LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
PROPOSED AGENDA

5:00 PM, Tuesday, August 10, 2021

Training Center

3131 O Street

Lincoln, NE 68510

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<th>AGENDA ITEM</th>
<th>DESCRIPTION</th>
<th>SUPPORTING DOCUMENTS</th>
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<td><strong>CALL TO ORDER</strong></td>
<td>Roll Call</td>
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<tr>
<td><strong>APPROVAL OF AGENDA</strong></td>
<td></td>
<td><strong>Agenda</strong></td>
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<tr>
<td><strong>APPROVAL OF MINUTES</strong></td>
<td>Regular Meeting – June 8, 2021</td>
<td>Minutes</td>
</tr>
<tr>
<td><strong>DEPARTMENT REPORTS</strong></td>
<td><strong>A. Health Director Update – Lopez</strong></td>
<td><strong>Monthly Report</strong></td>
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<td></td>
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<td><strong>Financial Report</strong></td>
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<tr>
<td><strong>CURRENT BUSINESS</strong></td>
<td><strong>A. Food Advisory Committee Appointment – Daniel</strong></td>
<td><strong>Attachment 5.1</strong></td>
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<tr>
<td>Action Items</td>
<td><strong>B. Lincoln Municipal Code 5.41 - Hanisch</strong></td>
<td><strong>Attachment 5.2</strong></td>
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<tr>
<td><strong>CURRENT BUSINESS</strong></td>
<td><strong>A. COVID-19 and Vaccination Update – Kakarlapudi &amp; Timmons</strong></td>
<td></td>
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<tr>
<td>Information Items</td>
<td><strong>B. New Grant Funding for Minority Health, CDC Grant, and Health Literacy – Lopez &amp; Humm</strong></td>
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<tr>
<td><strong>PUBLIC SESSION</strong></td>
<td>Any person wishing to address the Board of Health on a matter not on this Agenda may do so at this time.</td>
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<tr>
<td>AGENDA ITEM</td>
<td>DESCRIPTION</td>
<td>SUPPORTING DOCUMENTS</td>
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<tr>
<td>FUTURE BUSINESS</td>
<td>Request for Information / Topics for Future Agendas</td>
<td></td>
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<tr>
<td>ANNOUNCEMENTS</td>
<td>Next Regular Meeting – September 14, 2021 - 5:00 PM</td>
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<tr>
<td>ADJOURNMENT</td>
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Additional Information:  Glossary of Abbreviations

This agenda will be kept continually current and will be available for public inspection within the Lincoln-Lancaster County Health Department during normal working hours. A copy of the Open Meetings Law is posted at the meeting site.

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public’s access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln please contact Angel Edwards at the Lincoln-Lancaster County Health Department at 402-441-8093 as soon as possible before the scheduled meeting date in order to make your request.
TO: Board of Health Members, Media and Interested Parties

FROM: James Michael Bowers, President

SUBJECT: Meeting Notice and Tentative Agenda

DATE: July 27, 2021

5:00 PM, Tuesday, August 10, 2021

Training Center
3131 O Street
Lincoln, NE 68510

The tentative agenda is as follows:

I. CALL TO ORDER – Bowers
   A. Roll Call

II. APPROVAL OF AGENDA – Bowers

III. APPROVAL OF MINUTES – Bowers
   A. Regular Meeting – June 8, 2021

IV. DEPARTMENT REPORTS
   A. Health Director Update – Lopez

V. CURRENT BUSINESS – Action Items

Those wishing to speak on items specific to today’s agenda are asked to do so when the item is called by the Board President. Each speaker is limited to five (5) minutes. Time limits maybe extended or reasonably decreased at the discretion of the Board President.

A. Food Advisory Committee Appointment – Daniel
B. LMC 5.41 - Hanisch

VI. CURRENT BUSINESS – Information Items

A. COVID-19 and Vaccination Update – Kakarlapudi & Timmons

B. New Grant Funding for Minority Health, CDC Grant, and Health Literacy – Lopez & Humm

VII. PUBLIC SESSION

Those wishing to speak on items relating to other Board of Health business not on the agenda may speak during the public session portion of the agenda. Each speaker is limited to five (5) minutes. Time limits maybe extended or reasonably decreased at the discretion of the Board President. The public session period will be limited to one (1) hour.

VIII. FUTURE BUSINESS

A. Request for Information/Topics for Future Agenda

IX. ANNOUNCEMENTS

Next Regular Meeting – September 14, 2021 - 5:00 PM

X. ADJOURNMENT

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I. ROLL CALL

The meeting of the Board of Health was called to order at 5:05 PM by James Michael Bowers at the Lincoln-Lancaster County Health Department. Members Present: James Michael Bowers, Jacqueline Miller, Stacie Bleicher, Tom Randa, Jasmine Kingsley, Sean Flowerday, Adelle Burk (ex-officio) and Rick Tast (ex-officio).

Members Absent: Katie Garcia, Dustin Loy and Jenifer Holloway (ex-officio).

Staff Present: Patricia Lopez, Charlotte Burke, Angel Edwards, Kathy Cook, Scott Holmes, Jeff Eggers, Jesse Davy and Raju Kakarlapudi.

II. APPROVAL OF AGENDA

Mr. Bowers asked if there were any corrections to the Agenda. No corrections were requested.

Motion: Moved by Mr. Flowerday to approve the agenda as printed. Second by Mr. Randa. Motion carried by a 6-0 roll call vote.

III. APPROVAL OF MINUTES

Mr. Bowers asked if there were any corrections to the Minutes. No corrections were requested.

Motion: Moved by Dr. Bleicher that the May 11, 2021 Minutes be approved as printed. Second by Dr. Miller. Motion carried by a 6-0 roll call vote.

IV. PUBLIC SESSION

No one came forward.

V. DEPARTMENT REPORTS

A. Health Director Update

Director Lopez discussed the increase of coyote sightings in City limits. Trail cameras have shown locations and activity of coyotes. The public is discouraged from feeding them.
The Health Department is working with The Mayor’s Youth Employment Program to encourage high school students to pursue a career in Public Health and The Health Department currently has a student participating in the program.

“Bike to Work” was a success this year and all city departments participated.

DHHS informed the Health Department that it will be awarded funds for minority health and details will be decided in partnership with The Cultural Centers through the Community Health Assessment.

VI. CURRENT BUSINESS (Action Items)

A. July 2021 Board of Health Meeting

Mr. Bowers asked The Board of Health to approve the cancellation of the July 13th meeting.

Motion: Moved by Dr. Miller to cancel the July 13th Board of Health Meeting. Second by Ms. Kingsley. Motion carried by a 6-0 roll call vote.

B. Letter to Senator Vargas

Mr. Bowers asked The Board of Health to approve sending a “Thank You” letter to Senator Vargas for his continued support for public health.

Motion: Moved by Dr. Miller to approve the letter of appreciation to Senator Vargas. Second by Ms. Kingsley. Motion carried by a 6-0 roll call vote.

VII. CURRENT BUSINESS (Information Item)

A. LB 83 Open Meetings Act Review

City Attorney, Rick Tast, reviewed LB83 Open Meetings Act which would allow public bodies to meet virtually during emergencies only. Terms included giving proper notice, means of meeting access to public and press, make sure copies of agendas and documents are available to the public including accommodations to hear and address the public body, and minutes would include a statement regarding the nature of the emergency. Mr. Tast encouraged Board Members to contact Law if they had any further questions.

B. COVID-19 Update

Epidemiology Supervisor, Raju Kakarlapudi, informed the Board that in the last fourteen days cases have been in single digits. Total vaccination rate is 62.3%. As vaccination rates went up the number of cases came down.
Community Assessment feedback census was distributed. Collection and analysis of the data is being followed up on. The risk dial breakdowns on the Health Department website will continue to be updated and available to the public.

C. **Review of Resolution on Racism**

Director Lopez discussed inequities with vaccination rates throughout the City and County. The Health Department continues to monitor vaccination rates in all areas of the community and utilize partnerships to encourage vaccinations.

D. **National Association of Local Board of Health Update**

Mr. Bowers asked that this item be moved to the August meeting.

VIII. **FUTURE BUSINESS**

No future topics were discussed.

IX. **ANNOUNCEMENTS**

Next Meeting – August 10, 2021 at 5:00 PM.

X. **ADJOURNMENT**

Motion: Moved by Mr. Flowerday that the meeting adjourn. Second by Dr. Bleicher. Motion carried by a 6-0 roll call vote. The meeting was adjourned at 5:41 PM.

Angel Edwards
Recording Secretary

Katie Garcia
Vice President
LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT REPORT

TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH

June and July, 2021

ANIMAL CONTROL

Below are some of our Animal Control Statistics that we track in our “Chameleon Software and Computer Aided Dispatch System.” Additional data is tracked for the purpose of monitoring our performance indicators.

Animal Control Statistics

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dog Licenses</td>
<td>40,947</td>
<td>41,636</td>
<td>40,952</td>
<td>41,387</td>
</tr>
<tr>
<td>Cat Licenses</td>
<td>22,173</td>
<td>22,267</td>
<td>22,012</td>
<td>22,621</td>
</tr>
<tr>
<td>Total Licenses</td>
<td>63,120</td>
<td>63,903</td>
<td>62,964</td>
<td>64,008</td>
</tr>
<tr>
<td>Total Calls</td>
<td>12,869</td>
<td>13,273</td>
<td>14,861</td>
<td>12,966</td>
</tr>
<tr>
<td>Total Lost &amp; Found</td>
<td>1,308</td>
<td>1,144</td>
<td>1,316</td>
<td>1,463</td>
</tr>
<tr>
<td>Dogs Declared PPD</td>
<td>92</td>
<td>119</td>
<td>136</td>
<td>103</td>
</tr>
<tr>
<td>Dogs Declared Dangerous</td>
<td>24</td>
<td>34</td>
<td>21</td>
<td>33</td>
</tr>
<tr>
<td>Bite Cases</td>
<td>531</td>
<td>612</td>
<td>663</td>
<td>456</td>
</tr>
<tr>
<td>Attack Cases</td>
<td>54</td>
<td>82</td>
<td>94</td>
<td>92</td>
</tr>
<tr>
<td>Citizen &amp; AC Total Impounded</td>
<td>3,135</td>
<td>2,946</td>
<td>3,305</td>
<td>2,537</td>
</tr>
<tr>
<td>AC Total Impounded</td>
<td>1,804</td>
<td>1,582</td>
<td>1,797</td>
<td>1,445</td>
</tr>
<tr>
<td>Court Citations Issued</td>
<td>506</td>
<td>672</td>
<td>881</td>
<td>1,009</td>
</tr>
<tr>
<td>Total Warning/Defects Issued</td>
<td>4,617</td>
<td>26,777</td>
<td>16,497</td>
<td>14,628</td>
</tr>
<tr>
<td>Animal Neglect Investigations</td>
<td>862</td>
<td>911</td>
<td>845</td>
<td>551</td>
</tr>
<tr>
<td>Injured Animals Rescued</td>
<td>676</td>
<td>808</td>
<td>868</td>
<td>816</td>
</tr>
<tr>
<td>Wildlife Removal</td>
<td>542</td>
<td>651</td>
<td>855</td>
<td>833</td>
</tr>
<tr>
<td>Dead Animal Pickup</td>
<td>1,941</td>
<td>1,544</td>
<td>1,467</td>
<td>1,400</td>
</tr>
<tr>
<td>Bats Tested for Rabies:</td>
<td>289</td>
<td>441</td>
<td>397</td>
<td>344</td>
</tr>
</tbody>
</table>
Bats Released:

- 292
- 335
- 507
- 468

Bats Unable to Locate:

- 175
- 148
- 172
- 167

Total Bat Calls:

- 808
- 1,043
- 1,271
- 1,158

**DENTAL HEALTH**

**WIC**

**Caseload (Participation)**

<table>
<thead>
<tr>
<th>Total</th>
<th>3923 (+131 Jun 2020)</th>
<th>State: 34,656 (+631 Jun 2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main</td>
<td>2,705 (-12 May 2021)</td>
<td></td>
</tr>
<tr>
<td>Cornhusker Clinic</td>
<td>1,218 (+43 May 2021)</td>
<td></td>
</tr>
<tr>
<td>%Enrolled with Benefits</td>
<td>88.68% (-1.04%)</td>
<td></td>
</tr>
</tbody>
</table>

**Participants by Category/Breastfeeding Information**

<table>
<thead>
<tr>
<th></th>
<th>LLCHD</th>
<th>State of Nebraska</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Women</td>
<td>781 (19.9%)</td>
<td>7,018 (20.3%)</td>
</tr>
<tr>
<td>Total Children</td>
<td>2,348 (59.9%)</td>
<td>19,404 (56.0%)</td>
</tr>
<tr>
<td>Total Infants</td>
<td>794 (20.2%)</td>
<td>7,537 (21.7%)</td>
</tr>
<tr>
<td>Infants Receiving Breastmilk</td>
<td>243 (6.2%)</td>
<td>2,510 (7.2%)</td>
</tr>
<tr>
<td>Infants Exclusive Breastmilk</td>
<td>100 (2.5%)</td>
<td>879 (2.5%)</td>
</tr>
</tbody>
</table>

**Mentoring:**

(Number and school)

<table>
<thead>
<tr>
<th>Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interns</td>
</tr>
<tr>
<td>Volunteers</td>
</tr>
<tr>
<td>LMEP Residents</td>
</tr>
</tbody>
</table>

**WIC QI—No Show Rates:**

<table>
<thead>
<tr>
<th></th>
<th>FFY 21 Main Office</th>
<th>FFY 21 North Office</th>
<th>FFY 21 LLCHD Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>October</strong></td>
<td>13.6%</td>
<td>9.9%</td>
<td>12.4%</td>
</tr>
<tr>
<td><strong>November</strong></td>
<td>14%</td>
<td>14.1%</td>
<td>14.0%</td>
</tr>
<tr>
<td><strong>December</strong></td>
<td>10%</td>
<td>8.7%</td>
<td>9.6%</td>
</tr>
<tr>
<td><strong>January</strong></td>
<td>12.9%</td>
<td>10.4%</td>
<td>12.1%</td>
</tr>
<tr>
<td><strong>February</strong></td>
<td>14.7%</td>
<td>19.7%</td>
<td>16.3%</td>
</tr>
<tr>
<td><strong>March</strong></td>
<td>12.9%</td>
<td>17.3%</td>
<td>14.3%</td>
</tr>
<tr>
<td><strong>April</strong></td>
<td>14.4%</td>
<td>19.2%</td>
<td>16.0%</td>
</tr>
<tr>
<td><strong>May</strong></td>
<td>14.5%</td>
<td>20.6%</td>
<td>16.4%</td>
</tr>
<tr>
<td><strong>June</strong></td>
<td>13.7%</td>
<td>18.1%</td>
<td>15.0%</td>
</tr>
<tr>
<td><strong>July</strong></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td><strong>August</strong></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td><strong>September</strong></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td><strong>Average</strong></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
</tbody>
</table>
• There were 22 working days in June. The June caseload was 3,923 (+131 from Jun 2020 and +31 from May 2021).

• No-show rates decreased compared to the previous month (-0.06%).

**DENTAL HEALTH**

**Dental Clinic Services:**

- Total number of clients served (unduplicated count): 537
- Total number of patient encounters (duplicated client count): 752
- Total number of patient visits (duplicated provider appointments/visits): 1077
- Total number of Racial/Ethnic and White non-English speaking patients: 476 (89%)
- Total number of children served: 428 (80%)
- Total number of clients enrolled in Medicaid: 458 (85%)
- Total number of all clients with language barriers: 346 (64%) (Albanian, Arabic, Chinese, Farsi, French, Karen, Kurdish, Russian, Spanish, Ukranian, Vietnamese)

There was an increase of 111 provider visits when compared to May 2021 and an increase of 370 provider visits when compared to June 2020. The dental clinic had a failed appointment rate of 14% in June compared to 16% failed appointment rate in May. The dental team continues to focus on QI strategies for reducing failed appointments.

**Community Outreach Services Total: 86**

Fluoride Screening and Varnish Program:

- Malone – 2
- Health 360 Early Head Start – 24
- K Street Early Head Start - 60

**Student Rotations: 2**

2 Southeast Community College dental assisting students rotated through the dental clinic.
ENVIRONMENTAL PUBLIC HEALTH

West Nile Virus Surveillance / Vector Control

Goals (Purpose): Protect human health by preventing the spread of West Nile Virus (WNV) by monitoring mosquito populations, responding to complaints, eliminating mosquito breeding sites, treating with larvicide, testing for WNV, and, rarely, spraying to kill adult mosquitoes.

Indicator: Resolve 90% of nuisance complaints on stagnant water or mosquitoes within 30 days. Maintain surveillance system to control outbreaks by reducing human West Nile Disease cases.

Strategies/Methods (What we do):
- Educate public on WNV risk reduction
- Investigate and resolve standing water and mosquito complaints
- Trap, identify mosquitoes and submit Culex species for virus testing
- Maintain pesticide applicator licenses for Health Department, Lincoln Transportation and Utilities, and Lincoln Parks and Recreation staff
- Coordinate spraying (if needed)

Funding/Source: Grants in Aid (100%)

Comparison:

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</thead>
<tbody>
<tr>
<td>West Nile Virus – Fever</td>
<td>6</td>
<td>4</td>
<td>4</td>
<td>12</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>West Nile Virus – Neuroinvasive</td>
<td>4</td>
<td>5</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>10</td>
<td>9</td>
<td>4</td>
<td>15</td>
<td>1</td>
<td>4</td>
</tr>
</tbody>
</table>
Mosquito surveillance for WNV is shown in the chart below.

The cumulative mosquito Minimum Infection Rate (MIR) for 2020 was moderately below the five-year average. At the state level, the MIR is strongly correlated with the number of human clinical WNV cases. The 2020 state MIR and our local 2020 WNV human cases appear to support this correlation. Within the last five years, 2020 and 2017 had the second lowest reported human WNV cases.

2021 has proved to be a productive year for mosquitoes here in Lancaster County. Through the 28th week of sampling, CDC light traps have been used to collect 8163 mosquitoes, which represents an approximately 22.5% increase above the 5-year average. The state has already seen two separate pools of mosquitoes test positive for WNV, both located in Scottsbluff county. The positive pools were identified in the 27th sampling week, which is 5 weeks sooner than the first reported positive mosquito pool of 2020. Additionally, the state has reported its first positive human WNV case of 2021 in the Elkhorn-Logan Valley Health Department area, which includes Burt, Cuming, Madison, and Stanton Counties.
West Nile Virus is now an endemic disease in Nebraska and Lancaster County. Health Department staff provide public education on how to reduce the risk of contracting WNV by encouraging the use of insect repellants and wearing long sleeves and pants, and discouraging outdoor activities during dusk and dawn hours when the mosquitoes that transmit WNV are most active. Health Department staff trap mosquitoes and send them to the Nebraska Department of Health and Human Services (NE DHHS) for identification and viral testing. The Nebraska Public Health Laboratory tests the trapped mosquitoes for West Nile Virus. The LLCHD assures that pesticide applicator licenses are maintained for Health Department, Lincoln Transportation and Utilities (LTU), and Lincoln Parks & Recreation staff so that the community can respond if a WNV epidemic is predicted. The Health Department would coordinate any community-wide mosquito spraying in an epidemic situation. In FY20, grant funds covered direct program costs of monitoring mosquitoes. Lincoln Municipal Code (LMC) Chapters 8.02, 8.26, and 8.34 prohibit stagnant water and other conditions that are conducive to mosquito breeding on any property. The Health Department investigates and works with property owners to resolve complaints about standing or stagnant water and mosquito nuisance conditions.

The Zika Virus is an emerging mosquito-borne disease worldwide. The symptoms for Zika Virus are generally mild, however it is a significant concern to pregnant women as the virus has been linked to Microcephaly in infants. Microcephaly is a condition where a baby’s head is much smaller than expected, often resulting in serious disabilities or even death. The Zika Virus is spread by the Yellow Fever Mosquito (*Aedes aegypti*) and the Asian Tiger Mosquito (*Aedes albopictus*). The NE DHHS provided LLCHD with special traps that attract and capture these types of mosquitoes. LLCHD staff set these traps every other week during the summer at different locations around the city and county. Mosquitoes are then sent to DHHS for identification and viral testing. In 2020, no Zika Virus transmitting mosquitoes were identified in the city of Lincoln or Lancaster County. Importantly, the Centers for Disease Control and Prevention (CDC) states that no local mosquito-borne Zika Virus transmission has been reported in the continental United States since 2017.

**Partnerships & Efficiencies:** Collaboration with LTU and Lincoln Parks & Recreation assures spraying for adult mosquitoes can be performed if necessary, in outbreak conditions. The NE DHHS performs identification of mosquitoes trapped by Health Department staff, and Nebraska Public Health Laboratory performs virus testing on trapped mosquitoes at no cost to the City or County.
**Tick Surveillance**

In 2020, the LLCHD partnered with the Epidemiology and Informatics Unit at NE DHHS to conduct tick surveillance in Lancaster County. This important work has continued in 2021 with staff utilizing the tick drag and tick flag methods to collect ticks. The tick drag method involves staff dragging a one (1) square meter strip of cloth behind them and the tick flag method utilizes a sweeping motion through vegetation rather than specifically dragging the cloth over the ground. Transition lines in the natural terrain (e.g. tall grass to short grass, grass to timber, shrubs to timber, sand to grass, etc.) are targeted for collecting ticks because ticks stage on these transition lines to wait for a potential food source. NE DHHS currently identifies the collected ticks and then submits Blacklegged Ticks to the CDC for testing. Blacklegged Ticks have yet to be identified in Lancaster County.

Ticks are vectors or transmitters for wide range of diseases worldwide. In North America, ticks are vectors for Lyme Disease, Rocky Mountain Spotted Fever (RMSF), Spotted Fever Rickettsiosis (SFR), and allergic reactions such as Alpha-gal Syndrome (AGS). Lyme Disease, transmitted by Blacklegged Ticks, is the most common vector-borne disease in the United States. Symptoms include fever, chills, headache, fatigue, muscle, and joint aches. In the June 25, 2019 Health Alert Network advisory, the NE DHHS reported the first confirmation of established Blacklegged Tick populations in Nebraska, specifically in Douglas, Sarpy, and Saunders counties. The CDC has identified their population range to include a significant portion of eastern Nebraska. RMSF is a disease that if not identified and treated promptly, can become serious and life-threatening rather quickly. Symptoms of this disease include fever, headache, rash, nausea, vomiting, stomach and muscle pain, and lack of appetite. Long term implications of the disease have seen some patients left with permanent damage, including amputations due to damage to blood vessels in the areas most effected by the disease. Hearing loss, paralysis and mental disability have also been identified as being caused by the acute illness. RMSF is transmitted by the American Dog Tick, Rocky Mountain Wood Tick, and the Brown Dog Tick. The American Dog Tick and the Brown Dog Tick have been found in Lancaster County. Therefore, from a public health perspective, the prevention of tick bites is the best approach to reducing risk of these vector-borne diseases. People should know where to expect ticks outdoors, consider treating clothing and gear with products containing 0.5% permethrin, use EPA registered insect repellents, and check their clothing and body for ticks after being outside.

**Outdoor Air Quality**

**Fireworks Impact Air Quality:** Since becoming a federal holiday 1941, Americans have increasingly enjoyed celebrating Independence Day with the glow and the glare of fireworks bursting in air. While many people enjoy the lighting of the sky with explosions of every imaginable shape and color, one less enjoyable byproduct of fireworks is the fine particulate air pollution they produce. Fine particulate matter is so small that it can get deep into the lungs, enter the blood stream, and cause serious health problems. Exposure to high levels of
particulate, even for a few hours, can aggravate lung disease, cause asthma attacks and acute bronchitis, and cause angina, heart attacks, and arrhythmias.

The LLCHD continuously monitors our air for fine particulate matter, technically known as PM$_{2.5}$. The Health Director routinely issues a Health Advisory prior to July 4$^{th}$ to warn residents of the anticipated increased levels of fine particulate pollution associated with the extensive use of fireworks. The graph displays the fine particulate levels measured in Lincoln for July 3$^{rd}$ and 4$^{th}$ in 2021. Peak levels recorded this year were somewhat lower than those experienced during July 3-4, 2020.

Relative to the Air Quality Index (AQI), the various colors presented in the chart above represent the AQI categories listed in the table to the right.

Air quality that is “Unhealthy” or worse means that everyone may experience significant health impacts. Thus, for several hours, the levels of particulate in the air caused by fireworks were high enough to significantly impact people’s health in Lincoln. Favorable weather conditions helped move smoky air out of Lincoln relatively quickly, and as a result, there were only 7 hours over the two-day period where the air pollution reached or exceeded unhealthy levels.
HEALTH PROMOTION & OUTREACH

CHRONIC DISEASE PREVENTION

In an effort to resume community activities, the Men’s and Women’s Health Hub met with the Good Neighbor Center to plan outreach activities. The Hub also took responsibility for the Crusade Against Colon Cancer take home screening kit data entry, entering almost 700 records on Med-It.

May 2020’s Counts and Outcomes
Health coaching sessions via Med-IT: 31 health coaching sessions; 2 breast navigation cases- 1 with outcome
Encounter Registry activities:
- Navigation encounters.
  - Cervical: 7 new encounters, 3 with outcome, some from previous cases.
  - Breast: 6 new encounters, 4 with outcome-from previous cases.
Population Based Health coaching:
- 0 Check Change Control (BP)
- 0 Walk and Talk

Diabetes Action Now! coalition members met on June 17 for discussion regarding the possibility of panning another screening event at a community venue like Center for People in Need or F Street Rec Center. Decision to be made at next regularly scheduled meeting will be in -person and on Zoom on Thursday, August 19, 2021.

Crusade Against Colon Cancer meeting on Thursday, June 10 discussed campaign outcomes. To date, 675 take home screening kits were distributed in the community, 395 were returned to the lab for a .57 return rate, compared to 2020’s .59 return rate. Next regular meeting scheduled on Zoom Thursday, August 19.

Media placement of CDC’s overdose prevention RxAwareness campaign is running June 15- August 31 and includes geo-targeted digital pop-up advertising, radio, and social media. A press release regarding rising number of fentanyl overdose deaths locally is being considered. The media planning committee continues to meet to plan second media plan regarding pain management alternatives. Next regular meeting June 28, 2021.

In efforts to inform, educate, and empower people regarding health issues:
Planning has begun for the annual Street’s Alive event in September. The meeting on June 20 updated everyone on funds raised (slightly behind normal), vendors committed to attend (also slightly behind normal), and the route, which will be the shortest since the event began at 1.5 miles. Community partners are planning for both an actual event and a virtual event.
The 18th annual Trail Trek event will be held on June 20. Outside influences caused the event to be moved back to Father’s Day this year, as well as to a different location. The event is scheduled the same day as a 3v3 basketball tournament and the Nebraska Football Fun Run, so numbers are anticipated to be smaller than other years.

In an effort to mobilize community partners to identify and solve health problems and to develop policies and plans that support community health efforts:
Staff has been involved in the Electric Scooter Rental Program. Several incidents re: vandalism using the wheels of the scooter to make graffiti on walls and sidewalks have continued to be recorded, as have several minor injury accidents. While most comments with the City and UNL have been positive, complaints re: parking or abandoned scooters blocking walkways and stairs have continued to be recorded. Additional parking was created in the Haymarket area in response to business owners asking for assistance. Bird and Spin have resumed normal rental levels but have not submitted rider data for some time.

Staff has met with the new Director of the LLCHD WIC Program, Jeng Liu, and will work with her and the producer from Health LNK to organize activities for this year’s rotation of Dietetic Interns from UNL. The first two DI’s started their three-week rotation on January 5. The second set of two DI’s began their rotation March 15. The third set of DI’s began their rotation May 17. The last rotation for the year began on June 14.

Staff assisted with the fitting of bike helmets for children attending The Salvation Army Summer Program on June 8. The bike helmets were donated courtesy of a program with the local Target stores. Over 50 helmets were given away.

Staff continues to be involved with the City/County employee wellness program efforts, the Mayor’s Pedestrian and Bicycle Advisory Committee, the Community Nutrition Partnership Council with UNL and Cooperative Extension, the Partnership for Healthy Lincoln coalition, the state-wide coalition for physical activity and nutrition at schools called Action For Healthy Kids and its subcommittees on nutrition, physical activity/physical education, advocacy, and planning, working with the planning and implementation of the Mayor’s Bike Ride to Work Day, aid in planning the City’s celebration of its trails system: Trail Trek, working with BikeLNK; a joint effort between the City and UNL in its bike share program, coordinator of the City’s bicycle education and promotion efforts, the City’s Complete Streets Committee, the LLCHD Employee Relations Committee, and the annual “Street’s Alive” event promoting physical activity across Lincoln.

TOBACCO
Tobacco prevention education activities include:
• Tobacco and vapor prevention education to 13 participants at The Bridge.
• World No Tobacco Day with 11 Malone Center youth to mark and pick up tobacco litter, discuss the impacts of tobacco on the environment, health effects and physiological changes that occur, and how to talk to friends and family about their tobacco use.
Figure 3: World No Tobacco Day participants from Malone Center enjoy the giraffes at the Lincoln Children's Zoo.

- 50+ attending a table event for Hop, SCIP, Jump, & Run Event at Antelope Park with tobacco trivia, education, and handing out swag.
- The Bay/OutNebraska Youth Pride kickoff event and spoke with youth about vaping, supplied LGBTQ vape-free buttons, pins, a logo sign the youth signed, and other incentives. Handed out at least 147 buttons at this event.
- The Star City Pride event and spoke with youth about vaping, interacted with youth by supplying LGBTQ vape-free buttons, pins, a logo sign the youth signed, and other incentives.

Tobacco Retailer Compliance:
- None.

LSRA and NCIAA Education and Assistance:
- Technical assistance to CenterPointe regarding cessation resources and tobacco-free campus policy support.

Other:
- Staff facilitated the Youth Task Force and the Business-School Tobacco Free Campus Task Force meetings online.
- Staff attended the following ongoing education online: Addressing Health Disparities: What Health Partners and Adult Educators Can Do Together, Improving Tobacco Cessation with Adult Inpatient Psychiatric Clients, Health Literacy Conference hosted by the Institute for Healthcare Advancement, 2021 Annual Tobacco Treatment and Prevention Conference hosted by Maine Health Center for Tobacco Independence.
• **Staff participated in the roundtable discussion “Is Tobacco Use a Social Justice Issue in the LGBTQ Community?” in partnership with OutNebraska. Panelists included Scout, Executive Director of The National LGBT Cancer Network and Abbi Swatsworth, Executive Director of OutNebraska. This discussion is now available on YouTube with the help of City Communications. This recording has already been viewed 63 times on YouTube since it’s posting on June 9. Scout has also agreed to post the recording link on The National LGBT Cancer Network resource page.**

Media

•

**INJURY PREVENTION**

Staff and HPO office manager coordinated two car seat check events at LFR Station 10 on May 22 and June 8. 18 car seats were checked and 7 seats were provided to families in need. LFR informed staff that two additional firefighters will be attending the Child Passenger Certification Training in August. This will bring the total of LFR CPSTs to ten.

Staff and HPO office manager coordinated two Child Care Transportation Trainings on June 3 and June 12. 53 participants attended these classes.

Target stores of Lincoln donated 26 child bike helmets to SKLLC. Staff conducted a bike safety presentation for approximately 40 K-5 grade kids at The Salvation Army Community Center on June 8. The presentation concluded with fitting/distributing the helmets to children needing them. Four management representatives from area Target stores and multiple Salvation Army staff/management attended this event.

Staff continue efforts to coordinate upcoming summer and fall community injury prevention activities. A car seat check event with Bluestem Health has been confirmed for July 20. Staff also met with two CLC Community builder staff as well as the CHI Health St. Elizabeth Trauma Education Coordinator to discuss potential partnership opportunities. A tentative date of September 11 has been discussed for a community safety event at CHI Health St. Elizabeth.

Staff met with co-chairs of the Sports Injury Prevention task force to touch base on their upcoming PrevCon presentation on the task force’s pilot project. Additionally, social media campaign ideas were discussed as well as changes needed to the SKLLC Sports Injury Prevention website page, and a possible pilot project launch date of early September. Staff will continue to meet with the co-chairs over the next few weeks to continue pilot project planning and assistance with PrevCon presentation development.

Staff continues to schedule meetings with task force chairs to reconnect and discuss long-term planning and upcoming efforts.

Media:

• Staff has created a social media content calendar. Staff is also working to finalize videos/graphics that will be used in the launch of the youth sports injury prevention pilot project.
**WELLNESS**

Employee wellness hosted UNL Dietetic Interns, Sydney and Tori. The interns presented Metabolic Syndrome 101 and Artificial Sweeteners (these presentations were recorded and emailed to those in the Wellness Tips email distribution list).

Wellness Coordinator met with Pepsi/First Choice Vending with City/County Purchasing Manager to discuss Pepsi’s response to their bid to continue to serve County vending machines. Specifically, to address the future of the FitPick program – enhanced signage and promotional materials, increased items meeting FitPick specifications, include healthy beverage options, and increase the price differential between FitPick items and non-FitPick items. In addition, incorporate a sampling program where an item will be featured each month and the Wellness Coordinator can distribute these snacks to enhance employee engagement and familiarity with healthy vending options. Results were presented to the Public Building Commission with City/County Purchasing Manager to enhance the new vending contract and healthy vending offerings.

HeartAware screenings took place at City/County building and County Extension. 23 employees participated in this month’s screenings, bringing the 2021 total up to 219 – 140 City and 79 County employees.

Bike to Work week engaged 11 employees from the City. These employees combined for 34 trips, totally 277.87 miles.

Employee Wellness Coordinator participated in Lincoln Police Department’s Strategic Planning sub-committee regarding staffing and wellness and attended Lincoln Fire and Rescue’s wellness committee meeting.

**Chronic Disease Prevention**

Opioid Prevention Coalition:
The Overdose Prevention media planning committee continues to meet for media plan regarding pain management alternatives and is scheduled to run in August.

**Tobacco:**

Over 2,900 attended the Star City Pride event. Staff provided information about the consequences of vaping/smoking, providing over 250 pieces of educational/cessation materials and 1,325 branded incentives.
**Injury Prevention**
Staff and HPO office manager scheduled and coordinated two car seat check events at LFR Station 10 on June 26 and July 13. A total of 26 car seats were checked and 11 seats were provided to families in need.

A car seat check event with Bluestem Health was held on July 20. A total of 22 seats were checked, and 18 seats were provided to families in need. Along with SKLLC staff coordinating event logistics, 8 child passenger safety technicians checked seats and three Bluestem Health staff members provided interpretation services.

**Employee Wellness**
Additional HeartAware screenings took place for City/County employees. A total of 258 employees participated in 2020. As of the end of July, 257 employees have already participated in 2021. Work is ongoing to continue to build relationships with different worksites that had not previously hosted HeartAware.
## LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
### FISCAL REPORT FOR THE PERIOD ENDING
### March 31, 2021

### CURRENT MONTH ACTUAL

<table>
<thead>
<tr>
<th>EXPENDITURES</th>
<th>Director's Office</th>
<th>Community Health Services</th>
<th>Environmental Public Health</th>
<th>Public Health Informatics &amp; Planning</th>
<th>Health Promotion &amp; Outreach</th>
<th>Dental</th>
<th>Total Health Fund</th>
<th>Animal Control</th>
<th>Title V Clean Air</th>
<th>Total Department</th>
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### GRANTS/CONTRACTS/DONATIONS

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<th>Local</th>
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**Note:**
- Grants/Contracts/Donations reflect amounts expended or received during the current city fiscal year only (09/01/20-08/31/21).
- This report does not reflect amounts expended or received over the entire life of the grant.

### Current Month
- % of Budget
- % of Fiscal Year Elapsed

### Month to Date
- % of Budget
- % of Fiscal Year Elapsed

### Year to Date
- % of Budget
- % of Fiscal Year Elapsed
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Grants/Contracts/Donations reflect amounts expended or received during the current fiscal year only (09/01/20-08/31/21).

This report does not reflect amounts expended or received over the entire life of the grant.
TO: Lincoln-Lancaster County Health Department’s Board of Health

FROM: Justin L. Daniel, REHS, CP-FS,
Environmental Health Supervisor
Environmental Public Health Division

DATE: July 23, 2021

SUBJECT: Proposed new appointment to the Food Advisory Committee (Andrew Ashelford)

The Food Advisory Committee (FAC) is established to advise the Lincoln-Lancaster County Board of Health regarding the effective regulation of the food industry as a means to protect the health of the public. Members of the Committee are appointed by the Board of Health. The FAC shall have at least 12 members; eight represent industry and four represent the general public.

In June 2021, Edith Zumwalt retired as the Nutrition Service Supervisor for Lincoln Public Schools and was replaced by Andrew Ashelford. Lincoln Public Schools has 59 permitted and inspected schools, and a permanent position on the FAC.

Andrew has worked around food for most of his life ranging from stocking shelves at Russ's Market to working as a dietitian for DHHS. Before taking over as Director of Nutrition Services for Lincoln Public Schools, Andrew served as a Nutrition Services supervisor within the department. Andrew oversees food safety, production, ordering and the operations for Lincoln Public Schools Nutrition Services Program. LPS plans on serving approximately 25,000 lunches and 6,500 breakfast per day during the 2021-22 school year.

Staff recommends that the Board of Health appoint Mr. Ashelford to the Food Advisory Committee.
ORDINANCE NO. _______________

AN ORDINANCE amending Chapter 5.41 of the Lincoln Municipal Code relating to Salvaging, Recycling, and Composting Operations to adopt regulations and permitting requirements for businesses and individuals engaged in the buying and selling of catalytic converters defined as regulated metals property, by amending Section 5.41.010 to further add definitions of “enclosed disassembly operation” and “secondary metals recycler”, and clarifying the applicability of those definitions throughout the Chapter; to amend Section 5.41.102 to require permits issued by the Chief of Police for possession of and dealing in regulated metals property; to add reasons for revocation of a permit issued by the Chief of Police in Section 5.41.108; to clarify operating requirements for recycling processing centers that recycle wood in Section 5.41.120; to require the use of an electronic reporting system by those businesses dealing in high value salvage material and regulated metals property and defining what information must be collected during the transaction by amending Section 5.41.210; to clarify fingerprint requirements in the electronic reporting system and require identification and hold of regulated metals property for seventy-two hours by amending Section 5.41.220; to allow for the inspection of onsite regulated metals property and records kept in the electronic reporting system by the Chief of Police and Health Director by adopting a new Section numbered 5.41.225; to require the permission of the Chief of Police before buying or selling high value salvage material by amending Section 5.41.230; to clarify those convictions that make it unlawful for an individual to sell high value salvage material and regulated metals property by amending Section 5.41.240; and to remove the minimum fine penalty to be consistent with state law by amending Section 5.41.250; and repealing Sections 5.41.010, 5.41.020, 5.41.030, 5.41.040, 5.41.050, 5.41.060, 5.41.070, 5.41.080, 5.41.090, 5.41.102, 5.41.104, 5.41.106, 5.41.108, 5.41.109, 5.41.110, 5.41.120, 5.41.170, 5.41.210,
5.41.220, 5.41.230, 5.41.240, 5.41.250, and 5.41.260 of the Lincoln Municipal Code as hitherto existing.

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

Section 1. That Section 5.41.010 of the Lincoln Municipal Code be amended to read as follows:

5.41.010 General Definitions.

The following words as used in this chapter shall have the following meanings:

BIODEGRADABLE shall mean material capable of decomposing or deteriorating to simple gases, organic compounds, or other harmless components after exposure to natural elements for not more than one year.

CHIEF OF POLICE shall mean the chief of the Lincoln Police Department or a designee of the Chief of Police.

COMMERCIAL COMPOSTING OPERATION shall mean any premises that is maintained, used, or operated wholly or partially for accepting, receiving, or otherwise utilizing organic materials that originated or are derived off the premises for composting on the premises. Commercial composting operation includes any profit or not for profit operation that collects or accepts organic materials from a premises other than the premises where the composting occurs.

COMPOSTING shall mean the controlled aerobic, thermophilic, microbial degradation of organic material to a stabilized, humus-like material. Composting shall not include land application of organic material that is worked into the soil.

CONSUMER RECYCLABLES shall mean:

(1) Containers capable of holding six gallons or less made of glass, aluminum, plastic or tin;

(2) Newspapers and other office or household waste paper; and
(3) Other recyclables designated in writing, approved by the Director, and on file at the Health Department.

DIRECTOR shall mean the Health Director of the Lincoln-Lancaster County Health Department or an authorized representative of the same.

DWELLING UNIT shall mean any building or portion thereof that is designed and used for residential purposes.

ENCLOSED DISASSEMBLY OPERATION shall mean any premises that is maintained, used, or operated wholly or partially for storing, holding, keeping, receiving, reusing, wrecking, dismantling, recycling, collecting, dealing, buying, or selling either salvage material, high value salvage material, or regulated metals property. All activities in an enclosed disassembly operation must be conducted indoors and inside the designated enclosure approved for use. Enclosed disassembly operation may include any activities of a recycling processing center or salvage operation as defined herein and may store, hold, keep, receive, reuse, wreck, dismantle, recycle, collect, deal, buy, or sell recyclables. Such activities shall be subject to all operating requirements applicable to salvage operations.

Enclosed disassembly operation shall not include premises where used parts are sold but no wrecking or dismantling occurs, nor shall it include any City of Lincoln public disposal facility.

ESTABLISHED PLACE OF BUSINESS shall mean a permanent business location that conforms with applicable zoning laws at which the facility conducts its business and may be accessed by the public during posted reasonable business hours which shall not be less than forty hours per week.

HIGH VALUE SALVAGE MATERIAL shall mean any copper, bronze, brass, and aluminum, whether scrap metal or recyclable metal, with the exception of aluminum cans.
HIGH VALUE SALVAGE COLLECTOR shall mean any person not having a premises as defined in this section who gathers, collects, buys, sells, or otherwise deals in any high value salvage material.

NON-OPERATING shall mean the object cannot be immediately moved or used for its designed purpose, without alteration or repair. Vehicles that cannot legally be operated on the public streets for any reason are considered non-operating for purposes of this chapter.

OPERATOR shall mean any person engaged in the activities of owning or operating any of the following operations as defined herein: salvage, recycling processing center, recycling center, recyclables drop-off, or commercial composting. Operator shall not include a high value salvage collector.

ORGANIC MATERIALS shall mean any biodegradable: lawn clippings and leaves; raw sewage or treated sewage sludge; animal or paunch manure; any other plant or food residue; or a mixture of any of the above.

PERSON shall mean an individual, corporation, organization, limited liability company, or other legal entity.

PREMISES shall mean a tract of land used for any operation or activity regulated under this chapter consisting of one platted lot or irregular tract or more than one platted lot or irregular tract, provided such lots or tracts are under common ownership and contiguous.

RECYCLABLES shall mean the following materials that, for the purpose of recycling, are separated or otherwise diverted from waste destined for disposal: wood, paper, glass, plastics, metals, automobile oil, tires, and batteries. Refuse derived fuels or other materials that are destroyed by incineration are not recyclables. Salvage material as defined herein is not a recyclable.
CONSUMER RECYCLABLES COLLECTION SITE shall mean any premises that is maintained, used, or operated wholly or partially for collecting any consumer recyclables that originated off the premises where the recycling occurs; provided that there is no mechanical equipment for separating or modifying recyclable materials used or stored on the premises. A Consumer recyclables Collection Site shall not include:

1. Any business or operation accepting consumer recyclables without charge or payment therefor as a courtesy to its customers and as an incidental part of their ongoing business;

2. Any properly equipped motor vehicle service station or repair shop accepting motor vehicle waste oil or automotive batteries as an incidental part of their ongoing business.

RECYCLING shall mean accepting, processing, storing, holding, keeping, receiving, reusing, collecting, dealing, buying, selling, or separating recyclables. Recycling shall not include electrical or chemical modifying; or any type of wrecking, converting, or dismantling of recyclables.

RECYCLING CENTER shall mean any premises that is maintained, used, or operated wholly or partially for recycling any consumer recyclables that originated off the premises where the recycling occurs. Recycling Center includes both profit and not for profit operations.

RECYCLING PROCESSING CENTER shall mean any premises that is maintained, used, or operated wholly or partially for recycling any recyclables that originated off the premises where the recycling occurs. Such recycling may include mechanical equipment for separating or modifying recyclable materials. Such modifying shall be limited to cutting, crushing, breaking, baling, and shredding.
Recycling Processing Center includes both profit and not for profit operations.

**REGULATED METALS PROPERTY** shall mean a catalytic converter in any form or condition that has been disassembled, separated, detached, or uninstalled from a motor vehicle.

**SALVAGE MATERIAL** shall include:

(1) Dismantled, non-operating, or wrecked automobiles, trucks, trailers, equipment, machinery, mobile homes, tractors, farm machinery, appliances, other vehicles or parts thereof; or

(2) Scrap metals including iron, steel, *high value salvage material, regulated metals property*, and any other metallic materials except recyclables as defined herein;

**SALVAGE OPERATION** shall mean any premises that is maintained, used, or operated wholly or partially for storing, holding, keeping, receiving, reusing, wrecking, dismantling, recycling, collecting, dealing, buying, or selling either salvage material or high value salvage material or regulated metals property.

Salvage operation may include any activities of a Recycling Processing Center, secondary metals recycler, or enclosed disassembly operation as defined herein and may store, hold, keep, receive, reuse, wreck, dismantle, recycle, collect, deal, buy, or sell recyclables. Such activities shall be subject to all operating requirements applicable to salvage operations and must be conducted within the designated property boundaries approved for such use.

Salvage operation shall not include premises where used parts are sold but no wrecking or dismantling occurs nor shall it include any City of Lincoln public disposal facility.

**SECONDARY METALS RECYCLER** shall mean any person, firm, or corporation within the city, or three miles thereof, that:

(1) is engaged in the business of acquiring, buying, selling, gathering, or obtaining regulated metals property that has served its original economic purpose; or
(2) is in the business of or has facilities for performing the manufacturing process by which regulated metals property is converted into raw material products consisting of prepared grades and having an existing or potential economic value by methods including, but not limited to, processing, sorting, cutting, classifying, cleaning, baling, wrapping, shredding, shearing, or changing the physical form or chemical content of the metals, but not including the exclusive use of hand tools.

**TRANSACTION** shall mean purchase, receipt, deposit, or take in trade, accept, reuse, collect, deal in, or sell.

Section 2. That Section 5.41.020 of the Lincoln Municipal Code be amended to read as follows:

**5.41.020 Permit Required; Penalty.**

It shall be unlawful for any person whether owner, lessee, tenant, or occupant, to allow, engage in, carry on, conduct, operate, or maintain a salvage operation, enclosed disassembly operation, recycling processing center operation, recycling center operation, consumer recyclables collection site, or commercial composting operation within the city, or three miles thereof, without first having obtained a written permit from the Director for such activities.

Section 3. That Section 5.41.030 of the Lincoln Municipal Code be amended to read as follows:

**5.41.030 Permit; Application, Investigation.**

(a) Any person may apply for a permit to operate or maintain a salvage operation, enclosed disassembly operation, recycling processing center operation, recycling center operation, consumer recyclables collection site, or commercial composting operation within the city, or three miles thereof, by submitting an application together with the related permit fee and occupation tax, if any, to the Director.
(b) The Director shall review such application and upon payment of the related permit fee and occupation tax, if any, shall issue such permit within a reasonable time not to exceed sixty days if such operation is or will be in compliance with all requirements of this chapter and all other applicable city ordinances and regulations.

(c) Investigations shall be made by the necessary city departments to determine whether any such operation will be in compliance with all requirements of this chapter and all other applicable city ordinances and regulations.

Section 4. That Section 5.41.040 of the Lincoln Municipal Code be amended to read as follows:

5.41.040 Application Information Requirements.

(a) The applicant for a salvage operation, enclosed disassembly operation, recycling processing center operation, recycling center operation, consumer recyclables collection site, or commercial composting operation permit shall complete forms provided by the Director, supplying at a minimum, the following information:

(1) The name and address of the applicant;

(2) The exact location of the premises;

(3) The exact nature of the activities related to the permit;

(4) The location and dimensions of any buildings on the premises, including any building to be used, in whole or in part, in the permitted activities; and

(5) Such other pertinent information as requested on such forms.

(b) For existing permit holders, application information shall be included on forms for renewal provided by the Director to verify and update such information.

Section 5. That Section 5.41.050 of the Lincoln Municipal Code be amended to read as follows:
5.41.050 Salvage, Recycling, or Composting Operations; Permit; Fee.

(a) The City Council may, by resolution, from time to time establish or revise fees for the following permit applications:

(1) Salvage

(2) Enclosed Disassembly Operations

(3) Recycling Processing Center Operations

(4) Recycling Center Operations

(5) Consumer Recyclables Collection Site

(6) Commercial Composting Operations

Such fees when so established or revised shall be used exclusively for the purpose of administering, operating, and enforcing the provisions of this chapter. All fees collected under the provisions of this chapter shall be deposited with the City Treasurer who shall credit them to the Health Fund.

(b) A permit holder who renews the permit after it expires, but within thirty days of the date of expiration shall pay a late fee of 33% of the annual fee in addition to the annual fee.

(c) A permit holder who renews the permit more than thirty days after the date of expiration shall pay a late fee of 67% of the annual fee in addition to the annual fee.

(d) A permit holder still in operation who fails to renew the permit before it expires is operating without a valid permit and shall be subject to closure or other appropriate enforcement action by the Health Director.

(e) Such permit fees are non-refundable.

Section 6. That Section 5.41.060 of the Lincoln Municipal Code be amended to read as follows:

5.41.060 Occupation Tax.
There is hereby levied upon the business of every person engaged in the business of operating or conducting any salvage operation, enclosed disassembly operation, or commercial composting operation an occupation tax of $160.00 per year. The City Treasurer shall place forty percent of such tax receipts in the General Fund for Building and Safety purposes and the remainder in the Health Department Fund. The year for which such occupation tax is levied shall commence on the first day of August and shall end on the thirty-first day of July next succeeding, and such occupation tax shall not be prorated; the tax for the remaining portion of said year shall be $80.00.

Section 7. That Section 5.41.070 of the Lincoln Municipal Code be amended to read as follows:

**5.41.070 Occupation Tax Payment; Late Fee; Penalty.**

It is hereby made the duty of every person engaged in the business of operating or conducting any salvage operation, enclosed disassembly operation, or commercial composting operation to pay the City Treasurer the above occupation tax as follows:

(a) All applicants for new or renewal permits shall pay such occupation tax at the time of application or renewal.

(b) If the tax remains unpaid after expiration, but within thirty days of the date of expiration, of any permit required for the continuing operation of such business, such business shall pay a late fee of 33% of the tax owed, in addition to the tax.

(c) If the tax remains unpaid after expiration of any permit and is not paid within thirty days of the date of expiration required for the continuing operation of such business, such business shall pay a late fee of 67% of the tax owed, in addition to the tax.
(d) A permit holder who fails to pay the occupation tax before it is due is operating without a valid permit and shall be subject to closure or other appropriate enforcement action by the Health Director.

Section 8. That Section 5.41.080 of the Lincoln Municipal Code be amended to read as follows:

5.41.080 Permit; Expiration.

All salvage operation, enclosed disassembly operation, recycling processing center operation, recycling center operation, consumer recyclables collection site, or commercial composting operation permits granted under this chapter shall expire on the thirty-first day of January following the date of issuance.

Section 9. That Section 5.41.090 of the Lincoln Municipal Code be amended to read as follows:

5.41.090 Permit; Revocation and Suspension.

(a) The Director may revoke or suspend any salvage operation, enclosed disassembly operation, recycling processing center operation, recycling center operation, consumer recyclables collection site, or commercial composting operation permit granted under this chapter if the Director determines:

(1) The permittee has failed to comply with this chapter or any provision of law applicable to the premises, equipment, or operation of the permitted operation; or

(2) The permittee has obtained his or her permit through any fraud or misstatement; or

(3) The permitted operation is being conducted in a manner detrimental to the health, safety, or general welfare of the public, or is a nuisance, or is being operated in any unlawful manner; or
(4) The permitted operation is no longer being operated by the permittee; or

(5) The permittee has failed to update with the Director any changes in the information represented on his or her permit application; or

(6) The permitted operation has received any high value salvage material from an individual who has been identified by the Lincoln Police Department, through written notice to the permittee by delivery in person or certified mail to the address provided in the application, to be in violation of Section 5.41.240 of this chapter.

(b) A salvage operation, enclosed disassembly operation, or recycling processing center operation permit shall not be suspended or revoked for failure to comply with the requirements under Section 5.41.210 or 5.41.220, if such failure is due to mistake or inadvertence, except as provided in Section 5.41.090(b). If any such failure to comply is discovered, the Director or Chief of Police shall notify the permit holder of such deficiencies and shall afford the permit holder a reasonable opportunity and time, not exceeding thirty days, to correct said deficiencies. If a permit holder has been given three or more opportunities during any two-year period to correct such deficient record-keeping practices, its permit to operate may be suspended or revoked.

(c) Such suspension or revocation shall state in writing the reasons for the same and shall notify the permittee of the opportunity for hearing provided in Section 5.41.100.

(d) Such suspension or revocation may be delivered in person or by mail to the address provided in the application or by any other suitable and effective means.

(e) No suspension or revocation shall be effective until after the ten-day period provided for appeal. If an appeal is filed, it shall operate as a stay to such suspension or revocation until the appeal is heard by the Director. The Director’s final decision may be appealed as provided by state law.
Section 10. That Section 5.41.102 of the Lincoln Municipal Code be amended to read as follows:

5.41.102 Permit Required; Penalty.

(a) It shall be unlawful for any individual to engage in, carry on, or operate as a high value salvage collector within the city, or three miles thereof, without first having obtained a written permit from the Chief of Police for such activities.

(b) It shall be unlawful for any person to possess, accept, process, store, hold, keep, receive, reuse, collect, deal in, buy, or sell regulated metals property or operate an established place of business as secondary metals recycler within the city, or three miles thereof, without first having obtained a written permit from the Chief of Police and any Special Permit as required by Chapter 27.63. Any person found in possession of regulated metals property by a city official or law enforcement personnel without such permit may demonstrate a legitimate and temporary reason for such possession by showing either, (i) a letter of permission from the Chief of Police to temporarily possess regulated metals property that includes a law enforcement case or property identification number, or (ii) a bill of sale, purchase receipt, or work order that includes the vehicle identification number of the source vehicle. City officials or law enforcement personnel disposing of lost, found, or stolen regulated metals property are exempt from the requirements of this section.

Section 11. That Section 5.41.104 of the Lincoln Municipal Code be amended to read as follows:

5.41.104 Permit; Application and Investigation.
(a) Any person applying for a high value salvage collector permit or secondary metals recycler permit shall complete forms provided by the Chief of Police supplying, at a minimum, the following information:

   (1) The name and address of the applicant;

   (2) The applicant’s mailing address;

   (3) The exact nature of the activities related to the permit;

   (4) A complete set of the applicant’s fingerprints;

   (5) Such other pertinent information as requested on such forms.

(b) No permit shall be issued under subsection (a) of this section to any person who has been convicted of a theft offense as defined in Section 5.41.240 of this chapter within the last five years or to any individual under the age of majority sixteen.

(c) For existing permit holders, application information shall be included on forms for renewal provided by the Chief of Police to verify and update such information.

Section 12. That Section 5.41.106 of the Lincoln Municipal Code be amended to read as follows:

5.41.106 Issuance of Permit

(a) Each high value salvage collector permit or secondary metals recycler permit applicant shall pay to the Chief of Police a permit fee of five dollars with each permit application. Such permit fee is non-refundable and all permits granted under this section shall expire on the thirty-first day of July following the date of issuance. All permits must be renewed annually by applying for a renewal application. Each permit shall be issued with a permit number and other identifying characteristics as the Chief of Police deems appropriate. Each permittee shall carry their permit with them at all times when gathering, collecting, buying, selling or otherwise dealing in any high value salvage material or regulated metals property.
(b) The Chief of Police may deny the permit application if the applicant has been convicted of a crime of theft as defined in Section 5.41.240 of this chapter or if the investigation reveals that the application contains misrepresentations or false statements of material or relevant facts. In the event that the Chief of Police denies a permit, the Chief of Police shall notify the applicant in writing within thirty days of the filing of the application.

Section 13. That Section 5.41.108 of the Lincoln Municipal Code be amended to read as follows:

5.41.108 Permit; Revocation and Suspension.

(a) The Chief of Police may revoke or suspend any high value salvage collector or secondary metals recycler permit granted under this chapter if the Chief of Police determines:

(1) The permittee has obtained his or her permit through any fraud or misstatement; or

(2) The permittee has failed to update with the Chief of Police any changes in the information represented on his or her permit application; or

(3) The permittee has knowingly allowed another individual to use his or her permit; or

(4) The permittee has used another individual’s permit; or

(5) The permittee has received any high value salvage material or regulated metals property from any individual who has been identified by the Lincoln Police Department, through written notice to the permittee, by delivery in person or by certified mail to the address provided in the application, to be in violation of Section 5.41.240 of this chapter.

(6) The permittee has made a fraudulent statement during the transaction of regulated metals property.
(7) The permittee fails to operate in accordance with any salvage permit or special permit and the requirements provided in Section 5.41.110 of this chapter.

(b) Such suspension or revocation shall state in writing the reasons for the same and shall notify the permittee of the opportunity for hearing provided in Section 5.41.109 of this chapter.

(c) Such suspension or revocation may be delivered in person or by mail to the address provided in the application or by any other suitable and effective means.

(d) No suspension or revocation shall be effective until after the ten-day period provided for appeal. If an appeal is filed it shall operate as a stay to such suspension or revocation until the appeal is heard by the Chief of Police. Appeals of the Chief of Police’s final decision may be appealed as provided by state law.

Section 14. That Section 5.41.109 of the Lincoln Municipal Code be amended to read as follows:

5.41.109 Permit; Hearing.

(a) Any person aggrieved by the Chief of Police granting, denying, renewing, or revoking a permit for a high value salvage collector or secondary metals recycler subject to the provisions of this chapter, may file a written request for a hearing before the Chief of Police within ten days after such action.

(b) The Chief of Police shall give notice of a public hearing upon this request to be held within thirty days after service on the person requesting the hearing. The Chief of Police may also give notice of the hearing to other interested persons.

(c) At such hearing, the Chief of Police shall determine whether the granting, denial, renewal, or revocation of the permit was in accordance with the provisions of this chapter and shall issue a written findings of fact, conclusions of law, and a written order. These findings of fact,
conclusions of law, and order shall be filed by the Chief of Police and served upon all parties appearing or represented at such hearing.

Section 15. That Section 5.41.110 of the Lincoln Municipal Code be amended to read as follows:

5.41.110 General Operating Requirements.

The operator of any operation requiring a permit under this chapter shall:

(a) Plainly display on the premises the permit issued pursuant to this chapter.

(b) Maintain the premises in a safe and sanitary condition at all times, including taking prompt action to eliminate any nuisance conditions.

(c) Arrange material so as to permit easy access to all such material for fire fighting purposes.

(d) Where outside storage of material is permitted, keep any such materials within a suitable fence. (Such fence shall be designed and maintained to prevent unauthorized entry).

(e) Remove from the premises, at reasonable times, all material other than salvage material, regulated metals property, or recyclables.

(f) Store all flammable material properly to reduce fire hazards.

(g) Where applicable, remove and collect, within ninety days after arrival at the permitted premises or prior to crushing or other salvage processing, whichever is earlier, all gasoline and batteries from any material containing the same.

(h) Where applicable, remove any chlorinated fluorocarbons from any materials containing the same: within ninety days after arrival at the permitted premises, prior to processing of the item for salvage, or prior to sale or removal from the permitted premises, whichever occurs first; provided the same may be removed for remote processing of chlorinated fluoro carbons.
Where applicable and whenever possible, remove and collect oil, lubricants, batteries, gasoline and chlorinated fluorocarbons in such manner as to promote recycling or reuse of said materials.

(j) Where applicable, drain all oil and grease from motor vehicles being dismantled on the premises into a receptacle capable of holding same.

(k) Where applicable, prevent the discharge of flammable or combustible liquids or any waste liquid containing crude petroleum or its products into or upon any street, highway, drainage canal, or ditch, storm drain, sewer or flood control channel, lake or tidal waterway, or upon the ground.

(l) Where applicable, properly and promptly clean any accidental spills of petroleum products, solvents or any other hazardous or potentially hazardous substance.

(m) Comply with all applicable local, state, and federal laws, ordinances, rules, and regulations.

Section 16. That Section 5.41.120 of the Lincoln Municipal Code be amended to read as follows:

5.41.120 Recycling Processing Center; Operating Requirements.

(a) The operator of any recycling processing center shall:

(1) Conduct any cutting, crushing, breaking, baling, and shredding only within an enclosed structure on the premises. Such structure shall comply with all applicable fire, building, safety and health codes. Operations involving the recycling of wood may conduct cutting, crushing, breaking, baling, and shredding activities outside of an enclosed structure provided any resulting dust, particles, or debris stay on the property.

(2) Clearly designate any voluntary drop-off site area on the premises.
(3) Store recyclables, including any use of the designated voluntary drop-off site area on the premises for storage only within covered containers or under covers.

(b) The operator of any recycling processing center shall not cause or permit the following:

(1) Any mechanical, chemical, or electrical processing that changes the shape or appearance of the recyclables on the permitted premises other than cutting, crushing, breaking, baling, and shredding. Operations involving the recycling of wood may conduct dying activities using a colorant.

(2) Any handling, receiving or processing of hazardous materials as defined by state or federal law, without the appropriate permit or approval under such laws.

Section 17. That Section 5.41.170 of the Lincoln Municipal Code be amended to read as follows:

5.41.170 Nuisance Conditions.

(a) It shall be the duty of every owner, lessee, tenant, or occupant of any premises within the city, or within three miles of the corporate limits thereof, to conduct any recycling, composting, salvage operation, salvage yard, enclosed disassembly operation, scrap processing, or consumer recyclables collection site in a safe and sanitary manner so as not to permit, keep, or maintain thereon any condition detrimental to the public health, safety, and welfare.

(b) If the Director finds that conditions exist that are a detriment to the public health, safety, or welfare, or are otherwise a public nuisance, the Director shall abate the same as a public nuisance as provided in §Section 8.26.030.

(c) Conditions detrimental to the public health, safety, and welfare related to recycling, composting, salvage operation, salvage yard, enclosed disassembly operation, scrap processing, or consumer recyclables collection site shall include the failure to:
(1) Prevent or remove standing water likely to become a breeding place for mosquitoes.

(2) Keep weeds and vegetation on the premises, other than trees, shrubs, and vines, trimmed to a height of not more than six inches.

(3) Remove or keep from the premises any materials liable to give off a foul odor or attract vermin.

(4) Prevent recyclables, organic materials, or other material from resting upon or protruding over any public street, walkway, or other public property.

(5) Prevent recyclables, organic material, or other material from scattering or blowing off the premises.

(6) Prevent or remove any conditions that are conducive to the existence and breeding of rodents or insects.

(7) Take reasonable measures to prevent the access of animals including dogs, cats, skunks, opossums, or raccoons to the area related to the activity.

Section 18. That Section 5.41.210 of the Lincoln Municipal Code be amended to read as follows:

5.41.210 Report; Electronic Records Required

Salvage Operation and Recycling Processing Center.

(a) It shall be the duty of every salvage operation, enclosed disassembly operation, and recycling processing center, and secondary metals recycler to keep an individual report of every transaction of high value salvage material and regulated metals property. The city shall designate an electronic reporting system that shall be used by salvage operations, recycling processing centers, or secondary metals recyclers to provide information required by law to the Chief of Police. Every salvage operation, enclosed disassembly operation, recycling processing center, or
secondary metals recycler shall operate and maintain a computer system with internet access and photographic capability sufficient for the electronic reporting requirements contained in this Chapter. Any failure or malfunction of such equipment shall not exempt the salvage operation, recycling processing center or secondary metals recycler from the recording and reporting requirements of this Chapter. The salvage operation, enclosed disassembly operation, recycling processing center, or secondary metals recycler shall immediately notify the Chief of Police of any such failure or malfunction and shall have such resolved as soon as practicable. The records shall be kept for no less than two years after the date of purchase of the high value salvage material or regulated metals property. The reports shall be organized by the date of transaction and shall be maintained and kept on the premises. The reports shall be open at all times during business hours to the inspection of any law enforcement officer upon request by the officer. Reports shall be kept in a form provided by the Lincoln Police Department or in a form as approved by the Lincoln Police Department.

(b) The salvage operation, enclosed disassembly operation, recycling processing center, or secondary metals recycler shall make accurate entry of the following information into the electronic reporting system at the time of the transaction or ensure that entered information is uploaded to the electronic reporting system by noon the following business day: Such report shall show clearly, legibly, and in English the following information:

(1) The date and hour of the day when each article was received;

(2) The name and signature of the individual who handled the transaction on behalf of the salvage operation;

(3) The digital signature of the seller(s);

(4) The amount paid per item to the seller(s), if any;
(i) Payment over twenty-five dollars for regulated metals property shall be by check, and if the purchase total is more than one hundred dollars, the check shall be sent by United States mail, postage prepaid. Purchases made from the same person within a four-hour period shall be considered a single transaction.

(5) The complete description of weight and grade of each material received as defined by the Chief of Police using terms available in the electronic reporting system. The description shall include any identifying markings visible on the high value salvage material or regulated metals property;

(6) The name, address and birthday, current address, and current phone number of the seller(s), verified by any current and valid operator’s license or identification card issued by any state or by the United States;

(7) A digital color image of the front of the current and valid motor vehicle operator's license, state identification card, or federal government-issued identification card of the seller. The type and issuing number of the identification used in subsection (6) above;

(8) A date-and-time-stamped color digital image of the seller with the regulated metals property showing the seller’s face and the item with sufficient clarity to identify both, or a date-and-time-stamped color video recording of the transaction of the regulated metals property that includes the seller’s face and the regulated metals property in the same image; In lieu of the identification requirements of (6) and (7) above, the report may show the issuing number of the person’s high value salvage collector permit that has been issued by the City of Lincoln, Nebraska.

(9) A digital color image of the work order, receipt, or invoice showing both the name of the person from whom the regulated metals property was obtained or a statement that
the seller is the owner, and the make, model, and vehicle identification number of the vehicle from which the regulated metals property was removed;

(10) A digital color image of the motor vehicle used to transport the regulated metals property to the salvage operation or secondary metals recycler, including the license plate, or the vehicle identification number if there is no license plate; and,

(11) The person’s secondary metals recycler permit number issued by the Chief of Police or a digital color image of the permission letter from the Chief of Police for temporary possession which includes a law enforcement case or property identification number for the regulated metals property.

(c) The person selling the regulated metals property shall receive at no charge a plain written or printed receipt of the recorded transaction containing a copy of the entries required by this section.

Section 19. That Section 5.41.220 of the Lincoln Municipal Code be amended to read as follows:

5.41.220 Fingerprint and Seventy-Two Hour Hold Required.

(a) Every salvage operation, enclosed disassembly operation, and recycling processing center, and secondary metals recycler that receives, deposits, purchases or takes in trade high value salvage material or regulated metals property shall, in addition to showing information required under Section 5.41.210(b) on an individual report, take a legible digital scan of the seller’s fingerprint from the customer’s right index finger; if the right index finger is missing, the fingerprint shall be taken from the left index finger of the seller/customer and input the fingerprint image into the electronic reporting system. The fingerprint shall be retained in its original size with a 1:1 ratio. It shall not be shrunken or enlarged said fingerprint shall be placed on the report.
(1) A finger print shall not be required for high value salvage material transactions with:

(i) Any person with a salvage operation, recycling processing center operation, recycling center operation, or commercial composting operation permit issued by the City of Lincoln under this chapter.

(ii) Any officer, employee or contractor acting as an authorized agent by or on behalf of a manufacturing, industrial, or commercial facility or corporation that utilizes high value salvage materials in the regular course of its primary business and has an established place of business as defined in this chapter.

(b) A salvage operation, enclosed disassembly operation, or recycling processing center, or secondary metals recycler shall not deface, alter, change, destroy, part with, conceal, give away, sell or dispose of any high value salvage material or regulated metals property that has been received, deposited, purchased, or taken in trade before and until seventy-two business hours after making out the report required in this chapter.

(1) Any regulated metals property received must be physically tagged with an identification number matching the receipt given to the seller and be kept separate from all other salvaged materials held by the salvage operation or secondary metals recycler for said seventy-two business hour waiting period. A seventy-two hour hold under this subsection shall not be required for high value salvage material transactions with:

(i) Any person with a high value salvage collector permit or a salvage operation, recycling processing center operation, recycling center operation, or commercial composting operation permit issued by the City of Lincoln under this chapter.

(ii) Any officer, employee or contractor acting as an authorized agent by or on behalf of a manufacturing, industrial, or commercial facility or corporation that utilizes high...
value salvage materials in the regular course of its primary business and has an established place of business as defined in this chapter.

(c) Each salvage operation, enclosed disassembly operation, and recycling processing center, and secondary metals recycler shall display a notice to customers in a prominent location stating that the operation is required to fingerprint individual’s selling high value salvage material and regulated metals property.

Section 20. That Chapter 5.41 of the Lincoln Municipal Code be amended to add a new section numbered 5.41.225 to read as follows:

5.41.225 Inspection.

During the usual and customary business hours of a salvage operation, enclosed disassembly operation, recycling processing center, or secondary metals recycler, the Chief of Police and the Director shall have the right to inspect:

(1) Any and all purchased regulated metals property in the possession of the secondary metals recycler; and

(2) Any and all records required to be maintained under Sections 5.41.210 and 5.41.220.

Section 21. That Section 5.41.230 of the Lincoln Municipal Code be amended to read as follows:

5.41.230 Unlawful Acts.

It shall be unlawful for any person to do any of the following:

(a) In relation to high value salvage operations and secondary metals recycling:

(1) Omit making an entry or making a false entry of any material matter in the report required by Sections 5.41.210 and 5.41.220 of this chapter;

(2) Obliterate, destroy, or remove from his or her place of business the record required by Sections 5.41.210 and 5.41.220 of this chapter;
(3) Omit reporting forthwith to the Lincoln Police Department the possession of any property which he or she may have good cause to believe has been lost or stolen;

(4) Receive any property from anyone under the age of majority sixteen years;

(5) To lend his or her high value salvage collector, salvage operation, enclosed disassembly operation, secondary metals recycler permit, or other permit issued under this chapter to any person or knowingly permit the use thereof by another;

(6) To display, use, or represent as one’s own any high value salvage collector, or salvage operation, enclosed disassembly operation, secondary metals recycler permit, or other permit issued under this chapter not issued to him or her by the City of Lincoln.

(7) To sell or purchase high value salvage material without written permission from the Chief of Police.

(b) In relation to consumer recyclables collection sites:

(1) To leave, deposit, drop off, dump, or place consumer recyclables anywhere but in the properly designated provided containers located at consumer recyclable sites; or

(2) To leave, deposit, drop off, or dump any solid waste as defined in LMC Chapter 8.32 Solid Wastes, materials, or items other than approved consumer recyclables as defined in this chapter at consumer recyclable collection sites.

(c) In relation to recycling processing centers, salvage operations, or commercial composting operations:

(1) To leave, deposit, drop off, or dump any materials other than those acceptable by such operation; or

(2) To leave, deposit, drop off, or dump any solid waste as defined in LMC Chapter 8.32 Solid Wastes, except that which is expressly accepted at such operation.

(d) Violate any provisions of this chapter.
Section 22. That Section 5.41.240 of the Lincoln Municipal Code be amended to read as follows:

5.41.240 Unlawful Sale to Salvage Operation by Person Convicted of Theft.

(a) It shall be unlawful for any individual who has been convicted of any theft offense within the last five years under the provisions of the Nebraska Revised Statutes or the Lincoln Municipal Code to donate, give, sale, trade, or pawn any high value salvage material or regulated metals property to a salvage operation, enclosed disassembly operation, recycling processing center, secondary metals recycler, or high value salvage collector permitted under this chapter within the City of Lincoln. Convictions for the following Nebraska State Statutes and Lincoln Municipal Code violations shall constitute theft offenses for the purposes of this ordinance:


Section 23. That Section 5.41.250 of the Lincoln Municipal Code be amended to read as follows:
5.41.250 Penalty.

(a) Any person upon whom a duty is placed by the provisions of this chapter who shall fail or neglect or refuse to perform such duty, or who shall violate any of the provisions of this chapter where a penalty is not otherwise specifically provided, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for a period of not to exceed six months or by a fine of not less than $150.00 nor more than $500.00, recoverable with costs, or both such fine and imprisonment.

(b) Each day that a violation continues shall constitute a separate and distinct offense and shall be punishable as such.

(c) The penalty herein provided shall be cumulative with and in addition to the revocation, cancellation, or forfeiture of the permit provided for by this chapter.

Section 24. That Section 5.41.260 of the Lincoln Municipal Code be amended to read as follows:

5.41.260 Periodic Reports.

On January 1, 2008 the Chief of Police shall provide a report to the Mayor and City Council. Upon request of the Mayor or City Council, the Chief of Police shall provide a report evaluating the effectiveness of the permit and reporting program for high value salvage materials and regulated metals property including any and making recommendations for any changes necessary to improve the program, and thereafter, upon request of the Mayor or City Council, the Chief of Police shall provide such reports.

Section 25. That Section 5.41.270 of the Lincoln Municipal Code be and the same is hereby repealed.

5.41.270 Grace Period.
This ordinance shall not go into effect until December 1, 2006 with the exception of Section 5.41.220(b). In order to allow time for high value salvage collectors to apply for a permit, Section 5.41.220(b) shall not go into effect until February 1, 2007.

Section 26. That Sections 5.41.010, 5.41.020, 5.41.030, 5.41.040, 5.41.050, 5.41.060, 5.41.070, 5.41.080, 5.41.090, 5.41.102, 5.41.104, 5.41.106, 5.41.108, 5.41.109, 5.41.110, 5.41.120, 5.41.170, 5.41.210, 5.41.220, 5.41.230, 5.41.240, 5.41.250, and 5.41.260 of the Lincoln Municipal Code as hitherto existing be and the same are hereby repealed.

Section 27. The effective date of this ordinance shall be October 1, 2021.

Section 28. This ordinance shall be published, within fifteen days after the passage hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or posted on the official bulletin board of the City, located on the wall across from the City Clerk’s office at 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of passage and such posting to be given by publication one time in the official newspaper by the City Clerk. This ordinance shall take effect and be in force from and after its passage and publication or after its posting and notice of such posting given by publication as herein and in the City Charter provided.

Introduced by:

________________________________

Approved as to Form & Legality:

________________________________

City Attorney

Approved this ___ day of ____________, 2021:

________________________________

Mayor