

4. Resale or Institutional Use. Persons customarily calling on businesses or institutions for the purposes of selling products for resale or institutional use.

**122.19 INSURANCE (NEW)** Every mobile vendor shall maintain liability insurance for operation of the mobile **vendor** vehicle, or the tow **vehicle if the mobile vendor vehicle is a trailer**, and provide proof of the following **coverage(s)** in its application for a mobile vendor license and any time **upon** the request by the city clerk.

1. An insurance policy or policies, or certificate of insurance, issued by an insurance company with a high rating. The policy(ies) shall include commercial general liability insurance coverage and automobile liability insurance coverage, or the equivalent thereof, for the owner of the mobile **vendor** vehicle and tow vehicle if applicable, and for the mobile **vendor** business if different from the vehicle owner. The commercial general liability insurance shall include coverage for bodily injury, death and property damage with limits of liability of not less than \$1,000,000 per occurrence and aggregate combined single limit. The automobile liability insurance shall include coverage for bodily injury, death and property damage with limits of liability of not less than \$1,000,000 per occurrence, combined single limit.
2. The certificate of insurance referred to in this section shall provide that the insurance policy or policies have been endorsed to provide 30 days advance written notice of cancellation, 45 days advance written notice of non-renewal, and ten days advance written notice of cancellation due to nonpayment of premium, and that these written notices shall be provided by email, fax, delivery or regular mail to the City Clerk.
3. The cancellation or other termination of any required insurance policy shall automatically revoke and terminate the mobile vendor license, unless another policy(ies) complying with this section shall be provided and in effect at the time of such cancellation or termination. **The City Clerk shall immediately issue written notification of the revocation of the mobile vendor license.**

Section 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 18<sup>th</sup> day of October, 2021 and approved this 18<sup>th</sup> day of October, 2021.

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Clinton Betsinger, Mayor

ATTEST:

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John Ott, City Clerk



*Mayor took no action - ordinance went into effect after publication on November 18, 2021*

Roll Call: 4 Ayes (Anthofer, Cerwinske, Johnson, and Kellher), 0 - Nays, Ludemann - Absent

**Note: The council passed the ordinance originally on 8-16-2021, but didn't have super majority to forego 2nd and 3rd reading, so had to redo 2nd reading On October 18th, 2021. On October 18th there was a super majority to forego 3rd reading. The ordinance was passed. After 14 days, the Mayor took no action so it went into effect after publication on 11-18-2021**