate in city parking lots upon being issued a mobile vendors license and paying a fee to use city parking lots per the City of Hastings Fee Resolution.

Sec. 28-507. -Hours of Operation

Mobile Vendors may operate between the hours of 7:00 a.m. and 10:00 p.m., unless otherwise approved as part of a special event.

Sec. 28-509. -Exceptions

- (a) Mobile Vendors under the age of 16 operating a mobile vendor unit on a temporary or nonprofit basis, such as for fundraising by recognized youth organizations, shall be exempt from the provisions of this ordinance, given that:
 - 1. The vendor is supervised by a responsible adult or affiliated with a recognized organization;
 - 2. The operation occurs on private property with the property owner's permission;
 - 3. Any food or beverage sold is pre-packaged or non-hazardous (e.g., bottled drinks, baked goods, popcorn, lemonade);
 - 4. The stand is operational for no more than 3 consecutive days at a time and no more than 12 days per calendar year.

- (b) Any Mobile Vendor who relies on continuous movement during the hours of operation for sales or does not remain parked in one location for a period exceeding 1 hour shall be exempt from the provisions of this ordinance.
- (c) The provisions of this ordinance shall not apply to, nor be construed to include:
 - 1. Individuals, groups, organizations, or businesses selling or offering food or beverages for sale who qualify as a nonprofit organization under Section 501(c) of the International Revenue Code;
 - 2. Mobile caterers hired for private catering purposes to serve guests of a catered event, so long as the caterer is parked on private property.

Sec. 28-510 -Enforcement and Penalties

- (a) Enforcement shall be administered by Development Services, Police Department, or Fire Department.
- (b) A permit may be revoked for any of the following reasons:
 - 1. Violation of any provision of this ordinance;
 - 2. Violation of applicable health or fire codes;
 - 3. False or misleading statements on the application for a permit;
 - 4. Three or more substantiated complaints from the public within a calendar year;
 - 5. Conduct that poses a threat to public health, safety, or welfare;
- (c) Notice of Revocation: The Director of Development Services or designee shall issue a written notice of revocation to the license stating:
 - 1. The grounds for revocation
 - 2. The effective date of revocation
 - 3. The process for appealing this decision
- (d) Right to Appeal: The Licensee shall have the right to file a written appeal within 10 calendar days of the date of revocation notice. Appeals should be heard by the City Administrator or designee within 15 business days of receiving the appeal; the decision of the City Administrator or designee is final.
- (e) In cases where the violation presents an immediate threat to public health or safety, the City may suspend the license immediately pending formal revocation proceedings.

Sec. 28-511. Waiver of Liability

- (a) As a condition of receiving a Mobile Vendor License, the applicant shall execute a Waiver of Liability and Hold Harmless Agreement in a form approved by the City Attorney,
- (b) Failure to sign the waiver shall result in denial of the application for a Mobile Vendor License.

SECTION 2. Any ordinance passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

SECTION 3. This Ordinance shall be published in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval, and publication in electronic form.

SECTION 4. The provisions of this ordinance are separable, and the invalidity of any phrase, clause, or part of this ordinance shall no affect the validity or effectiveness of the remainder of the ordinance.

Link to 2025-26 Proposed Budget can be found on the
City of Hastings website: cityofhastings.org
or click the link below

[LINK TO 2025-26 PROPOSED BUDGET](#)