

ORDINANCE NO. \_\_\_\_\_

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AN ORDINANCE to amend Chapter 40 of the Omaha Municipal Code entitled "Mechanical Code"; to add a new section 40-124, prohibiting the sale of air conditioning and air distribution equipment or material except to licensed contractors or homeowners with a valid city permit; to provide for the penalty for the violation of the same; to amend section 40-61 to provide for no compensation to air conditioning/air distribution board members; to repeal section 40-61 as heretofore existing; and to provide the effective date thereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

Section 1. That Chapter 40 of the Omaha Municipal Code entitled "Mechanical Code" is hereby amended to add a new section 40-124, to read as follows:

**Sec. 40-124. Prohibited sales.**

- (a) It shall be unlawful for any person to sell or otherwise transfer for valuable consideration to any person within the city or its three-mile extraterritorial jurisdiction, any air conditioning or air distribution equipment or materials that are intended by the purchaser to be installed within the city or its three-mile extraterritorial jurisdiction, except to the following persons:
  - (1) The holder of a master ACAD contractor license or a master ACAD contractor (residential) license issued under this article, or an authorized agent of such holder, or
  - (2) A homeowner who possesses and presents to the seller a valid permit from the city providing for the installation of the equipment or materials on the property on which he or she resides.
- (b) For purposes of this section, "air conditioning or air distribution equipment or materials" shall mean any of the equipment or materials listed in section 40-109.
- (c) The violation of this section shall be punished by a fine of \$500.00, or by a fine in such amount and imprisonment not to exceed six months.

Section 2. That Omaha Municipal Code section ~~40-61~~ is hereby amended to read as follows:

**Sec. 40-61. Compensation of members.**

~~The compensation for each member of the board shall be \$10.00 for each meeting attended.~~  
Board members shall not be compensated for serving as members of the board.

Section 3. Omaha Municipal Code section 40-61 as heretofore existing is hereby repealed.

Section 4. That this Ordinance shall be in full force and take effect fifteen (15) days from and after the date of its passage.

INTRODUCED BY COUNCILMEMBER.....

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APPROVED BY:

\_\_\_\_\_  
MAYOR OF THE CITY OF OMAHA    DATE

PASSED \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CITY CLERK OF THE CITY OF OMAHA    DATE

APPROVED AS TO FORM:

\_\_\_\_\_  
DEPUTY CITY ATTORNEY    DATE