

AMENDMENTS TO LB 532

Introduced by Government, Military and Veterans Affairs.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. In addition to the powers granted in section
4 23-104, counties may regulate by ordinance:

5 (1) Parking, as it pertains to snow removal for and
6 access by emergency vehicles to residential and commercial areas;

7 (2) Motor vehicles as defined in section 60-339 that are
8 abandoned on public or private property;

9 (3) Graffiti on public or private property;

10 (4) False alarms caused by an emergency alarm system; and

11 (5) Public indecency, including public nudity.

12 Any ordinance adopted by the county shall be enforced by
13 a fine not exceeding five hundred dollars for each offense and
14 recoverable costs and attorney's fees or other penalty adopted by
15 ordinance.

16 Sec. 2. The county board shall provide notice of the
17 time when any ordinance is set for consideration before the
18 board. Such notice shall appear in at least two publications of a
19 newspaper published or of general circulation in the county. The
20 publication shall state the entire wording of the ordinance. The
21 last publication shall be not less than five days nor more than
22 two weeks prior to the time set for the hearing for public comment
23 on the adoption of any such ordinance. Final action by the county

1 board shall not be taken on the proposed ordinance until after at
2 least one public hearing has been arranged for and held thereon
3 by the county board. Thereafter the ordinance may be amended and
4 adopted or adopted as proposed.

5 Sec. 3. County ordinances shall be adopted pursuant to
6 rules and regulations as the county board may provide, and all such
7 ordinances may be proved by the certificate of the county clerk
8 under the seal of the county. When printed or published in book
9 or pamphlet form and purporting to be published by authority of
10 the county, such ordinances shall be read and received in evidence
11 in all courts and places without further proof. The adoption and
12 publication or posting of the ordinance shall be sufficiently
13 proved by a certificate under the seal of the county, from the
14 county clerk, showing that such ordinance was adopted, and when and
15 in what paper the ordinance was published, or when, by whom, and
16 where the ordinance was posted. When ordinances are published in
17 book or pamphlet form, purporting to be published by authority of
18 the county board, the ordinance need not be otherwise published,
19 and such book or pamphlet shall be received as evidence of the
20 adoption and legal publication of such ordinances, as of the dates
21 mentioned in such book or pamphlet, in all courts without further
22 proof.

23 Sec. 4. (1) Ordinances shall be read by title on three
24 different days unless three-fourths of the county board members
25 vote to suspend this requirement. In case such requirement is
26 suspended, the ordinances shall be read by title or number and then
27 moved for final adoption. Three-fourths of the county board members

1 may require a reading of any such ordinance in full before adoption
2 under either procedure set out in this section. The votes of each
3 member shall be called aloud and recorded. To adopt any ordinance,
4 a concurrence of a majority of the whole number of the members
5 elected to the board shall be required.

6 (2) Ordinances shall contain no subject which is not
7 clearly expressed in the title, and no ordinance or section thereof
8 shall be revised or amended unless the new ordinance contains the
9 entire ordinance or section as revised or amended and the ordinance
10 or section so amended is repealed, except that:

11 (a) For an ordinance revising all the ordinances of the
12 county, the only title necessary shall be An ordinance of the
13 county of, revising all the ordinances of the county.
14 Under such title all the ordinances may be revised in sections and
15 chapters or otherwise, may be corrected, added to, and any part
16 suppressed, and may be repealed with or without a saving clause as
17 to the whole or any part without other title; and

18 (b) For an ordinance used solely to revise ordinances
19 or to adopt new ordinances in order to adopt statutory changes
20 made by the Legislature which are specific and mandatory and bring
21 the ordinances into conformance with state law, the title need
22 only state that the ordinance revises those ordinances affected by
23 or adopts ordinances generated by legislative changes. Under such
24 title, all such ordinances may be revised, repealed, or adopted in
25 sections and chapters or otherwise by a single ordinance without
26 other title.

27 Sec. 5. The style of ordinances shall be: "Be it ordained

1 by the county board of the county of, " and all
2 ordinances shall, within fifteen days after they are adopted, be
3 published in some newspaper published or of general circulation
4 within the county, or in pamphlet form, to be distributed or sold,
5 as may be provided by ordinance. Every ordinance fixing a penalty
6 or forfeiture for its violation shall, before the ordinance takes
7 effect, be published for at least one week in the manner prescribed
8 in this section.

9 Sec. 6. No ordinance of any county shall go into effect
10 until fifteen days after the adoption of such ordinance.

11 Sec. 7. The powers conferred by sections 1 to 6 of this
12 act shall not be exercised within the limits of any incorporated
13 city or village nor within the area over which a city or village
14 has been granted and is exercising such powers. At such time as
15 a city or village exercises control over an unincorporated area
16 by the adoption or amendment of an ordinance, the ordinance or
17 amendment shall supersede any similar ordinance of the county.