

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1003**

FINAL READING

Introduced by Walz, 15; Hunt, 8; Wayne, 13; Hansen, M., 26; Vargas, 7.

Read first time January 15, 2020

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to cities and villages; to amend sections  
2 13-2102, 14-1813, 15-103, 15-104, 15-105, 15-106, 15-106.01,  
3 15-106.02, 15-108, 15-110, 15-111, 15-112, 15-113, 15-115, 15-116,  
4 15-117, 15-118, 15-201, 15-201.01, 15-204, 15-205, 15-207, 15-208,  
5 15-209, 15-210, 15-212, 15-215, 15-216, 15-217, 15-218, 15-219,  
6 15-220, 15-221, 15-222, 15-223, 15-224, 15-225, 15-228, 15-229,  
7 15-229.01, 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01,  
8 15-235.03, 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243,  
9 15-244, 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257,  
10 15-258, 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266,  
11 15-268.01, 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307,  
12 15-308, 15-309, 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316,  
13 15-317, 15-322, 15-326, 15-332, 15-401, 15-402, 15-403, 15-406,  
14 15-501, 15-502, 15-701, 15-701.01, 15-701.02, 15-702.01, 15-702.02,  
15 15-702.03, 15-702.04, 15-708, 15-717, 15-720, 15-724, 15-725,  
16 15-726, 15-727, 15-728, 15-729, 15-734, 15-735, 15-751, 15-752,  
17 15-753, 15-754, 15-807, 15-808, 15-809, 15-810, 15-811, 15-812,  
18 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821, 15-822,  
19 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01, 15-845,  
20 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104, 15-1105,  
21 15-1106, 15-1201, 15-1204, 15-1205, 15-1305, and 71-1599, Reissue  
22 Revised Statutes of Nebraska, sections 3-502, 15-102, 15-202,

1 15-211, 15-241, 15-268, 15-404, 15-709, 15-713, 15-718, 15-905,  
2 15-1017, 15-1202, 15-1203, 17-105, 17-405.01, 18-2109, 18-2115,  
3 18-2117.02, 18-2117.03, 18-2142.05, 19-5205, and 19-5305, Revised  
4 Statutes Cumulative Supplement, 2018, and sections 13-2705, 16-401,  
5 18-2101.02, 18-2103, 18-2115.01, 19-612, 19-927, 32-538, and 84-304,  
6 Revised Statutes Supplement, 2019; to provide deadlines for filling  
7 vacancies on certain boards, authorities, and agencies as  
8 prescribed; to change provisions relating to enterprise zones under  
9 the Enterprise Zone Act; to change requirements for grant of  
10 assistance applications; to change and eliminate provisions relating  
11 to cities and villages; to change provisions relating to quorum  
12 requirements for the city council; to define and redefine terms; to  
13 provide annexation powers for purposes of relocation due to  
14 catastrophic flooding; to change and eliminate provisions of the  
15 Community Development Law; to change provisions relating to  
16 elections and numbers of city council members and planning  
17 commission meetings; to eliminate provisions relating to street  
18 railways; to harmonize provisions; to provide operative dates; to  
19 repeal the original sections; to outright repeal sections 15-730,  
20 15-731, 15-732, and 15-733, Reissue Revised Statutes of Nebraska;  
21 and to declare an emergency.

22 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 3-502, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3 3-502 (1) Any city may create an airport authority to be managed and  
4 controlled by a board. The board, when and if appointed, shall have full  
5 and exclusive jurisdiction and control over all facilities owned or  
6 thereafter acquired by such city for the purpose of aviation operation,  
7 air navigation, and air safety operation.

8 (2) The Cities Airport Authorities Act shall not become operative as  
9 to any city unless the mayor and city council in their discretion  
10 activate the airport authority by the mayor appointing and the council  
11 approving the board members as provided in this section. Each such board  
12 shall be a body corporate and politic, constituting a public corporation  
13 and an agency of the city for which such board is established.

14 (3) Each board in cities of the primary, first, and second classes  
15 and in villages shall consist of five members to be appointed by the  
16 mayor with the approval of the city council to serve until their  
17 successors elected pursuant to section 32-547 take office. Members of  
18 such board shall be residents of the city for which such authority is  
19 created. Any vacancy on such board shall be filled by appointment by the  
20 mayor, with the approval of the city council, to serve the unexpired  
21 portion of the term. A member of such board may be removed from office  
22 for incompetence, neglect of duty, or malfeasance in office. An action  
23 for the removal of such officer may be brought, upon resolution of the  
24 city council, in the district court of the county in which such city is  
25 located.

26 (4) Each board in cities of the metropolitan class shall consist of  
27 five members who shall be nominated by the mayor and approved by the city  
28 council and shall serve for terms of five years. Any vacancy on such  
29 board shall be filled, not later than six months after the date of such  
30 vacancy, by appointment by the mayor, with the approval of the city  
31 council, and such appointee shall serve the unexpired portion of the term

1 of the member whose office was vacated. Any member of such board may be  
2 removed from office by the mayor, for incompetence, neglect of duty, or  
3 malfeasance in office, with the consent and approval of the city council.

4 (5) The members of the board hereby created shall not be entitled to  
5 compensation for their services but shall be entitled to reimbursement of  
6 expenses paid or incurred in the performance of the duties imposed upon  
7 them by the Cities Airport Authorities Act, to be paid as provided in  
8 section 23-1112 for county officers and employees. A majority of the  
9 members of the board then in office shall constitute a quorum. The board  
10 may delegate to one or more of the members, or to its officers, agents,  
11 and employees, such powers and duties as it may deem proper.

12 (6) The board and its corporate existence shall continue only for a  
13 period of twenty years from the date of appointment of the members  
14 thereof and thereafter until all its liabilities have been met and its  
15 bonds have been paid in full or such liabilities and bonds have otherwise  
16 been discharged. When all liabilities incurred by the authority of every  
17 kind and character have been met and all its bonds have been paid in full  
18 or such liabilities and bonds have otherwise been discharged, all rights  
19 and properties of the authority shall pass to and be vested in the city.  
20 The authority shall have and retain full and exclusive jurisdiction and  
21 control over all projects under its jurisdiction, with the right and duty  
22 to charge and collect revenue therefrom, for the benefit of the holders  
23 of any of its bonds or other liabilities. Upon the authority's ceasing to  
24 exist, all its remaining rights and properties shall pass to and vest in  
25 the city.

26 Sec. 2. Section 13-2102, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 13-2102 For purposes of the Enterprise Zone Act:

29 (1) Census shall mean the federal decennial census;

30 (2) Department shall mean the Department of Economic Development;

31 (3) Economic distress shall mean conditions of unemployment,

1 poverty, and declining population existing within the area of a proposed  
2 enterprise zone considered in the stated order as an order of priority  
3 from most to least significant;

4 (4) Enterprise zone or zone shall mean an area which is at least one  
5 but no more than sixteen square miles in total area composed of one or  
6 more discrete areas which have a combined total resident population of  
7 not less than two hundred fifty persons. If it is composed of more than  
8 one discrete area, each separate area must meet the eligibility criteria  
9 established by this subdivision and (a) must be no more than five miles  
10 from another area if the zone is located within a city of the  
11 metropolitan or primary class, (b) must be located within the same county  
12 if the zone is located outside of the boundaries of a city of the  
13 metropolitan or primary class, or (c) must be located within the  
14 boundaries of the applying political subdivisions if the application for  
15 zone designation is made jointly by counties or tribal government areas  
16 pursuant to subsection (4) of section 13-2103. No area or portion of an  
17 area located in a city of the metropolitan or primary class shall include  
18 any portion of a central business district. For purposes of this  
19 subdivision, central business district shall mean an area comprised of a  
20 high concentration of office, service, financial, lodging, entertainment,  
21 and retail businesses and government facilities and possessing a high  
22 traffic flow or an area composed of one or more complete federal census  
23 tracts defined as a central business district by the United States Bureau  
24 of the Census.

25 To qualify as an enterprise zone under this subdivision (4), such  
26 area must meet at least two of the following three criteria as measured  
27 by data from the United States Bureau of the Census:

28 (i) Population in the area or within a reasonable proximity to the  
29 area has decreased by at least ten percent between the date of the most  
30 recent census and the date of the immediately preceding census;

31 (ii) The average rate of unemployment in the area or within a

1 reasonable proximity to the area is at least two hundred percent of the  
2 average rate of unemployment in the state during the same period covered  
3 by the most recent census or American Community Survey 5-Year Estimate;  
4 or

5 (iii) The average poverty rate in the area exceeds twenty percent  
6 for the total federal census tract or tracts or federal census block  
7 group or block groups in the area or within a reasonable proximity to the  
8 area when the area is located within the legal boundaries of a city of  
9 the metropolitan or primary class or the average poverty rate in the area  
10 exceeds twenty percent for the total federal census tract or tracts or  
11 federal census block group or block groups which encompass the legal  
12 boundaries of a city of the first class, city of the second class,  
13 village, or tribal government area when the area is located in such  
14 political subdivision.

15 For purposes of this subdivision (4), reasonable proximity shall  
16 refer to the federal census tracts or federal census block groups which  
17 either in whole or in part are within the boundaries of any portion of  
18 the proposed zone;

19 (5) Political subdivision shall mean any incorporated village, city,  
20 county, or tribal government area; and

21 (6) Tribal government area shall mean (a) that portion of Knox  
22 County under the jurisdiction of the Santee Sioux Tribe, (b) that portion  
23 of Thurston County under the jurisdiction of the Omaha Tribe, and (c)  
24 that portion of Thurston County under the jurisdiction of the Winnebago  
25 Tribe.

26 Sec. 3. Section 13-2705, Revised Statutes Supplement, 2019, is  
27 amended to read:

28 13-2705 The department may conditionally approve grants of  
29 assistance from the fund to eligible and competitive applicants subject  
30 to the following limits and requirements:

31 (1) Except as provided in subdivision (2) of this section, a grant

1 request shall be in an amount meeting the following requirements:

2 (a) For a grant of assistance under section 13-2704.01, at least  
3 fifteen thousand dollars but no more than:

4 (i) For a city of the primary class, two million two hundred fifty  
5 thousand dollars;

6 (ii) For a city with a population of at least forty thousand  
7 inhabitants but fewer than one hundred thousand inhabitants as determined  
8 by the most recent federal decennial census or the most recent revised  
9 certified count by the United States Bureau of the Census, one million  
10 one hundred twenty-five thousand dollars;

11 (iii) For a city with a population of at least twenty thousand  
12 inhabitants but fewer than forty thousand inhabitants as determined by  
13 the most recent federal decennial census or the most recent revised  
14 certified count by the United States Bureau of the Census, seven hundred  
15 fifty thousand dollars;

16 (iv) For a city with a population of at least ten thousand  
17 inhabitants but fewer than twenty thousand inhabitants as determined by  
18 the most recent federal decennial census or the most recent revised  
19 certified count by the United States Bureau of the Census, six hundred  
20 thousand dollars; and

21 (v) For a municipality with a population of fewer than ten thousand  
22 inhabitants as determined by the most recent federal decennial census or  
23 the most recent revised certified count by the United States Bureau of  
24 the Census, three hundred seventy-five thousand dollars; and

25 (b) For a grant of assistance under section 13-2704.02, at least  
26 three thousand dollars but no more than fifteen thousand dollars;

27 (2) Upon the balance of the fund reaching three million seven  
28 hundred fifty thousand dollars, and until the balance of the fund falls  
29 below one million five hundred thousand dollars, a grant request shall be  
30 in an amount meeting the following requirements:

31 (a) For a grant of assistance under section 13-2704.01, at least

1 fifteen thousand dollars but no more than:

2 (i) For a city of the primary class, three million three hundred  
3 seventy-five thousand dollars;

4 (ii) For a city with a population of at least forty thousand  
5 inhabitants but fewer than one hundred thousand inhabitants as determined  
6 by the most recent federal decennial census or the most recent revised  
7 certified count by the United States Bureau of the Census, one million  
8 six hundred eighty-seven thousand dollars;

9 (iii) For a city with a population of at least twenty thousand  
10 inhabitants but fewer than forty thousand inhabitants as determined by  
11 the most recent federal decennial census or the most recent revised  
12 certified count by the United States Bureau of the Census, one million  
13 one hundred twenty-five thousand dollars;

14 (iv) For a city with a population of at least ten thousand  
15 inhabitants but fewer than twenty thousand inhabitants as determined by  
16 the most recent federal decennial census or the most recent revised  
17 certified count by the United States Bureau of the Census, nine hundred  
18 thousand dollars; and

19 (v) For a municipality with a population of fewer than ten thousand  
20 inhabitants as determined by the most recent federal decennial census or  
21 the most recent revised certified count by the United States Bureau of  
22 the Census, five hundred sixty-two thousand dollars; and

23 (b) For a grant of assistance under section 13-2704.02, at least  
24 three thousand dollars but no more than fifteen thousand dollars;

25 (3) Assistance from the fund shall not amount to more than fifty  
26 percent of the cost of the project for which a grant is requested;

27 (4) A municipality shall not be awarded more than one grant of  
28 assistance under section 13-2704.01 and one grant of assistance under  
29 section 13-2704.02 in any two-year period;

30 (5) Any eligible facility for which a grant of assistance under  
31 section 13-2704.01 is made shall not be sold for at least five years

1 following the award of such grant of assistance; and

2       (6) An application for a grant of assistance to assist in the  
3 preservation, restoration, conversion, rehabilitation, or reuse of a  
4 historic building or district shall include a notification of approval  
5 from the State Historic Preservation Officer that the work proposed in  
6 the application conforms to the United States Secretary of the Interior's  
7 Standards for the Treatment of Historic Properties. If the application  
8 does not include such notification of approval from the State Historic  
9 Preservation Officer, the department shall not award a grant of  
10 assistance for such application. Upon receipt of any application for a  
11 grant of assistance to assist in the preservation, restoration,  
12 conversion, rehabilitation, or reuse of a historic building or district,  
13 the department shall notify the State Historic Preservation Officer of  
14 such application. The State Historic Preservation Officer shall evaluate  
15 the work proposed in such application to determine whether it conforms to  
16 the United States Secretary of the Interior's Standards for the Treatment  
17 of Historic Properties and shall notify the department of the  
18 determination. If the work does not conform to such standards, the  
19 department shall not award a grant of assistance for such application.

20       Sec. 4. Section 14-1813, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22       14-1813 (1) Except as provided in subsection (2) of this section,  
23 whenever any city of the metropolitan class creates an authority, the  
24 board shall consist of five members to be selected as follows: (a) The  
25 mayor, with the approval of the city council and the county board of the  
26 county in which the city is located, shall appoint one member who shall  
27 serve for one year, one member who shall serve for two years, one member  
28 who shall serve for three years, one member who shall serve for four  
29 years, and one member who shall serve for five years; and (b) upon the  
30 expiration of the term of each appointed officer, the mayor, with the  
31 approval of the city council and the county board of the county in which

1 the city is located, shall appoint a member who shall serve for a term of  
2 five years. Members of such board shall be residents of the transit  
3 authority territory described in section 14-1803 and one member of the  
4 board shall be nominated and selected as provided in subsection (2) of  
5 this section. In cities of the metropolitan class where a board has been  
6 heretofore appointed, the mayor, with the approval of the city council  
7 and the county board of the county in which the city is located, shall by  
8 resolution redesignate the terms of the members of such board in  
9 accordance with the provisions of sections 14-1803, 14-1805, 14-1812, and  
10 14-1813, except that until such redesignation is made the terms shall  
11 stand as provided for in the original appointment.

12 (2) Notwithstanding any provisions of the city charter of the city  
13 of the metropolitan class to the contrary, when the next vacancy will  
14 occur on the board after August 31, 2003, resulting from the expiration  
15 of the term of office of a member of the board, notice of such vacancy  
16 shall be communicated to the clerk of each county, city, or village which  
17 is part of the transit authority territory. Such notice shall be provided  
18 at least forty-five days prior to the expiration of the term of office of  
19 the member. Each county, city, and village, other than the city of the  
20 metropolitan class, may, by majority vote of their governing bodies,  
21 recommend the appointment of one or more residents of their respective  
22 jurisdictions to fill the board position. Such nominations shall be filed  
23 with the mayor of the city of the metropolitan class not later than the  
24 thirtieth day following the date of receipt of notice of the vacancy. The  
25 mayor shall make the appointment to fill the board position from such  
26 nominations. The individual appointed by the mayor, upon approval by the  
27 city council of the city of the metropolitan class, shall become a member  
28 of the board. Thereafter, any successor to such board member, either by  
29 reason of vacancy or the expiration of such board member's term, shall  
30 possess the residence qualifications provided for in this subsection, and  
31 such board position shall be filled in the manner provided for in this

1 subsection.

2 (3) Except as provided in subsection (2) of this section, any  
3 vacancy on such board, resulting other than from expiration of a term of  
4 office, shall be filled, not later than six months after the date of such  
5 vacancy, by the mayor of the city of the metropolitan class, with the  
6 approval of the city council and the county board of the county in which  
7 the city is located, and such appointee shall possess the same residence  
8 qualifications as the member whose office he or she is to fill and shall  
9 serve the unexpired portion, if any, of the term of the member whose  
10 office was vacated.

11 (4) Each member, before entering upon the duties of the office,  
12 shall file with the city clerk of the city of the metropolitan class an  
13 oath that he or she will duly and faithfully perform all the duties of  
14 the office to the best of his or her ability, and a bond in the penal sum  
15 of five thousand dollars executed by one or more qualified sureties for  
16 the faithful performance of his or her duties. If any member shall fail  
17 to file such oath and bond on or before the first day of the term for  
18 which he or she was appointed or elected, his or her office shall be  
19 deemed to be vacant.

20 (5) A member of such board may be removed from office for  
21 incompetence, neglect of duty, or malfeasance in office. An action for  
22 the removal of such officer may be brought, upon resolution of the city  
23 council of the city of the metropolitan class or the county board of the  
24 county in which the city is located, in the district court of the county  
25 in which such city is located.

26 Sec. 5. Section 15-102, Revised Statutes Cumulative Supplement,  
27 2018, is amended to read:

28 15-102 Whenever any city of the first class attains ~~shall attain~~ a  
29 population of more than one hundred thousand inhabitants as determined by  
30 the most recent federal decennial census or the most recent revised  
31 certified count by the United States Bureau of the Census, the mayor of

1 such city shall certify such fact to the Secretary of State, who upon the  
2 filing of such certificate shall by proclamation declare such city to be  
3 a city of the primary class.

4 Sec. 6. Section 15-103, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 15-103 The government of a city of the first class which is declared  
7 to be a city of the primary class pursuant to section 15-102 ~~such city~~  
8 shall continue in authority from the date of such declaration  
9 ~~proclamation~~ until reorganization as a city of the primary class.

10 Sec. 7. Section 15-104, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 15-104 The corporate limits of a city of the first class which is  
13 declared to be a city of the primary class pursuant to section 15-102  
14 ~~such city~~ shall remain as before such declaration. ~~The and the~~ city  
15 council may by ordinance at any time include within the corporate limits  
16 of such city any contiguous or adjacent lands, lots, tracts, streets, or  
17 highways such distance and in such direction as may be deemed proper. The  
18 city council ~~, and~~ may include, annex, merge, or consolidate with such  
19 city, by such extension of its corporate limits, any village which is  
20 within the extraterritorial zoning jurisdiction ~~limits~~ of such city, and  
21 which it serves with water service or supply or with a sanitary sewerage  
22 system and service, or both such water and sanitary sewerage service.  
23 Such city shall have power by ordinance to compel owners of land so  
24 brought within the corporate limits to lay out streets and public ways to  
25 conform to and be continuous with the streets and ways of such city, or  
26 otherwise as appears best for the convenience of the inhabitants of such  
27 city and the public. Such city ~~It~~ may vacate any public road established  
28 through such land when necessary to secure regularity in the general  
29 system of its public ways.

30 Sec. 8. Section 15-105, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           15-105   For purposes of sections 15-104 to 15-106.02, land Land  
2 shall be deemed contiguous although a stream, embankments, or a strip or  
3 parcel of land, not more than five hundred feet wide, lies between such  
4 land and the corporate limits.

5           Sec. 9. Section 15-106, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7           15-106   (1) The owner ~~proprietor~~ of any land within the corporate  
8 limits of a city of the primary class or contiguous thereto may lay out  
9 such land into lots, blocks, public ways, and other grounds under the  
10 name of ..... addition to the city of ..... and  
11 shall cause an accurate plat thereof to be made, designating explicitly  
12 the land so laid out and particularly describing the lots, blocks, public  
13 ways, and grounds belonging to such addition. The lots shall be  
14 designated by number and by street. Public ways and other grounds shall  
15 be designated by name and by number. Such plat shall be acknowledged  
16 before some officer authorized to take acknowledgment of deeds and shall  
17 have appended to it a certificate made by a registered land surveyor that  
18 he or she has accurately surveyed such addition and that the lots,  
19 blocks, public ways, and other grounds are staked and marked as required  
20 by such city.

21           (2) When such plat is made, acknowledged, and certified, complies  
22 with the requirements of section 15-901, and is approved by the city  
23 planning commission, such plat shall be filed and recorded in the office  
24 of the register of deeds and county assessor of the county in which the  
25 land is located. In lieu of approval by the city planning commission, the  
26 city council may designate specific types of plats which may be approved  
27 by the city planning director. No plat shall be recorded in the office of  
28 the register of deeds or have any force or effect unless such plat is  
29 approved by the city planning commission or the city planning director.  
30 The plat shall, after being filed with the register of deeds, be  
31 equivalent to a deed in fee simple absolute to the city, from the owner

1 proprietor, of all streets, all public ways, squares, parks, and commons,  
2 and such portion of the land as is therein set apart for public use or  
3 dedicated to charitable, religious, or educational purposes.

4       (3) All additions thus laid out shall remain a part of the city, and  
5 all additions, except those additions as set forth in sections 15-106.01  
6 and 15-106.02, laid out adjoining or contiguous to the corporate limits  
7 of a city of the primary class shall be included therein and become a  
8 part of the city for all purposes. The inhabitants of such addition shall  
9 be entitled to all the rights and privileges and subject to all the laws,  
10 ordinances, rules, and regulations of the city. The mayor and city  
11 council shall have power by ordinance to compel owners of any such  
12 addition to lay out streets and public ways to correspond in width and  
13 direction and to be continuous with the streets and public ways in the  
14 city or additions contiguous to or near the proposed addition.

15       (4) No addition shall have any validity, right, or privilege as an  
16 addition unless the terms and conditions of such ordinance and of this  
17 section are complied with, the plats thereof are submitted to and  
18 approved by the city planning commission or the city planning director,  
19 and the approval of the city planning commission or the city planning  
20 director is endorsed thereon. The city council may provide procedures in  
21 land subdivision regulations for appeal by any person aggrieved by any  
22 action of the city planning commission or city planning director on any  
23 plat.

24       Sec. 10. Section 15-106.01, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26       15-106.01 Commencing on April 17, 1982, an addition which has been  
27 approved pursuant to section 15-106 and is adjoining or contiguous to the  
28 corporate boundaries of a the city of the primary class but which  
29 includes land which lies wholly or partially (1) outside of the area  
30 designated and described as being for future urban uses in the  
31 comprehensive plan adopted by the city pursuant to sections 15-1102 and

1 15-1103 and (2) within a zoning district adopted pursuant to section  
2 15-902 which allows a residential density of not more than one dwelling  
3 per acre shall be included within the corporate limits of the city only  
4 upon the enactment of a city ordinance specifically annexing such  
5 addition.

6 Sec. 11. Section 15-106.02, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 15-106.02 Commencing on April 17, 1982, an addition which has been  
9 approved pursuant to section 15-106 and is adjoining or contiguous to the  
10 corporate boundaries of a the city of the primary class, but which (1)  
11 includes land which lies wholly or partially within the area designated  
12 as being for future urban uses in the comprehensive plan adopted by the  
13 city pursuant to sections 15-1102 and 15-1103 and (2) is set aside in  
14 such comprehensive plan as an agricultural-industrial reserve shall be  
15 included within the corporate limits of the city only upon the enactment  
16 of a city ordinance specifically annexing such addition.

17 Sec. 12. Section 15-108, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 15-108 When any city of the first class is declared ~~shall be~~  
20 ~~incorporated as a city of the primary class pursuant to section 15-102,~~  
21 all ~~its~~ trusts, rights, and privileges of such city of the first class  
22 shall be transmitted to and be invested in such city of the primary class  
23 ~~latter corporation.~~

24 Sec. 13. Section 15-110, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 15-110 Precinct lines ~~in that part of the county not under township~~  
27 ~~organization~~ within the corporate limits of a city of the primary class  
28 shall correspond in number with the ward and be coextensive with such  
29 limits, except that therewith; ~~Provided,~~ when a ward is divided into  
30 election districts, the precinct corresponding with such ward shall be  
31 divided to correspond with the election district.

1           Sec. 14. Section 15-111, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-111 A city of the second class or village, which adjoins a city  
4 of the primary class, as well as other villages either adjoining such  
5 city of the second class or village ~~villages~~, or supplied in whole or in  
6 part with gas, electric light, or street transportation service or supply  
7 from manufacturing or power plants and systems mainly located in and  
8 maintained and operated mainly from chief headquarters or offices within  
9 such city of the primary class, may be consolidated with such city of the  
10 primary class in the manner provided in sections 15-111 to 15-118  
11 ~~hereinafter set out~~. It shall be the duty of the officers of such cities  
12 of the second class and villages twenty days prior to any general city or  
13 village election, to submit to the electors of such cities or villages  
14 ~~thereof~~ at such general city or village election whenever petitioned to  
15 do so by twenty percent of the qualified electors of such cities or  
16 villages ~~thereof~~, the question of the consolidation of such adjoining  
17 cities or villages with the city of the primary class. Such question  
18 shall be submitted in substantially the following form:

19           Shall the city of ..... be consolidated with the city  
20 of ..... ? Or, as the case may be, Shall the village of .....  
21 be consolidated with the city of ..... ? The ballot shall provide in  
22 the usual manner for a Yes and No vote on the question.

23           Sec. 15. Section 15-112, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25           15-112 If at an such election held pursuant to section 15-111 a  
26 majority of the vote cast in a city of the second class or village ~~such~~  
27 ~~municipality~~ shall be in favor of ~~such~~ consolidation, the result shall be  
28 certified to the city council of the city of the primary class. If the  
29 city council of such city of the primary class approves of the  
30 consolidation, an ordinance shall be passed extending the limits of such  
31 city to include all the territory of the city of the second class or

1 village voting for consolidation, and the city or cities, village or  
2 villages, so consolidated with the city of the primary class shall become  
3 a part thereof.

4 Sec. 16. Section 15-113, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 15-113 Whenever any city of the primary class shall extend its  
7 boundaries so as to annex any village, or whenever there is consolidation  
8 taking effect in the manner ~~herein~~ provided in sections 15-111 to 15-118,  
9 the charter, laws, ordinances, powers, and government of such city of the  
10 primary class, shall at once extend over the territory embraced within  
11 any such city or village so annexed or consolidated with it. Such ~~;~~ ~~and~~  
12 ~~such~~ city of the primary class shall succeed to all the property and  
13 property rights of every kind, contracts, obligations, and choses in  
14 action of every kind held by or belonging to such ~~the~~ city or village so  
15 annexed or consolidated with it. Such city of the primary class ~~;~~ ~~and~~ ~~it~~  
16 shall be liable for and assume and carry out all valid contracts,  
17 obligations, franchises, and licenses of any such city or village so  
18 annexed or consolidated with it. Such city or village so annexed or  
19 consolidated with such city of the primary class shall be deemed fully  
20 compensated by virtue of such annexation or consolidation and such ~~the~~  
21 ~~said~~ assumption of its obligations and contracts for all its property and  
22 property rights of every kind so acquired. Any public franchise granted  
23 to or held by any person or corporation from such city of the primary  
24 class, before such consolidation or annexation, shall not by virtue of  
25 such consolidation or annexation be extended into, upon, or over the  
26 streets or public places of such ~~the~~ city or village so consolidated with  
27 or annexed by such city of the primary class. Any public franchise,  
28 license, or privilege granted to or held by any person or corporation  
29 from any of the cities or villages consolidated with or annexed by such  
30 city of the primary class before such consolidation or annexation shall  
31 not by virtue of such consolidation be extended into, upon, or over the

1 streets, alleys, or public places of the city of the primary class  
2 involved in such consolidation or annexation.

3 Sec. 17. Section 15-115, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 15-115 All taxes, assessments, fines, licenses, fees, claims, and  
6 demands of every kind assessed or levied against persons or property  
7 within any ~~such~~ city of the second class or village ~~thus~~ consolidated  
8 with or annexed by any ~~such~~ city of the primary class as provided in  
9 sections 15-111 to 15-118, shall be paid to and collected by such city of  
10 the primary class.

11 Sec. 18. Section 15-116, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 15-116 All taxes and special assessments which a ~~such~~ city of the  
14 second class or village ~~so~~ consolidated with or annexed by a city of the  
15 primary class as provided in sections 15-111 to 15-118 was authorized to  
16 levy or assess and which are not levied or assessed at the time of such  
17 consolidation or annexation for any kind of public improvements made by  
18 it or in process of construction or contracted for, may be levied or  
19 assessed by such city of the primary class ~~as consolidated or annexed~~,  
20 and such city of the primary class shall have the power to reassess all  
21 special assessments or taxes levied or assessed by any such city of the  
22 second class or village thus consolidated or annexed with it, in all  
23 cases where such city of the second class or village is authorized to  
24 make reassessments or relieves of such taxes and assessments.

25 Sec. 19. Section 15-117, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-117 All actions at law or in equity pending in any court in favor  
28 of or against any city of the second class or village ~~thus~~ consolidated  
29 with or annexed by a ~~such~~ city of the primary class as provided in  
30 sections 15-111 to 15-118 at the time such consolidation or annexation  
31 takes effect, shall be prosecuted by or defended by such city of the

1 primary class ~~as the case may be~~, and all rights of action existing  
2 against any city of the second class or village consolidated with or  
3 annexed by such city of the primary class at the time of such  
4 consolidation or annexation or accruing thereafter on account of any  
5 transaction had with or under any law or ordinance of such city of the  
6 second class or village, may be prosecuted against such city of the  
7 primary class ~~as consolidated~~.

8 Sec. 20. Section 15-118, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 15-118 All officers of any city of the second class or village so  
11 consolidated with or annexed by a such city of the primary class as  
12 provided in sections 15-111 to 15-118 having books, papers, records,  
13 bonds, funds, effects, or property of any kind in their hands or under  
14 their control belonging to ~~any~~ such city of the second class or village,  
15 shall upon taking effect of such consolidation or annexation deliver the  
16 same to the respective officers of such city of the primary class as may  
17 be by law or ordinance or limitation of such city entitled or authorized  
18 to receive the same. Upon such consolidation or annexation taking effect,  
19 the terms and tenure of all offices and officers of any such city of the  
20 second class or village so consolidated with or annexed by such city of  
21 the primary class shall terminate ~~and entirely cease~~.

22 Sec. 21. Section 15-201, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 15-201 Cities of the primary class shall be bodies corporate and  
25 politic and shall have power:

26 (1) To sue and be sued;

27 (2) To purchase, lease, or otherwise acquire as authorized by their  
28 home rule charters or state statutes real estate or personal property  
29 within or without the limits of the city for its use for a public  
30 purpose;

31 (3) To purchase real or personal property upon sale for general or

1 special taxes or assessments and to lease, sell, convey, or exchange such  
2 property so purchased;

3 (4) To sell, convey, exchange, or lease real or personal property  
4 owned by the city in such manner and upon such terms and conditions as  
5 shall be deemed in the best interests of the city as authorized by its  
6 home rule charter, except that real estate owned by the city may be  
7 conveyed without consideration to the State of Nebraska for state armory  
8 sites or, if acquired for state armory sites, shall be conveyed in the  
9 manner strictly as provided in sections 18-1001 to 18-1006;

10 (5) To make contracts and do all acts relative to the property and  
11 concerns of the city necessary or incident or appropriate to the exercise  
12 of its corporate powers, including powers granted by the Constitution of  
13 Nebraska or exercised by or pursuant to a home rule charter adopted  
14 pursuant thereto and including the power to execute such bonds and  
15 obligations on the part of the city as may be required in judicial  
16 proceedings;

17 (6) To purchase, construct, and otherwise acquire, own, maintain,  
18 and operate public service and public utility property and facilities  
19 within and without the limits of the city and to redeem such property  
20 from prior encumbrance in order to protect or preserve the interest of  
21 the city therein and to exercise such other and further powers as may be  
22 necessary or incident or appropriate to the powers of such city,  
23 including powers granted by the Constitution of Nebraska or exercised by  
24 or pursuant to a home rule charter adopted pursuant thereto. If the  
25 public service or public utility property or facility is located outside  
26 the limits of the city but within the zoning jurisdiction of another  
27 political subdivision, the city and the other political subdivision may  
28 by interlocal agreement provide or exchange services, including utility  
29 services, relating to the property or facilities;

30 (7) To receive grants, devises, donations, and bequests of money or  
31 property for public purposes in trust or otherwise; and

1 (8) To provide for the planting, maintenance, protection, and  
2 removal of shade, ornamental, and other useful trees upon the streets or  
3 boulevards; to assess the cost thereof, when appropriate, as a special  
4 assessment against the property specially benefited to the extent of  
5 benefits received; and to provide by general ordinance for the manner in  
6 which such benefits are to be measured and the assessments calculated and  
7 the means of notice to the owners of the record title of the property  
8 proposed to be improved, including a written statement of the proposed  
9 benefits and an estimate of the costs to be assessed according to the  
10 method of assessment. The city may create districts by ordinance which  
11 shall designate the property within the district to be benefited and the  
12 method of assessment. Notwithstanding the provisions of any city charter  
13 and except as provided below, no such improvement shall be finally  
14 ordered by the city council until a petition, signed by the owners of the  
15 record title of property within the proposed district which would be  
16 subject to more than fifty percent of the total of all special  
17 assessments to be levied for the purposes authorized by this subdivision,  
18 is presented and filed with the city clerk petitioning therefor. The  
19 sufficiency of the petitions and objections so presented and the  
20 sufficiency of notice as provided in this subdivision shall be determined  
21 by the city council and its determination thereof shall be conclusive in  
22 the absence of objections made and presented to the city council prior to  
23 the letting of the contract for the improvement. If an assessment  
24 district is proposed without a prior authorizing petition as described in  
25 this subdivision, the owners of the record title of property within the  
26 proposed district which would be subject to more than fifty percent of  
27 the total of all special assessments to be levied for the purposes  
28 authorized by this subdivision may, by petition, stop formation of such  
29 district. Such written protest shall be submitted to the city council or  
30 city clerk within thirty calendar days after publication of notice  
31 concerning the ordinance in a legal newspaper in or of general

1 circulation in the city.

2 The powers shall be exercised by the mayor and city council ~~of the~~  
3 ~~city~~ except in cases otherwise specified by law. The mayor and city  
4 council shall adopt a corporate seal for the use of any officer, board,  
5 or agent of the city whose duties require an official seal.

6 Sec. 22. Section 15-201.01, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 15-201.01 Any extraterritorial zoning jurisdiction or authority  
9 which a city of the primary class may exercise outside of its corporate  
10 limits by authority of state law may be exercised by such city outside of  
11 the county in which such city ~~it~~ is located.

12 Sec. 23. Section 15-202, Revised Statutes Cumulative Supplement,  
13 2018, is amended to read:

14 15-202 A city of the primary class shall have the power to levy  
15 taxes for general revenue purposes on all property within the corporate  
16 limits of the city taxable according to the laws of Nebraska and to levy  
17 an occupation tax on public service property or corporations in such  
18 amounts as may be proper and necessary, in the judgment of the mayor and  
19 city council, for purposes of revenue. All such taxes shall be uniform  
20 with respect to the class upon which they are imposed. The occupation tax  
21 may be based upon a certain percentage of the gross receipts of such  
22 public service corporation or upon such other basis as may be determined  
23 upon by the mayor and city council. After March 27, 2014, any occupation  
24 tax imposed pursuant to this section shall make a reasonable  
25 classification of businesses, users of space, or kinds of transactions  
26 for purposes of imposing such tax, except that no occupation tax shall be  
27 imposed on any transaction which is subject to tax under section 53-160,  
28 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008 or  
29 which is exempt from tax under section 77-2704.24. The occupation tax  
30 shall be imposed in the manner provided in section 18-1208, except that  
31 section 18-1208 does not apply to an occupation tax subject to section

1 86-704.

2 Sec. 24. Section 15-204, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-204 A city of the primary class city shall have the power to levy  
5 any other tax or special assessment authorized by law, and to appropriate  
6 money and provide for the payment of the debts and expenses of the city.

7 Sec. 25. Section 15-205, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 15-205 A city of the primary class city shall have the power to (1)  
10 remove all obstructions from the sidewalk, curbstones, gutters, and  
11 crosswalks at the expense of the owners or occupants of the grounds  
12 fronting thereon, or at the expense of the person placing such  
13 obstructions ~~the same there;~~ and (2) ~~to~~ regulate the building of  
14 bulkheads, cellars, basements and ~~basement ways~~, stairways, railways,  
15 windows, ~~window and doorways~~, awnings, ~~hitching posts and rails~~,  
16 lampposts, awning posts, and all other structures upon or over adjoining  
17 excavations through or under the sidewalks of the city.

18 Sec. 26. Section 15-207, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-207 A city of the primary class city shall have the power, by  
21 ordinance, to regulate the transportation of articles through the  
22 streets, to prevent injuries to the streets from overloaded vehicles, and  
23 to provide for a vehicle license or tax.

24 Sec. 27. Section 15-208, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 15-208 A city of the primary class city shall have the power to (1)  
27 prevent and remove all encroachments on streets, avenues, alleys, and  
28 other city property, (2) ~~;~~ prevent and punish horseracing, fast driving  
29 or riding in the streets, highways, alleys, bridges, or other places in  
30 the city, (3) regulate and all games, practices, or amusements within the  
31 city ~~therein~~ likely to result in damage to any person or property, (4) ~~;~~

1 ~~to~~ regulate the riding, driving, or passing along any street of the city,  
2 ~~(5) and to regulate, prevent and punish the riding, driving or passing of~~  
3 ~~horses, mules, oxen, cattle or teams, or any vehicle drawn thereby over,~~  
4 ~~upon or across sidewalks;~~ to regulate and prevent the use of streets,  
5 sidewalks, and public grounds for signs, signposts, awnings, telegraph,  
6 telephone or other poles, racks, bulletin boards, and the posting of  
7 handbills and advertisements, ~~(6) ;~~ to regulate traffic and sales upon  
8 the streets, ~~(7) ;~~ to prohibit and punish cruelty to animals, ~~and (8) ;~~  
9 to regulate and prevent the moving of buildings through or upon the  
10 streets.

11 Sec. 28. Section 15-209, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 15-209 A primary city of the primary class shall have the power, by  
14 ordinance, to regulate levees, depots, depot grounds, and places for  
15 storing freight and goods, and to provide for and regulate the passing of  
16 railways through the streets and public grounds of the city, reserving  
17 the rights of all persons injured thereby.

18 Sec. 29. Section 15-210, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-210 A primary city of the primary class shall have the power to  
21 (1) acquire, hold, and improve public grounds, parks, playgrounds,  
22 swimming pools, recreation centers, or any other park or recreational use  
23 or facility within or without the limits of the city, (2) to provide for  
24 the protection and preservation and use of such grounds, parks, and other  
25 uses and facilities, (3) to provide for the planting and protection of  
26 trees, (4) to erect and construct or aid in the erection and construction  
27 of statues, memorials, works of art, and other structures upon any public  
28 grounds of the city or state or political subdivision thereof, and (5) to  
29 receive grants, devises, donations, and bequests of money or property for  
30 the ~~above~~ purposes described in this section, in trust or otherwise.

31 Sec. 30. Section 15-211, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 15-211 A city of the primary class may, by ordinance, require any  
3 and all lots or pieces of ground within the city or within its  
4 extraterritorial three-mile zoning jurisdiction to be drained or filled  
5 so as to prevent stagnant water or any other nuisance accumulating  
6 thereon. Upon the failure of the owners of such lots or pieces of ground  
7 to fill or drain the lots or pieces when so required, the city council  
8 may cause such lots or pieces of ground to be drained or filled, and the  
9 cost and expenses thereof shall be levied upon the property so filled or  
10 drained and collected as a special assessment.

11 Sec. 31. Section 15-212, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 15-212 A primary city of the primary class shall have the power, by  
14 ordinance, to ~~prevent forestalling, prohibit or regulate huckstering,~~  
15 prescribe the kind and description of articles which may be sold and  
16 places to be occupied by vendors, and may authorize the immediate seizure  
17 and arrest or removal from the markets of persons violating regulations  
18 fixed by ordinance, ~~;~~ together with any articles of produce in their  
19 possession, and the immediate seizure and destruction of tainted or  
20 unsound meat or other provisions. Nothing in this section ~~herein~~ shall be  
21 construed to authorize the city council by ordinance to assess or impose  
22 any tax, assessment, fine, or punishment on any farmer or producer for  
23 selling at any time within the city any article of provision or  
24 vegetables grown or produced by the farmer or producer ~~him~~.

25 Sec. 32. Section 15-215, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-215 A primary city of the primary class shall have the power to  
28 regulate, license, or suppress halls, opera houses, churches, places of  
29 amusement, entertainment, or instruction, or other buildings used for the  
30 assembly of citizens. A city of the primary class ~~It~~ may cause such  
31 buildings ~~them~~ to be provided with sufficient and ample means of exit and

1 entrance, and to be supplied with necessary and appropriate appliances  
2 for the extinguishment of fires and for escape from such places in case  
3 of fire. A city of the primary class ~~It~~ may prevent overcrowding and  
4 regulate the placing of seats, chairs, benches, scenery, curtains,  
5 blinds, screens, or other appliances in such buildings ~~therein~~. A city of  
6 the primary class ~~It~~ may provide that for any violation of any such  
7 regulation a penalty of not to exceed two hundred dollars shall be  
8 imposed, and that upon the conviction of any violation of any ordinance  
9 regulating such places, the license of such place shall be revoked by the  
10 mayor and city council. Whenever the mayor or city council shall by  
11 resolution declare any such place to be unsafe, the license thereof shall  
12 be thereby revoked, and the city council may provide that in any case  
13 where they have so revoked the license, any owner, proprietor, manager,  
14 lessee, or person opening, using, or permitting such place to be opened  
15 or used, involving the assembling of more than twelve persons, shall upon  
16 conviction thereof be deemed guilty of a misdemeanor and fined in any sum  
17 not exceeding two hundred dollars.

18 Sec. 33. Section 15-216, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-216 A ~~primary~~ city of the primary class shall have the power, by  
21 ordinance, to prescribe the thickness, strength, and manner of  
22 constructing stone, brick, and other buildings, and the number and  
23 construction of means of exit and entrance, and of fire escapes. A city  
24 of the primary class ~~It~~ may require the keeper and proprietor of any  
25 hotel, boarding house, or dormitory to provide and maintain such kind and  
26 number of ladders, ropes, balconies, and stairways, and other appliances,  
27 as by ordinance may be prescribed to facilitate the escape of persons  
28 from any such building in case of fire.

29 Sec. 34. Section 15-217, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 15-217 A city of the primary class shall have the power to regulate,

1 license, or prohibit the sale of domestic animals, goods, wares, and  
2 merchandise at public auction in the streets, alleys, highways, or any  
3 public grounds within the city, and to regulate or license the  
4 auctioneering of goods, wares, and merchandise. ~~If the applicant is an~~  
5 ~~individual, an application for a license shall include the applicant's~~  
6 ~~social security number.~~

7 Sec. 35. Section 15-218, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 15-218 A ~~primary~~ city of the primary class shall have the power, by  
10 ordinance, to regulate or prohibit the running at large of cattle, hogs,  
11 horses, mules, sheep, goats, dogs, and other animals and to cause such  
12 animals ~~as may be~~ running at large to be impounded and sold to discharge  
13 the cost and penalties provided for violation of such prohibitions, and  
14 the fees and expenses of impounding and keeping such animals ~~the same~~ and  
15 of such sale.

16 Sec. 36. Section 15-219, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 15-219 A ~~primary~~ city of the primary class shall have the power to  
19 provide for the erection of all needful pens, pounds, and buildings for  
20 the use of the city, within or without such city limits, to appoint and  
21 compensate keepers thereof, and to establish and enforce rules governing  
22 such pens, pounds, and buildings ~~the same~~.

23 Sec. 37. Section 15-220, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 15-220 A ~~primary~~ city of the primary class shall have the power to  
26 regulate, license, or prohibit the running at large of dogs and other  
27 animals and guard against injuries or annoyances from such animals  
28 ~~therefrom~~, and to authorize the destruction of such animals ~~the same~~ when  
29 running at large contrary to the provisions of any ordinance. Any  
30 licensing provision shall comply with subsection (2) of section 54-603  
31 for service animals.

1           Sec. 38. Section 15-221, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-221 A ~~primary~~ city of the primary class shall have the power, by  
4 ordinance, to prevent any person from bringing, having, depositing, or  
5 leaving upon or near his or her premises or elsewhere within the city any  
6 dead carcass, or other putrid beef, pork, fish, hides, or skins of any  
7 kind, or any other unwholesome substance, and to compel the removal of  
8 such substances ~~the same~~.

9           Sec. 39. Section 15-222, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11           15-222 A ~~primary~~ city of the primary class shall have the power to  
12 make contracts with and authorize any person, company, or association to  
13 erect gas works, electric works, or other light works in such ~~said~~ city,  
14 and give such person, company, or association the privilege of furnishing  
15 light for the streets, lanes, and alleys of such ~~said~~ city for any length  
16 of time not exceeding one year, or for any time not exceeding five years  
17 upon being authorized so to do by a majority vote of the electors of such  
18 city. The mayor and city council shall not have power to grant a  
19 franchise for any purpose for a period longer than twenty-five years.  
20 Franchises to be granted for a longer period than twenty-five years shall  
21 be submitted to a vote of the people and shall require a majority vote of  
22 the electors of the city voting thereon at a general or special election.  
23 All franchise ordinances shall require three readings on three separate  
24 days before passage by the city council.

25           Sec. 40. Section 15-223, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27           15-223 A ~~primary~~ city of the primary class shall have the power to  
28 fix the rate ~~of tax~~ to be paid for the use of water furnished by the city  
29 or any person or corporation by means of waterworks, and provide by  
30 ordinance that any tax for the use of water furnished by such ~~said~~ city  
31 shall be a lien upon the property where such water ~~the same~~ is furnished.

1           Sec. 41. Section 15-224, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-224 A ~~primary~~ city of the primary class shall have the power to  
4 establish, alter, and change the channel of watercourses, and to wall and  
5 cover such watercourses ~~them~~ over, to establish, make, and regulate  
6 public wells, cisterns, aqueducts, and reservoirs of water, and to  
7 provide for the filling of such wells, cisterns, aqueducts, and  
8 reservoirs ~~the same~~.

9           Sec. 42. Section 15-225, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11           15-225 A ~~primary~~ city of the primary class shall have the power to  
12 provide for the organization of a fire department, to procure fire  
13 engines, hooks, ladders, buckets, and other apparatus, to organize fire  
14 engine, hook, ladder, and bucket companies, to prescribe rules of duty,  
15 and the government of the fire department ~~thereof~~, with such penalties as  
16 the city council may deem proper, not exceeding a one-hundred-dollar  
17 fine, to make all necessary appropriations therefor, and to establish  
18 regulations for the prevention and extinguishment of fires.

19           Sec. 43. Section 15-228, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21           15-228 The city council shall have the power to create water  
22 districts for the purpose of supplying water for domestic, industrial, or  
23 fire purposes, or for the purpose of enlarging any water mains, now  
24 existing or hereafter constructed. All such districts, to be known as  
25 water districts, shall be created by ordinance and shall designate the  
26 property to be benefited. Upon creation of any water district, the city  
27 council shall have the power to construct or cause to be constructed,  
28 either by contract with the lowest responsible bidder or directly by the  
29 city, such water main or mains, or extensions or enlargements, including  
30 all necessary appliances for fire protection, within such districts as  
31 the city council shall determine, and assess the costs thereof against

1 the property in such district, not exceeding the special benefits  
2 accruing on account thereof. The city council shall have the power and  
3 authority to fix the period of time, not to exceed twenty years, in which  
4 the special assessments against any property for the payment of the cost  
5 of such improvements may be made. The city council shall have the power  
6 and authority to issue bonds in accordance with the provisions of a home  
7 rule charter of the city or of state law.

8 Sec. 44. Section 15-229, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 15-229 A ~~primary~~ city of the primary class shall have the power ~~is~~  
11 ~~hereby authorized~~ to acquire, either temporarily or permanently, lands,  
12 real or personal property, or any interests therein, or any easements  
13 deemed to be necessary or desirable for any present or future necessary  
14 or authorized public purpose within or without the city by gift,  
15 agreement, purchase, condemnation, or otherwise. In all such cases the  
16 city shall make the person or persons whose property shall be taken or  
17 injured thereby adequate compensation therefor. The procedure to condemn  
18 property shall be exercised in the manner set forth in sections 76-704 to  
19 76-724. A ~~primary~~ city of the primary class shall have authority to enter  
20 upon any property to make surveys, examinations, investigations, and  
21 tests, and to acquire other necessary and relevant data in contemplation  
22 of establishing a location of a necessary or authorized public purpose,  
23 acquiring property therefor, or performing other operations incident to  
24 construction, reconstruction, or maintenance of such public purpose, and  
25 entry upon any property pursuant to this authority shall not be  
26 considered to be a legal trespass and no damages shall be recovered on  
27 that account alone. In case of any actual or demonstrable damages to the  
28 premises, the city shall pay the owner of the premises the amount of the  
29 damages. Upon the failure of the landowner and the city to agree upon the  
30 amount of damages, the landowner, in addition to any other available  
31 remedy, may file a petition as provided for in section 76-705. The entry

1 by the city or its representatives shall be made only after notice of the  
2 entry and its purpose.

3 Sec. 45. Section 15-229.01, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 15-229.01 In connection with the acquisition of lands, property, or  
6 interests therein for a public purpose, a the city of the primary class  
7 may acquire by any lawful means, except through condemnation, an entire  
8 lot, block, or tract of land or property if, by so doing, the interests  
9 of the public will be best served, even though the entire lot, block, or  
10 tract is not immediately needed for public purposes. Without limiting  
11 such authority, this may be done where uneconomic remnants of land would  
12 be left the original owner or owners or where severance or consequential  
13 damages to a remainder make the acquisition of the entire parcel more  
14 economical to the city. In the event ; ~~Provided,~~ that ~~when~~ any such  
15 property is left without access to a street and the cost of acquisition  
16 of such landlocked property or land through condemnation would be more  
17 economical to the city than the cost of providing a means of reasonable  
18 ingress to or egress from the property or land, the city may acquire such  
19 landlocked property or land by condemnation.

20 Sec. 46. Section 15-229.02, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 15-229.02 A The city of the primary class may acquire additional  
23 real property by gift, agreement, purchase, exchange, or condemnation if  
24 such additional real property is needed for the purpose of moving and  
25 establishing thereon buildings, structures, or other appurtenances which  
26 are situated on real property acquired by the city for a public purpose.  
27 The city may make agreements for the exchange of property, to make  
28 allowances for differences in the value of the properties being  
29 exchanged, and to move or pay the cost of moving buildings, structures,  
30 or other appurtenances.

31 Sec. 47. Section 15-230, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-230 A ~~primary city of the primary class~~ may establish, maintain,  
3 and operate public library facilities, purchase books, papers, maps, and  
4 manuscripts therefor, receive donations and bequests of money or property  
5 for such facilities, books, papers, maps, and manuscripts ~~the same~~ in  
6 trust or otherwise, and pass necessary bylaws and regulations for the  
7 protection and government of such facilities, books, papers, maps, and  
8 manuscripts ~~the same~~.

9 Sec. 48. Section 15-231, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 15-231 A ~~primary city of the primary class~~ may (1) purchase or  
12 otherwise acquire ground for and erect, establish, operate, regulate, and  
13 repair a city hospital or any hospital, the governing board of which is  
14 appointed by the mayor or city council, (2) ~~;~~ ~~to~~ receive donations and  
15 bequests of money or property for such hospital facilities ~~the same~~ in  
16 trust or otherwise, ~~;~~ and (3) ~~to~~ issue bonds of the city for acquiring,  
17 constructing, reconstructing, improving, extending, equipping, or  
18 furnishing such hospital facilities.

19 Sec. 49. Section 15-234, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 15-234 For any hospital established under section 15-231, there  
22 ~~There~~ shall be established ~~such~~ rules for the government of such hospital  
23 and admission of persons to its privileges as may be deemed expedient. No  
24 religious or sectarian association, organization, or body shall be  
25 permitted to manage or control such hospital.

26 Sec. 50. Section 15-235, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-235 The city council of a city of the primary class may enter  
29 into an agreement with a corporation or association organized for  
30 charitable purposes in such city ~~municipal corporation~~ for the erection  
31 and management of a hospital for the sick and disabled, and have a

1 permanent interest therein to an extent and upon such terms and  
2 conditions as may be agreed upon between the city council and such  
3 corporation or association. The city council shall provide for the  
4 payment of the amount agreed upon, for any interests in such hospital  
5 ~~therein so required~~, either in one payment or in installments, or so much  
6 from year to year as the parties may stipulate. Such ; ~~Provided, such~~  
7 agreement shall not be made if the city shall have established a hospital  
8 as authorized by section 15-231. No such agreement shall extend more than  
9 one year.

10 Sec. 51. Section 15-235.01, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 15-235.01 As used in the Hospital Sinking Fund Act sections  
13 ~~15-235.01 to 15-235.05~~, unless the context otherwise requires:

14 (1) Governmental subdivision shall mean any city of the primary  
15 class and also any county in which a city of the primary class is the  
16 county seat thereof; and

17 (2) Hospital shall mean any hospital organized pursuant to section  
18 15-231, or any hospital or hospital facility established by a  
19 governmental subdivision in conjunction with or adjoining a hospital  
20 organized pursuant to section 15-231.

21 Sec. 52. Section 15-235.03, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 15-235.03 All income, revenue, and profits of the hospital and money  
24 derived from the levy provided for in section 15-235.02 ~~such levy~~, or  
25 from grants, loans, or contributions from the United States, the State of  
26 Nebraska, or any agency or instrumentality of such governments ~~either of~~  
27 ~~them~~, shall be held by the treasurer of the governmental subdivision  
28 having jurisdiction over the hospital, and the treasurer shall not  
29 commingle such money with any other money under his or her control. Such  
30 money shall be deposited in a separate bank account or accounts and shall  
31 be withdrawn only by check or draft signed by such said treasurer on

1 requisition of the chairperson ~~chairman~~ of the hospital board or such  
2 other person as the hospital board may authorize. The chief auditing  
3 officer of the governmental subdivision and his or her legally authorized  
4 representatives are hereby authorized and empowered from time to time to  
5 examine the accounts and books of such hospital board, including its  
6 receipts, disbursements, contracts, leases, sinking funds, and  
7 investments, and any other matters relating to its financial standing.

8 Sec. 53. Section 15-236, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 15-236 A primary city of the primary class may make all such  
11 ordinances, bylaws, rules, and regulations not inconsistent with the  
12 general laws of the state as may be necessary or expedient to promote the  
13 public health, safety, and welfare, including ordinances, bylaws, rules,  
14 and regulations as may be necessary or expedient to prevent the  
15 introduction or spread of contagious, infectious, or malignant diseases.  
16 This power and authority is granted to such city in the area which is  
17 within the corporate limits of the city and its extraterritorial zoning  
18 jurisdiction. The city or within three miles of the city and outside of  
19 any organized city or village. It may create a department of health, make  
20 laws and regulations for that purpose, and enforce such all ordinances,  
21 bylaws, rules, and regulations ~~made as authorized herein~~ as provided in  
22 section 15-263.

23 Sec. 54. Section 15-237, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 15-237 A primary city of the primary class shall have the power to  
26 regulate in the area which is within the corporate limits of the city and  
27 its extraterritorial zoning jurisdiction ~~city or within three miles of~~  
28 ~~the city and outside the zoning jurisdiction of any organized city or~~  
29 ~~village~~ in order to (1) secure the general health, (2) ; ~~to~~ provide rules  
30 for the prevention, abatement, and removal of nuisances, including the  
31 pollution of air and water, and (3) ; ~~to~~ make and prescribe regulations

1 for the construction, location, and regulation of all slaughterhouses,  
2 stockyards, warehouses, commercial feed lots, stables, or other places  
3 where offensive matter is kept, or is likely to accumulate.

4 Sec. 55. Section 15-238, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 15-238 A ~~primary~~ city of the primary class shall have the power by  
7 ordinance to regulate and prohibit cesspools and privy vaults in such  
8 ~~said~~ city, and shall have the power to require the owner or owners of any  
9 lot, lots, or lands within such ~~said~~ cities, upon which any building or  
10 buildings are located, to connect such ~~said~~ building or buildings with a  
11 sewer, to provide such building or buildings ~~same~~ with a suitable privy  
12 or watercloset, and to connect such ~~said~~ privy or watercloset with a  
13 sewer, and to require such ~~said~~ owner or owners to keep all privy vaults  
14 and cesspools clean. Upon the refusal to connect with a sewer or failure  
15 of such ~~said~~ owner or owners to provide a suitable watercloset or privy,  
16 or to make any sewer connection, or to remove any privy vault or  
17 cesspool, or to clean the privy vault or cesspool ~~same~~, after five days'  
18 notice by publication, or in place thereof, personal notice to so do,  
19 then such ~~said~~ city, through its proper officers, shall have power to  
20 make any sewer connection, construct any watercloset or privy, regulate  
21 or remove any privy vault or cesspool, or clean the same, or cause the  
22 same to be done, and shall have the power to provide by ordinance for  
23 assessing the cost thereof by special assessment against the lot, lots,  
24 or lands of such ~~said~~ owner or owners.

25 Sec. 56. Section 15-239, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-239 A ~~primary~~ city of the primary class may purchase, hold, and  
28 pay for, in the manner ~~herein~~ provided in sections 15-239 to 15-243,  
29 lands outside the corporate limits of such city for the purpose of burial  
30 and cemetery grounds, and avenues leading thereto.

31 Sec. 57. Section 15-240, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-240 A ~~primary city of the primary class~~ may survey, plot, map,  
3 grade, fence, ornament, and otherwise improve all burial and cemetery  
4 grounds and avenues leading thereto owned by such said city. ~~The city~~ ~~It~~  
5 may construct walks, rear and protect ornamental trees therein, and  
6 provide for paying the expenses thereof.

7 Sec. 58. Section 15-241, Revised Statutes Cumulative Supplement,  
8 2018, is amended to read:

9 15-241 A city of the primary class may convey cemetery lots owned by  
10 such city by certificates signed by the mayor and countersigned by the  
11 city clerk under seal of the city, specifying that the person to whom  
12 such certificate ~~the same~~ is issued is owner of the lot or lots described  
13 therein by number as laid down on such plat or map, for the purpose of  
14 interment. Such certificate shall vest in the proprietor, his or her  
15 heirs and assigns, a right in fee simple to such lot or lots for the sole  
16 purpose of interment under the regulations of the city council.

17 Sec. 59. Section 15-242, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 15-242 A ~~primary city of the primary class~~ may limit the number of  
20 cemetery lots which shall be owned by the same person at the same time, ~~and~~  
21 ~~It~~ may prescribe rules for enclosing, adorning, and erecting monuments  
22 and tombstones on cemetery lots, and may prohibit any diversion of the  
23 use of such lots and any improper adornment thereof, but no religious  
24 test shall be made as to the ownership of such lots, the burial therein,  
25 or ~~nor~~ the ornamentation of graves or lots.

26 Sec. 60. Section 15-243, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-243 A ~~primary city of the primary class~~ may pass rules and  
29 ordinances imposing penalties and fines, not exceeding one hundred  
30 dollars, regulating, protecting, and governing the cemetery, the owners  
31 of lots therein, visitors thereof, and trespassers therein. The officers

1 of such city shall have full jurisdiction and power in the enforcement of  
2 such rules and ordinances as though they related to the city itself.

3 Sec. 61. Section 15-244, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 15-244 A ~~primary~~ city of the primary class may borrow money on the  
6 credit of the city and pledge the credit, revenue, and public property of  
7 the city for the payment thereof when authorized in the manner ~~herein~~  
8 ~~provided, and in the manner otherwise~~ provided by law ~~or by~~ the home rule  
9 charter of the city or as otherwise provided by law. Such city ~~It~~ shall  
10 have the power to issue general obligation bonds of the city, general  
11 obligation notes, and refunding bonds, as provided in its home rule  
12 charter or as otherwise provided by law. Such city ~~It~~ shall have the  
13 power to issue revenue bonds for the purpose of acquiring, constructing,  
14 reconstructing, improving, extending, equipping, or furnishing any  
15 revenue-producing facility within or without the city which is for a  
16 public purpose, except ; ~~Provided,~~ that unless authorized by a majority  
17 of the voters of such city voting upon the question, no revenue bonds  
18 shall be issued for entering the public transportation, natural gas  
19 distribution, or telephone fields or functions, ~~or to acquire before 1972~~  
20 ~~that part of a retail distribution system of a public power district~~  
21 ~~within the corporate limits of such city as those corporate limits~~  
22 ~~existed on March 3, 1959~~. Such city shall also have the power to contract  
23 for the acquisition of the electric facilities and properties used or  
24 useful in connection therewith of a public power district within or  
25 without the city, and to pay for all or any part of the acquisition ~~same~~  
26 out of the earnings of electric facilities and properties.

27 Sec. 62. Section 15-247, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 15-247 A ~~primary~~ city of the primary class may divide the city into  
30 election districts, establish the boundaries thereof, and number the  
31 election districts ~~same~~.

1           Sec. 63. Section 15-250, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-250 A ~~primary~~ city of the primary class may regulate and  
4 prescribe the powers, ~~and~~ duties, and compensation of officers of the  
5 city not otherwise herein provided by law.

6           Sec. 64. Section 15-252, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8           15-252 A ~~primary~~ city of the primary class may require of any  
9 officer of the city, at any time, a detailed report of the transactions  
10 of his or her office or any matters connected therewith.

11          Sec. 65. Section 15-254, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13          15-254 A ~~primary~~ city of the primary class may provide for the  
14 revision of the ordinances of such city from time to time, ~~and~~ for their  
15 publication in pamphlet, ~~or~~ book, or electronic form, with or without the  
16 statutes relative to cities of the primary class.

17          Sec. 66. Section 15-255, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19          15-255 A city of the primary class may (1) prohibit riots, routs,  
20 noise, or disorderly assemblies, (2) ~~;~~ prevent use of firearms, rockets,  
21 powder, fireworks, or other dangerous and combustible material, (3) ~~;~~  
22 prohibit carrying of concealed weapons, except the carrying of a  
23 concealed handgun in compliance with the Concealed Handgun Permit Act,  
24 (4) ~~;~~ ~~arrest, punish, fine, or set at work on streets or elsewhere~~  
25 ~~vagrants and persons found without visible means of support or legitimate~~  
26 ~~business;~~ regulate and prevent the transportation of gunpowder or  
27 combustible articles, tar, pitch, resin, coal oil, benzine, turpentine,  
28 hemp, cotton, nitroglycerine, dynamite, petroleum or its products, or  
29 other explosives or inflammables, (5) ~~;~~ regulate use of lights in  
30 stables, shops, or other places and building of bonfires, ~~;~~ and (6)  
31 regulate and prohibit the piling of building material or any excavation

1 or obstruction of the streets.

2 Sec. 67. Section 15-256, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-256 A ~~primary city of the primary class~~ may punish disturbance of  
5 the peace or good order, clamor, intoxication, drunkenness, fighting,  
6 ~~obscene or profane language,~~ or other violations of the public peace by  
7 indecent or disorderly conduct, or blockading any street, sidewalk, way,  
8 or space, or interfering with the passing of people.

9 Sec. 68. Section 15-257, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 15-257 A ~~primary city of the primary class~~ may provide for the  
12 punishment of vagrants, tramps, ~~or common~~ street beggars, ~~common~~  
13 prostitutes, ~~habitual~~ disturbers of the peace, pickpockets, gamblers,  
14 burglars, thieves, ~~or ball game players,~~ persons who practice any ~~game,~~  
15 ~~trick, games, tricks~~ or device with intent to swindle, ~~persons who abuse~~  
16 ~~their families, and suspicious persons who can give no reasonable account~~  
17 ~~of themselves.~~

18 Sec. 69. Section 15-258, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-258 A city of the primary class may restrain, prohibit, and  
21 suppress unlicensed ~~tippling shops,~~ billiard tables, bowling alleys,  
22 houses of prostitution, opium ~~and illicit drug joints,~~ dens, and other  
23 disorderly houses and practices, games, ~~and gambling houses,~~ ~~deseccration~~  
24 ~~of the Sabbath day, commonly called Sunday,~~ and may prohibit all public  
25 amusements, shows, ~~or exhibitions, and may prohibit or ordinary business~~  
26 ~~pursuits upon such day,~~ all lotteries, all fraudulent devices and  
27 practices for the purposes of obtaining money or property, all shooting  
28 galleries except as provided in the Nebraska Shooting Range Protection  
29 Act, and all kinds of public indecencies, except that nothing in this  
30 section shall be construed to apply to bingo, lotteries, lotteries by the  
31 sale of pickle cards, or raffles conducted in accordance with the

1 Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska  
2 Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, or  
3 the State Lottery Act.

4 Sec. 70. Section 15-259, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 15-259 A ~~primary~~ city of the primary class may erect, establish, and  
7 regulate houses of correction, jails, community residential centers, work  
8 release centers, halfway houses, and such other places of control or  
9 confinement as may be designated as a jail facility from time to time by  
10 the city, including station houses and other buildings necessary ~~for~~ ~~to~~  
11 ~~the~~ keeping and confining ~~confinement~~ of prisoners, and may provide for  
12 the government and support of such facilities ~~same~~.

13 Sec. 71. Section 15-261, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 15-261 A ~~primary~~ city of the primary class may regulate railroad  
16 crossings, provide precautions, and prescribe rules for running railway  
17 engines or cars, and their speed, for prevention of accidents at  
18 crossings or on tracks or by fires from railway engines. A city of the  
19 primary class ~~It~~ may regulate the running of buses and require heating  
20 and cleaning thereof. A city of the primary class ~~It~~ may require  
21 reasonable lighting of railway crossings in such manner as the city  
22 council may prescribe. If the owner or operator fails to comply, the city  
23 ~~it~~ may cause such requirement to be complied with ~~the same to be done~~ and  
24 assess the expense of such requirements ~~thereof~~ against such railway  
25 company to be collected as other taxes and to be a lien on the real  
26 estate belonging to such company ~~its property~~, or ~~it~~ may enforce  
27 compliance by action of mandamus. The city may enforce such regulations  
28 as are otherwise provided by law and ~~It~~ may require railways to keep  
29 flagpersons ~~flagmen~~ at all railway street crossings where necessary to  
30 protect the public against injury to person or property, and require the  
31 installation, maintenance, and proper operation of gates, flashing

1 signals, or other warning devices to ensure ~~insure~~ such safety. A city of  
2 the primary class ~~It~~ may compel railways to conform tracks to grades at  
3 any time established, to keep tracks ~~them~~ level with the street surface,  
4 and ~~it~~ may compel railways to keep streets open, construct and keep in  
5 repair ditches, drains, sewers, and culverts along or under their right-  
6 of-way or tracks, and lay and maintain paving upon their whole right-of-  
7 way on paved streets.

8 Sec. 72. Section 15-262, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 15-262 A ~~primary city of the primary class~~ may provide for and cause  
11 to be taken a census of the city.

12 Sec. 73. Section 15-263, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 15-263 (1) A ~~primary city of the primary class~~ may make all such  
15 ordinances, bylaws, rules, and regulations not inconsistent with the  
16 general laws of the state as may be necessary or expedient, in addition  
17 to the special powers otherwise granted by law, (a) for maintaining the  
18 peace, good government, and welfare of the city, and its trade, commerce,  
19 and manufactories, (b) for preserving order, and securing persons or  
20 property from violence, danger, and destruction, (c) for protecting  
21 public and private property, and (d) for promoting the public health,  
22 safety, convenience, comfort, morals, and general interests and welfare  
23 of the inhabitants of the city.

24 (2) A city of the primary class may, ~~and to~~ enforce all such  
25 ordinances by providing for imprisonment of those convicted of violations  
26 thereof ~~at hard labor for a period not to exceed six months and may to~~  
27 impose forfeitures, fines, and penalties not exceeding five hundred  
28 dollars for any one offense, recoverable with costs, and, in the default  
29 of the payment thereof, ~~to~~ provide for confinement in the city ~~prison~~ or  
30 county jail, ~~with or without hard labor upon the city streets or~~  
31 ~~elsewhere for the benefit of the city,~~ until the judgment and costs are

1 paid.

2 Sec. 74. Section 15-264, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-264 Any city of the primary class shall have the right to  
5 contract with any other governmental subdivision or agency, whether  
6 local, state, or federal, for the keeping of prisoners, either in a  
7 facility of the city or in a facility of the other governmental  
8 subdivision or agency. Payment shall be made as provided in any such  
9 contract or agreement.

10 Sec. 75. Section 15-265, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 15-265 The mayor and city council of a city of the primary class  
13 shall have supervision and control of all public ways and public grounds  
14 within the city, and shall require the same to be kept open, in repair,  
15 and free from nuisances.

16 Sec. 76. Section 15-266, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 15-266 The mayor and city council of a city of the primary class  
19 shall have power to regulate and provide for the lighting of streets,  
20 laying down gas, water, and other pipes, and the erection of lampposts,  
21 electric towers, or other apparatus. The mayor and city council They may  
22 regulate the sale and use of gas and electric lights and fix and  
23 determine the price of gas, the charge of electric lights and power, and  
24 the rents of gas meters within the city, and regulate the inspection  
25 thereof. The mayor and city council They may regulate telephone service  
26 and the use of telephones within the city, prohibit or regulate the  
27 erection of ~~telegraph,~~ telephone or electric wire poles or other poles  
28 for whatsoever purpose desired or used in the public grounds, streets, or  
29 alleys, and the placing of wires thereon, require the removal from the  
30 public grounds, streets, or alleys of any or all such poles, and require  
31 the removal and placing under ground of any or all ~~telegraph,~~ telephone

1 or electric wires.

2 Sec. 77. Section 15-268, Revised Statutes Cumulative Supplement,  
3 2018, is amended to read:

4 15-268 A city of the primary class may provide for the destruction  
5 and removal of weeds and worthless vegetation growing upon any lot, ~~or~~  
6 lots, or lands within the corporate limits of such city or within its  
7 extraterritorial ~~three-mile~~ zoning jurisdiction or upon the streets and  
8 alleys abutting upon any lot, ~~or~~ lots, or lands, and such city may  
9 require the owner or owners of such lot, ~~or~~ lots, or lands to destroy and  
10 remove such weeds and worthless vegetation therefrom and from the streets  
11 and alleys abutting thereon. If, after five days' notice by publication,  
12 by certified United States mail, or by the conspicuous posting of the  
13 notice on the lot or land upon which the nuisance exists, the owner or  
14 owners fail, neglect, or refuse to destroy or remove the nuisance, the  
15 city, through its proper officers, shall destroy and remove the nuisance,  
16 or cause the nuisance to be destroyed or removed, from the lot, ~~or~~ lots,  
17 or lands and streets and alleys abutting thereon and shall assess the  
18 cost thereof against such lot, ~~or~~ lots, or lands as a special assessment.

19 Sec. 78. Section 15-268.01, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 15-268.01 (1) Any city of the primary class may provide for the  
22 collection and removal of garbage or refuse found upon any lot, lots, or  
23 land within the corporate limits of such city or within the  
24 extraterritorial zoning jurisdiction ~~three-mile jurisdictional limit~~ of  
25 the city, or upon the streets, roads, or alleys abutting such lot, lots,  
26 or land, which constitutes a public nuisance. The city may require the  
27 owner, owners, duly authorized agent, or tenant of such lot, lots, or  
28 land to remove the garbage or refuse therefrom and from the streets,  
29 roads, or alleys abutting thereon.

30 (2) Notice that removal of garbage or refuse is necessary shall be  
31 given to (a)(i) the owner or owners, or (ii) the duly authorized agent,

1 and (b) the tenant. Such notice shall be provided by personal service or  
2 by certified mail. After providing such notice, the city through its  
3 proper offices shall, in addition to other proper remedies, remove the  
4 garbage or refuse, or cause it to be removed, from such lot, lots, or  
5 land, and streets, roads, or alleys abutting thereon.

6 (3) If the mayor of such city shall declare that the accumulation of  
7 such garbage or refuse upon any lot, lots, or land constitutes an  
8 immediate nuisance and hazard to public health and safety, the city shall  
9 remove the garbage or refuse from such lot, lots, or land twenty-four  
10 hours after notice by personal service in accordance with subsection (2)  
11 of this section if such garbage or refuse has not been removed.

12 Sec. 79. Section 15-269, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 15-269 The Legislature finds and declares that the great increase  
15 in the number of motor vehicles, including buses and trucks, has created  
16 hazards to life and property in cities of the primary class in Nebraska  
17 ~~State recognition is hereby given to the hazard created in the streets of~~  
18 ~~cities of the primary class of Nebraska by the great increase in the~~  
19 ~~number of motor vehicles, including cars, buses, and trucks.~~ In order to  
20 remove or reduce the hazards to life and property and the inconvenience  
21 of congested traffic on the streets in such cities in this state, it is  
22 deemed necessary and of general benefit to the entire State of Nebraska  
23 to provide means for such cities in Nebraska to own offstreet parking  
24 facilities for the parking of motor vehicles.

25 Sec. 80. Section 15-270, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-270 Any city of the primary class in Nebraska may own, purchase,  
28 construct, equip, lease, or operate within such city offstreet motor  
29 vehicle parking facilities for the use of the general public. Any such  
30 city shall have the authority to acquire by grant, contract, purchase, or  
31 through the condemnation of property, as provided in sections 76-704 to

1 ~~76-724~~ by law for such acquisition, all real or personal property,  
2 including a site or sites on which to construct such facilities,  
3 necessary or convenient in the carrying out of this grant of power.

4 Sec. 81. Section 15-271, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 15-271 (1) In order to pay the cost required by any purchase,  
7 construction, lease, or condemnation of property and equipping of  
8 offstreet motor vehicle parking such facilities, or the enlargement of  
9 presently owned offstreet motor vehicle parking facilities, a city of the  
10 primary class the city may issue revenue bonds to provide the funds for  
11 such improvements, except ; ~~Provided,~~ that any such city may not issue  
12 revenue bonds under ~~the provisions of~~ sections 15-269 to 15-276 to  
13 acquire any privately owned parking garage or privately owned commercial  
14 parking lot having space for the parking of two hundred or more motor  
15 vehicles.

16 (2) Any ordinance authorizing such revenue bonds may contain such  
17 covenants and provisions to protect and safeguard the security of the  
18 holders of such bonds as shall be deemed necessary to assure the prompt  
19 payment of the principal thereof and the interest thereon.

20 (3) Such revenue bonds shall not be sold at discounts exceeding five  
21 percent, and such bonds shall not bear interest in excess of the rate of  
22 interest specified in section 45-104.01, as such rate may from time to  
23 time be adjusted by the Legislature. Such bonds shall be issued for such  
24 terms as the ordinance authorizing them shall prescribe but shall not  
25 mature later than fifty years after the date of issuance thereof.

26 (4) Any such revenue bonds which may be issued shall not be included  
27 in computing the maximum amount of bonds which the issuing city of the  
28 primary class may be authorized to issue under its charter or any statute  
29 of this state. If any city has installed or installs onstreet parking  
30 meters, it may pledge all or any part of the revenue of such parking  
31 meters, not previously pledged, as security for the bonds authorized by

1 this section.

2 Sec. 82. Section 15-272, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-272 ~~A Such~~ city of the primary class may make and enter into any  
5 and all contracts and agreements with any individual, public or private  
6 corporation, or agency of this state or of the United States, as may be  
7 necessary or incidental to the performance of its duties and the  
8 execution of its powers under sections 15-269 to 15-276. In the exercise  
9 of this authority, such city may make such contracts and agreements as  
10 may be needed for the payment of the revenue bonds authorized by sections  
11 15-269 to 15-276 and for the successful operation of the parking  
12 facilities. In the exercise of this authority, the city may lease or  
13 grant concessions for the use of the facilities or various portions  
14 thereof to one or more operators to provide for the efficient operation  
15 of the facilities, but no lease or concession shall run for a period in  
16 excess of thirty years. In granting any lease or concession, or in making  
17 any contract or agreement, the city shall retain such control of the  
18 facilities as may be necessary to insure that the facilities will be  
19 properly operated in the public interest and that the rates, ~~or~~ charges,  
20 or prices are reasonable.

21 Sec. 83. Section 15-273, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 15-273 ~~A Such~~ city of the primary class is authorized to make all  
24 necessary rules and regulations governing the use, operation, and control  
25 of offstreet motor vehicle parking such facilities constructed or  
26 acquired under sections 15-269 to 15-276. ~~Such city~~ ~~It~~ shall establish  
27 and maintain equitable rates sufficient in amount to pay for the cost of  
28 the operation, repair, and upkeep of the facilities to be purchased,  
29 acquired, or leased, and the principal of and interest on any revenue  
30 bonds issued pursuant to ~~the provisions of~~ sections 15-269 to 15-276. The  
31 city may also make any other agreements with the purchasers of the bonds

1 for the security of the issuing city and the purchasers of such bonds not  
2 in contravention of ~~the provisions of~~ sections 15-269 to 15-276.

3 Sec. 84. Section 15-274, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 15-274 The provisions of sections 15-269 to 15-276 and of any  
6 ordinance authorizing the issuance of bonds under such ~~the provisions of~~  
7 sections ~~15-269 to 15-276~~ shall constitute a contract with the holders of  
8 such bonds, and any holder of a bond or bonds or any of the coupons of  
9 any bond or bonds of such city of the primary class ~~municipality~~, issued  
10 under ~~the provisions of~~ sections 15-269 to 15-276, may either in law or  
11 in equity, by suit, action, mandamus, or other proceedings, enforce and  
12 compel the performance of all duties required by such ~~the provisions of~~  
13 sections ~~15-269 to 15-276~~ or by the ordinance authorizing the bonds,  
14 including the making and collection of sufficient charges and fees for  
15 service and the use thereof, and the application of income and revenue  
16 thereof.

17 Sec. 85. Section 15-307, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 15-307 All elective officers of a the city of the primary class,  
20 except city council members, shall give a good and sufficient bond or  
21 evidence of equivalent insurance in an amount to be fixed by ordinance,  
22 for the faithful performance of their duties. Each city council member  
23 before entering upon the duties of his or her office shall give a bond or  
24 evidence of equivalent insurance in favor of the city in the sum of two  
25 thousand dollars. If a bond is given, it shall be signed by a surety  
26 company or by two or more good and sufficient sureties who are residents  
27 of such city, who shall justify that he or she is worth at least two  
28 thousand dollars over and above his or her debts, liabilities, and  
29 exemptions, conditioned for the faithful discharge of the duties of the  
30 city council members and conditioned further that if the city council  
31 members vote for an expenditure of money or the creation of any liability

1 in excess of the amount allowed by law, or vote for the transfer of any  
2 sum of money from one fund to another where such transfer is not allowed  
3 by law, such city council members and surety or sureties signing the  
4 bonds shall be liable thereon.

5 Sec. 86. Section 15-308, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 15-308 All appointive officers of a the city of the primary class  
8 before entering upon their respective duties shall give a good and  
9 sufficient bond or evidence of equivalent insurance in an amount to be  
10 fixed by ordinance in favor of the city, conditioned upon the faithful  
11 performance of their duties.

12 Sec. 87. Section 15-309, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 15-309 The city council of a city of the primary class shall have  
15 the power by ordinance to fix the salaries of the officers and employees  
16 of the city and provide by ordinance for the forfeiting of the salary of  
17 any officer or employee.

18 Sec. 88. Section 15-309.01, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-309.01 No officer of a city of the primary class shall receive  
21 any pay or perquisite from the city other than his or her salary, ~~÷~~ and  
22 the city council shall not pay or appropriate any money or other valuable  
23 thing to any person, not an officer, for the performance of any act,  
24 service, or duty, the performance of which shall come within the proper  
25 scope of the duties of any officer of the city, unless such money or  
26 other valuable thing ~~the same~~ is specifically ~~speciallly~~ appropriated and  
27 ordered by unanimous vote of all members elected to the city council.

28 Sec. 89. Section 15-310, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 15-310 The mayor shall be the chief executive officer of a the city  
31 of the primary class. The executive and administrative power of a city of

1 the primary class shall be vested in and exercised by the mayor, who  
2 shall also be the ceremonial head of the city government. The mayor shall  
3 enforce the city ordinances and all applicable laws. The mayor He may  
4 administer oaths, may perform all the duties devolving upon a magistrate,  
5 and shall sign commissions and appointments of all officers appointed by  
6 him or her with city ~~the~~ council approval.

7 Sec. 90. Section 15-311, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 15-311 The mayor of a city of the primary class shall have such  
10 jurisdiction as may be vested in him or her by ordinance, over all places  
11 within the city of the primary class or within its extraterritorial  
12 zoning jurisdiction ~~three miles of the corporate limits of the city and~~  
13 ~~outside of any organized city or village~~, for the enforcement of the  
14 health ordinances and regulations thereof, and for the purpose of  
15 carrying out the provisions of all such ordinances, except that the  
16 ordinances respecting taxation shall not be enforced outside of the  
17 corporate limits of such ~~primary~~ city of the primary class.

18 Sec. 91. Section 15-314, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-314 The mayor and chief of police of a city of the primary class  
21 shall each have the power to call upon any citizen to aid in the  
22 enforcement of any ordinance or suppression of any riot, and any person  
23 who shall refuse or neglect to obey such call shall forfeit and pay a  
24 fine not exceeding one hundred dollars. Such power shall not be construed  
25 to include the appointment of special police or special deputies.

26 Sec. 92. Section 15-315, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-315 The mayor of a city of the primary class shall have the power  
29 to remit fines and forfeitures and to grant reprieves and pardons for all  
30 offenses arising under the ordinances of the city.

31 Sec. 93. Section 15-316, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2       15-316 The city clerk of a city of the primary class shall have the  
3 custody of all laws and ordinances and shall keep a correct journal of  
4 the proceedings of the city council. ~~After ; Provided, that after the~~  
5 period of time specified by the State Records Administrator pursuant to  
6 the Records Management Act sections 84-1201 to 84-1220, the city clerk  
7 may transfer such journal of the proceedings of the city council to the  
8 State Archives of the Nebraska State Historical Society, for permanent  
9 preservation. The city clerk ~~He~~ shall keep a correct record of all  
10 outstanding bonds against the city showing the number and amount of each,  
11 for what and to whom issued, and when purchased, paid, or canceled, and  
12 shall make an annual report showing particularly the bonds issued and  
13 sold during the year, and the terms of sale, with each item of expense  
14 thereof. The city clerk ~~He~~ shall perform such other or further duties as  
15 may be required of him or her by ordinances of the city. The city clerk  
16 ~~He~~ shall also make a monthly report to the city council showing the  
17 amount appropriated to each fund, and the whole amount of funds drawn  
18 thereon, which report shall be recorded in spread at large upon the  
19 minutes. The city clerk ~~He~~ may, if the city council deem assistance  
20 necessary, appoint a deputy who shall give a bond in favor of the city  
21 the same as is required of the city clerk ~~himself~~.

22       Sec. 94. Section 15-317, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24       15-317 The city treasurer of a city of the primary class shall be  
25 required to give a bond or evidence of equivalent insurance of not less  
26 than one hundred fifty thousand dollars or he or she may be required to  
27 give a bond or evidence of equivalent insurance double the sum of money  
28 estimated by the city council to be at any time in his or her hands  
29 belonging to the city. The city treasurer ~~and school districts, and he or~~  
30 ~~she~~ shall be the custodian of all money belonging to the city and all  
31 securities belonging or to be held by the city. The city treasurer ~~He or~~

1 she shall keep a separate account of each fund or appropriation and  
2 debits and credits belonging thereto. The city treasurer ~~He or she~~ shall  
3 give every person paying money into the treasury a receipt therefor,  
4 specifying the date of payment and on what account paid, and he or she  
5 shall also file copies of receipts with his or her monthly report. The  
6 city treasurer ~~He or she~~ shall monthly and as often as required render to  
7 the city council an account under oath showing the state of the treasury  
8 at that date, the amount of money remaining in each fund, the amount paid  
9 therefrom, and the balance of money in the treasury. The city treasurer  
10 ~~He or she~~ shall also accompany such accounts with a statement of all  
11 receipts and disbursements, together with all warrants redeemed and paid  
12 by him or her, which warrants, together with any and all vouchers held by  
13 him or her, shall be filed in the city clerk's office, and if he or she  
14 neglects or fails for thirty days from the end of any month to enter such  
15 accounts, his or her office may by resolution of the mayor and city  
16 council be declared vacant, and the mayor with the concurrence of the  
17 city council shall fill the vacancy by appointment until the next  
18 election of the city officers. The city treasurer may employ and appoint  
19 a deputy and an assistant or assistants as determined by ordinance. The  
20 city treasurer shall be liable upon his or her official bond for the acts  
21 of such appointees.

22       Sec. 95. Section 15-322, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24       15-322 The city attorney of a city of the primary class shall be the  
25 legal advisor of the mayor, the city council, and city officers of a city  
26 of the primary class. The city attorney ~~He~~ shall commence, prosecute, and  
27 defend actions on behalf of the city, attend the meetings of the city  
28 council, and give opinions, orally or in writing, as required, upon any  
29 matter submitted to him or her by the mayor, the city council, or any  
30 officers of the city. The city attorney ~~He~~ is authorized to prepare,  
31 file, and sign the proper complaint when there is sufficient evidence to

1 warrant the belief that a person is guilty and can be convicted of a  
2 violation of a city ordinance. The city attorney He shall draft or review  
3 for legal correctness ordinances, contracts, franchises, and other  
4 instruments as may be required, and the city attorney he shall perform  
5 such other duties as may be imposed upon him or her by general law or by  
6 ordinance. The city attorney may appoint a deputy city attorney and one  
7 or more assistant city attorneys, whose duties may be prescribed by  
8 ordinance.

9 Sec. 96. Section 15-326, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 15-326 The ~~marshal~~ or chief of police of a city of the primary class  
12 shall have the immediate charge of the police, and he or she and his or  
13 her officers shall have the power and duty to arrest all offenders  
14 against the laws of the state or the ordinances of the city in the same  
15 manner as the county sheriff and to keep such offenders in the city jail  
16 or other place to prevent their escape until a trial or examination may  
17 be had before a proper officer. The jurisdiction of the ~~marshal~~ or chief  
18 of police and his or her officers in the service of process, in all  
19 criminal cases, and in cases for the violation of city ordinances shall  
20 be coextensive with the county.

21 Sec. 97. Section 15-332, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 15-332 The power to remove from office the mayor or any city council  
24 member ~~councilman~~ or other officer of a city of the primary class for  
25 good and sufficient cause is hereby conferred upon the district court for  
26 the county in which such city is situated, when not otherwise ~~herein~~  
27 provided by law, and whenever any three city council members ~~councilmen~~  
28 shall make and file with the clerk of such ~~said~~ court the proper charges  
29 and specifications against the mayor, alleging and showing that he or she  
30 is guilty of malfeasance or misfeasance as such officer, or that he or  
31 she is incompetent or neglects any of his or her duties as mayor, or that

1 for any other good and sufficient cause stated, he or she should be  
2 removed from office as mayor; or whenever the mayor or any three city  
3 council members ~~councilmen~~ shall make and file with the clerk of such  
4 ~~said~~ court the proper charges and specifications against any city council  
5 member ~~councilman~~ or other officer, alleging and showing that he or she  
6 is guilty of malfeasance or misfeasance in office or that he or she is  
7 incompetent or neglects any of his or her duties, or that from any other  
8 good and sufficient cause stated, he or she should be removed from  
9 office, the judge of such court may issue the proper order writ,  
10 requiring such officer to appear before him or her on a day named  
11 therein, not more than ten days after the service of such order writ,  
12 together with a copy of such charges and specifications, upon such  
13 officer to show cause why he or she should not be removed from his or her  
14 office. The proceedings in such case shall take precedence over all civil  
15 cases, and be conducted according to the rules of such court in such  
16 cases made and provided, and such officer may be suspended from the  
17 duties of his or her office during the pendency of such proceedings by  
18 order of such ~~said~~ court. During the time any officer is suspended, the  
19 mayor and city council, or in case the mayor is suspended, then the city  
20 council, may appoint any competent person to perform the duties of the  
21 officer so suspended, and provide for his or her compensation, and  
22 require such appointee to execute a good and sufficient bond for the  
23 faithful performance of the duties of the office.

24 Sec. 98. Section 15-401, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 15-401 Regular meetings of the city council of a city of the primary  
27 class shall be held at least once each week on such days and at such  
28 times as the city council may prescribe in its rules, and special  
29 meetings shall be held whenever called by the mayor or any four members  
30 of the city council. The city council may choose not to meet during any  
31 week in which a federal or state holiday occurs. Four members of the city

1 council shall constitute a quorum for the transaction of any business,  
2 and four affirmative votes shall be required to pass any measure or to  
3 transact any business unless it is otherwise provided by any home rule  
4 charter of a city of the primary class.

5 Sec. 99. Section 15-402, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 15-402 Ordinances of a city of the primary class shall be passed  
8 pursuant to such rules and regulations as the city council may provide,  
9 and may be proved by the certificate of the city clerk under seal of the  
10 city. The passage, approval, publication, ~~or~~ posting of ordinances shall  
11 be sufficiently proved by certificate of the city clerk under seal of the  
12 city showing when passed and approved, when and in what legal newspaper  
13 ~~paper~~ published, ~~or~~ when, by whom, and where the ordinance same was  
14 posted. Ordinances printed or published in book, ~~or~~ pamphlet, or  
15 electronic form, purporting to be published under authority of the city,  
16 shall be received in evidence in all courts without further proof. All  
17 such ordinances need not be otherwise published and shall be received in  
18 court as evidence of the passage, approval, ~~and~~ publication thereof, as  
19 required by law, and of the respective dates thereof.

20 Sec. 100. Section 15-403, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 15-403 The style of ordinances of a city of the primary class shall  
23 be: Be it ordained by the city council of the city of ..... . All  
24 ordinances shall be published within fifteen days after passage thereof,  
25 such publication to be sufficient if published in one issue of a legal  
26 ~~daily or weekly~~ newspaper in or of general circulation in the city, or  
27 posted on the official bulletin board of the city at the city hall, or in  
28 book, ~~or~~ pamphlet, or electronic form, as may be provided by ordinance,  
29 to be distributed or sold in the city. Ordinances fixing a penalty or  
30 forfeiture for the violation thereof shall not take effect until fifteen  
31 days after passage, and in no case before one week after the publication

1   thereof in the manner ~~above~~ prescribed in this section, except that ;  
2   ~~Provided,~~ in case of riots, infectious or contagious diseases, or other  
3   impending danger or other emergency requiring immediate operation of the  
4   ordinance, such ordinance ~~the same~~ shall take effect immediately upon the  
5   publication thereof as ~~above~~ prescribed in this section. All ordinances,  
6   except as otherwise provided in this section ~~hereinabove~~ prescribed,  
7   shall take effect fifteen days after passage.

8       Sec. 101. Section 15-404, Revised Statutes Cumulative Supplement,  
9   2018, is amended to read:

10       15-404 All ordinances, resolutions, or orders for the appropriation  
11   or payment of money in a city of the primary class shall require for  
12   passage or adoption the concurrence of a majority of the members elected  
13   to the city council. Ordinances of a general or permanent nature shall be  
14   read by title on three different days unless the city council votes to  
15   suspend this requirement by a two-thirds vote of the members, except that  
16   such requirement shall not be suspended for any ordinance for the  
17   annexation of territory or the redrawing of boundaries for city council  
18   election districts or wards or as otherwise provided by law. No ordinance  
19   shall contain a subject which is not clearly expressed in its title. No  
20   ordinance or section thereof shall be revised or amended unless the new  
21   ordinance contains the entire ordinance or section as revised or amended,  
22   and the ordinance or section so amended shall be repealed.

23       Sec. 102. Section 15-406, Reissue Revised Statutes of Nebraska, is  
24   amended to read:

25       15-406 The mayor of a city of the primary class shall from time to  
26   time communicate to the city council such recommendations or information  
27   as in his or her opinion tend to improve the finances, police, health,  
28   comfort, and general welfare of the city.

29       Sec. 103. Section 15-501, Reissue Revised Statutes of Nebraska, is  
30   amended to read:

31       15-501 When a system of waterworks shall have been adopted in a city

1 of the primary class and the people shall have voted to borrow money to  
2 aid their construction, the mayor and city council may (1) construct and  
3 maintain such system of waterworks, either within or without the  
4 corporate limits of the city, (2) make all needful rules and regulations  
5 concerning the use of such waterworks, and (3) do all acts necessary for  
6 the construction, completion, and management and control of such  
7 waterworks ~~the same, not inconsistent with law~~, including the exercise of  
8 the right of eminent domain. The procedure to condemn property shall be  
9 exercised in the manner set forth in sections 76-704 to 76-724.

10       Sec. 104. Section 15-502, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12       15-502 In case such aid shall not be voted by the people as provided  
13 in section 15-501 ~~in the manner aforesaid~~ or in case the system of  
14 waterworks shall prove inadequate for the needs of the city of the  
15 primary class, both public and private, then the mayor and city council  
16 may contract with and procure individuals or corporations to construct  
17 and maintain a system of waterworks in such city of the primary class for  
18 any time not exceeding twenty years from the date of the contract, and  
19 with a reservation to the city of the right to purchase such waterworks  
20 at any time after the lapse of ten years from the date of the contract,  
21 upon payment to such individuals or corporation of an amount to be  
22 determined by the contract not exceeding the cost of construction of such  
23 waterworks. In other respects such contracts may be upon such terms as  
24 may be agreed upon by a two-thirds vote of the mayor and city council,  
25 recorded in entered upon the minutes, except that ; ~~Provided~~, no such  
26 contract shall be made unless authorized by a majority vote of the legal  
27 voters at a special election called for such purpose.

28       Sec. 105. Section 15-701, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30       15-701 The city council of a city of the primary class shall have  
31 the power by ordinance to create, open, widen, or otherwise improve,

1 vacate, control, name, and rename any street, alley, or public way or  
2 ways, including the sidewalk space within the corporate limits of the  
3 city, except that all damages sustained by the owners of the property  
4 thereon by opening or widening shall be ascertained as provided ~~in the~~  
5 ~~manner set forth~~ in sections 76-704 to 76-724. Whenever any street,  
6 alley, or public way shall be vacated, such street, alley, or public way  
7 ~~the same~~ shall revert to the owners of the adjacent real estate, one-half  
8 on each side thereof, unless the city reserves title to such street,  
9 alley, or public way ~~thereto~~ in the ordinance vacating such street,  
10 alley, or public way. In the event title is retained by the city, such  
11 property may be sold, conveyed, exchanged, or leased upon such terms and  
12 conditions as shall be deemed in the best interests of the city, as  
13 authorized in its home rule charter. When the city vacates all or any  
14 portion of a street, alley, or public way or ways, the city shall, within  
15 thirty days after the effective date of the vacation, file a certified  
16 copy of the vacating ordinance with the register of deeds for the county  
17 in which the vacated property is located to be indexed against all  
18 affected lots.

19 Sec. 106. Section 15-701.01, Reissue Revised Statutes of Nebraska,  
20 is amended to read:

21 15-701.01 The city council of a city of the primary class shall have  
22 the power to grade partially, or to an established grade, curb, recurb,  
23 gutter, construct sidewalks, or otherwise improve or repair any street or  
24 streets, alley or alleys, public grounds, public way or ways, or parts  
25 thereof, including sidewalk space, at public cost, or by levy of special  
26 assessments ~~benefits~~ on the property specially benefited thereby,  
27 proportionate to the benefits. When the streets, public ways, or public  
28 grounds ~~shall~~ have been brought to an established grade, the city council  
29 shall have power to bring sidewalks and sidewalk space therein to a grade  
30 and to construct sidewalks, and shall have power and authority to levy  
31 special assessments against the property specially benefited, not to

1 exceed the cost of the improvement. Ordinary repairs, not including  
2 repaving or resurfacing or relaying existing pavement or making sidewalk  
3 repairs, shall be at public cost.

4 Sec. 107. Section 15-701.02, Reissue Revised Statutes of Nebraska,  
5 is amended to read:

6 15-701.02 The city council of a city of the primary class shall have  
7 the power to grade, to change grade, and to pave, repave, macadamize,  
8 curb, recurb, gravel, ~~or~~ regravels, open, and widen streets, roadways, or  
9 public ways, gutter, resurface, or relay existing pavement, or otherwise  
10 improve any street, streets, alley, alleys, public grounds, or public way  
11 or ways, or parts thereof, including the sidewalk space, and including  
12 improvement by mall or promenade, and by ordinance to create grading,  
13 paving, repaving, curbing, recurbing, resurfacing, graveling,  
14 regravelling, sidewalk, or improvement districts thereof, to be  
15 consecutively numbered, and such districts may include two or more  
16 connecting or intersecting streets, alleys, or public ways and may  
17 include two or more improvements, in this section mentioned, in one  
18 proceeding. Cost of so improving the street, streets, alley, alleys,  
19 public grounds, or public way or ways, including sidewalks, may be in  
20 whole or in part assessed, proportionate to benefits, on the property  
21 specially benefited. The city council may fix the depth to which property  
22 may be charged and assessed for benefits, and to a greater depth than the  
23 lots fronting on the street, streets, alley, alleys, public grounds, or  
24 public way or ways so improved, and the determination thereof by the city  
25 council shall be conclusive. The city council shall have the power and  
26 authority to fix the period of time for the payment of the special  
27 assessments, and to issue bonds, as authorized by the home rule charter.

28 Sec. 108. Section 15-702.01, Reissue Revised Statutes of Nebraska,  
29 is amended to read:

30 15-702.01 (1) A city of the primary class shall have the power to  
31 designate and establish controlled-access facilities, ~~and~~ may design,

1 construct, maintain, improve, alter, and vacate such facilities, and may  
2 regulate, restrict, or prohibit access to such facilities so as best to  
3 serve the traffic for which such facilities are intended. Such a city may  
4 provide for the elimination of intersections at grade with existing  
5 roads, streets, highways, or alleys, if the public interest shall be  
6 served thereby. An existing road, street, alley, or other traffic  
7 facility may be included within such facilities or such facilities may  
8 include new or additional roads, streets, highways, or alleys ~~the like~~.  
9 In order to carry out the purposes of this section, the city, in addition  
10 to any other powers it may have, may acquire, in private or public  
11 property, such rights of access as are deemed necessary, including, but  
12 not necessarily limited to, air, light, view, egress, and ingress. Such  
13 acquisitions may be by gift, devise, purchase, agreement, adverse  
14 possession, prescription, condemnation, or otherwise as provided by law  
15 and may be in fee simple absolute or in any lesser estate or interest.  
16 The city may make provision to mitigate damages caused by such  
17 acquisitions, terms, and conditions regarding the abandonment or reverter  
18 of such acquisitions, and any other provisions or conditions that are  
19 desirable for the needs of the city and the general welfare of the  
20 public.

21 (2) No automotive service stations or other commercial  
22 establishments for serving motor vehicle users shall be constructed or  
23 located on the publicly owned right-of-way of, or on any publicly owned  
24 or publicly leased land used for, or in connection with, a controlled-  
25 access facility.

26 Sec. 109. Section 15-702.02, Reissue Revised Statutes of Nebraska,  
27 is amended to read:

28 15-702.02 A city of the primary class shall have the power ~~is~~  
29 ~~authorized~~ to designate, establish, design, construct, maintain, vacate,  
30 alter, improve, and regulate frontage roads within the boundaries of any  
31 present or hereafter acquired right-of-way and to exercise the same

1 jurisdiction over such frontage roads as is authorized over controlled-  
2 access facilities. Such frontage roads may be connected to or separated  
3 from the controlled-access facilities at such places as the city shall  
4 determine to be consistent with public safety. Upon the construction of  
5 any frontage road, any right of access between the controlled-access  
6 facility and property abutting or adjacent to such frontage road shall  
7 terminate and ingress to and egress from the frontage road shall be  
8 provided at such places as will afford reasonable and safe connections.

9       Sec. 110. Section 15-702.03, Reissue Revised Statutes of Nebraska,  
10 is amended to read:

11       15-702.03 The right of reasonably convenient egress to and ingress  
12 from lands or lots, abutting on an existing highway, street, or road  
13 within a city of the primary class, may not be denied except with the  
14 consent of the owners of such lands or lots, or with the condemnation of  
15 such right of access to and from such abutting lands or lots. If the  
16 construction or reconstruction of any highway, street, or road, to be  
17 paid for in whole or in part with federal or state highway funds, results  
18 in the abutment of property on such highway, street, or road that did not  
19 theretofore have direct egress from and ingress to it, no rights of  
20 direct access shall accrue because of such abutment, but the city may  
21 prescribe and define the location of the privilege of access, if any, of  
22 properties that then, but not theretofore, abut on such highway, street,  
23 or road.

24       Sec. 111. Section 15-702.04, Reissue Revised Statutes of Nebraska,  
25 is amended to read:

26       15-702.04 In all specifications for materials to be used in paving,  
27 curbing, and guttering of every kind, of access ways, a the city of the  
28 primary class shall establish a standard or standards of strength and  
29 quality, to be demonstrated by physical, chemical, or other tests within  
30 the limits of reasonable variations. In every instance the materials  
31 shall be so described in the specifications, either by standard or

1 quality, to permit genuine competition between contractors so that there  
2 may be two or more bids by individuals or companies in no manner  
3 connected with each other and no material shall be specified which shall  
4 not be subject to such competition.

5 Sec. 112. Section 15-708, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 15-708 If in any city of the primary class there shall be any real  
8 estate belonging to any county, school district, municipal or quasi-  
9 municipal corporation, joint public agency, cemetery association, library  
10 board, or other public board or association, abutting upon the street,  
11 streets, alley, alleys, public way, or public grounds proposed to be  
12 improved, the proper officer or officers having control and jurisdiction  
13 over such real estate, or authorized to purchase, lease, hold, or convey  
14 real estate, shall have power to sign a petition for paving, repaving,  
15 curbing, recurbing, grading, changing grade, guttering, resurfacing,  
16 relaying existing pavement, or otherwise improving any street, streets,  
17 alley, alleys, public way, or public grounds or improvement districts.  
18 When such improvements have been ordered, it shall be the duty of the  
19 governing body ~~county board of education, library board, cemetery~~  
20 ~~trustees or other proper officers~~ controlling and having jurisdiction  
21 over such said real estate benefited by such said improvement, to pay  
22 such special taxes or assessments, or its proportionate share of the cost  
23 of such said improvements, ÷ and in event of neglect or refusal so to do,  
24 the city may recover the amount of such special taxes or assessments, or  
25 proportionate share of the cost, in any proper action, and the judgment  
26 thus obtained may be enforced in the usual manner.

27 Sec. 113. Section 15-709, Revised Statutes Cumulative Supplement,  
28 2018, is amended to read:

29 15-709 The city council of a city of the primary class may order the  
30 owner of lots abutting on a street that is to be paved to lay sewer, gas,  
31 and water service pipes to connect mains. If the owner fails to lay such

1 pipes, after five days' notice by publication in a legal newspaper in or  
2 of general circulation in the city, or in place thereof by personal  
3 service of such notice, as the city council in its discretion may direct,  
4 the city council may cause the sewer, gas, and water service pipes to be  
5 laid as part of the work of the improvement district and assess the cost  
6 thereof on the property of such owner as a special assessment. Such  
7 assessment to pay the cost of the pavement or improvements in the  
8 improvement district shall be collected and enforced as a special  
9 assessment.

10 Sec. 114. Section 15-713, Revised Statutes Cumulative Supplement,  
11 2018, is amended to read:

12 15-713 To pay the cost of curbing and guttering public ways in a  
13 city of the primary class, the city council may issue bonds called  
14 curbing gutter bonds, district No. ...., payable in not more than  
15 twenty years or at the option of the city at any interest-paying date,  
16 and assess the cost, not exceeding the special benefits, on abutting  
17 property as special assessments. Such assessments shall become due,  
18 delinquent, draw interest, and be subject to like penalty and collected  
19 as special assessments and shall constitute a sinking fund for the  
20 payment of such bonds. No paving bonds and no curbing gutter bonds shall  
21 be sold or delivered until necessary to make payments for work done on  
22 such improvements.

23 Sec. 115. Section 15-717, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 15-717 The city council of a city of the primary class shall have  
26 the power to lay off the city into suitable districts for the purpose of  
27 establishing a system of sewerage and drainage, ~~÷~~ to provide such system  
28 and regulate the construction, repairs, and use of sewers and drains, and  
29 to provide penalties for any obstruction of, or injury to, any sewers or  
30 drains, ~~7~~ and for any violation of the rules and regulations with respect  
31 thereto that may be prescribed by the city council. The city council

1 shall have the power to create sewer districts by ordinance and designate  
2 the property to be benefited by the construction of sewers in such  
3 districts. The city council shall have the power to construct or cause to  
4 be constructed such sewer or sewers in such district or districts and  
5 assess the cost thereof against the property in such districts, to the  
6 extent of the special benefits.

7 Sec. 116. Section 15-718, Revised Statutes Cumulative Supplement,  
8 2018, is amended to read:

9 15-718 Special assessments may be levied by the city council of a  
10 city of the primary class for the purpose of paying the cost of  
11 constructing ~~such~~ sewers and drains as provided in section 15-717 ~~within~~  
12 ~~the city~~. Such assessments shall be levied upon the real estate within  
13 the sewerage districts in which such sewer or drain may be, to the extent  
14 of benefits to such property by reason of such improvements. The benefits  
15 to such property shall be determined by the city council as in other  
16 cases of special assessments. All assessments made for sewerage or  
17 drainage purposes shall be levied and collected as special assessments.

18 Sec. 117. Section 15-720, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-720 The mayor and city council of a city of the primary class may  
21 issue sewer district bonds to cover the cost of the work of constructing  
22 sewers in sewer districts, and the special assessment levied on account  
23 of such work shall constitute a sinking fund for the payment of such  
24 bonds.

25 Sec. 118. Section 15-724, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-724 The mayor and city council of a city of the primary class may  
28 by ordinance purchase and own grounds for and ~~;~~ erect and establish  
29 market houses and market places, regulate and govern such market houses  
30 and market places ~~the same~~, and prescribe the fees to be charged persons  
31 for stalls therein. ~~Any~~ ~~;~~ ~~Provided~~, the revenue from such fees ~~so derived~~

1 shall be applied (1) to the payment of the salaries of the officers  
2 appointed to take charge of such said market house or market place, (2)  
3 to the payment of repairs of the market house or market place, and (3) to  
4 the payment of the cost of erecting such said market house or market  
5 place. After all salaries, repairs, and costs of construction have been  
6 paid, the surplus, if any remaining, shall be disposed of as the city  
7 council shall direct. The mayor and city council may contract with any  
8 person or persons, or association of persons, companies, or corporations,  
9 for the erection and regulation of such said market house or ~~and~~ market  
10 place on such terms and conditions and in such manner as the city council  
11 may prescribe, and raise all necessary revenue therefor as ~~herein~~  
12 provided in this section. The mayor and city council They may locate  
13 market houses or ~~and~~ market places ~~and buildings aforesaid~~ on any street,  
14 alley, or public ground, or any land purchased for such purpose, and  
15 provide for the erection of all other useful and necessary buildings for  
16 the use of the city and for the protection and safety of all property  
17 owned by the city, except that ; ~~Provided~~, any such improvement, costing  
18 in the aggregate a sum greater than five hundred dollars, shall not be  
19 authorized until the ordinance providing for such improvement therefor  
20 shall be first submitted to and ratified by a majority of the legal  
21 voters of such city thereof.

22 Sec. 119. Section 15-725, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 15-725 Special tax assessments to pay the cost of public local  
25 improvements in a city of the primary class, except special assessments  
26 for sidewalk purposes or as ~~herein~~ otherwise provided by law, shall be  
27 made in the ~~manner~~ following manner: (1) Assessment shall be made on the  
28 improvement district by resolution of the city council at any meeting,  
29 stating the cost of the improvement and benefit accruing to the property  
30 in the district to be taxed, ~~which, with the vote by yeas and nays,~~ shall  
31 be recorded in the minutes. The city council ~~Therewith~~ shall submit be

1 ~~submitted~~ a proposed distribution of the tax on each separate property to  
2 be taxed ~~subject to action of~~ the board of equalization as provided in  
3 the resolution, prescribed therein; and (2) notice of the board of  
4 equalization meeting time of assessment shall be published, in a legal  
5 ~~some~~ newspaper in or published and of general circulation in the city,  
6 ten days before the meeting assessment, and the notice shall include that  
7 the city council will sit as a board of equalization ~~to distribute the~~  
8 ~~tax at the~~ a time fixed in such notice ~~fixed,~~ not less than five days  
9 after such assessment, and the proper distribution of such special tax  
10 shall be open to examination of all persons interested. Property shall  
11 not be specially taxed for more than the total cost of the improvement  
12 nor more than the special benefit accruing thereto by the improvement. If  
13 the aggregate tax be less than the cost of improvement, the excess shall  
14 be paid from the general fund. Special taxes may be assessed as the  
15 improvement progresses and as soon as completed in front of or along  
16 property taxed, or when the whole is complete, as the city council shall  
17 determine. Special assessments for local benefits shall be a lien on all  
18 property so specially benefited superior and prior to all other liens  
19 save general taxes or other special assessments and equal therewith. If  
20 any special assessment be declared void, or doubt of its validity exist,  
21 the mayor and city council, to pay the cost of improvement, may make a  
22 reassessment thereof on the property original estate within the district,  
23 and any sums paid on the original special assessment shall be credited to  
24 the property on which it was paid and any excess refunded to the owner  
25 paying it, with lawful interest. Taxes reassessed and not paid shall be  
26 enforced and collected as other special taxes. No special tax or  
27 assessment which the mayor and city council acquire jurisdiction to make  
28 shall be void for any irregularity, defect, error, or informality in  
29 procedure, in levy or equalization thereof.

30       Sec. 120. Section 15-726, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           15-726 When any special tax, except sidewalk tax, is levied in a  
2 city of the primary class, it shall be the duty of the city clerk to  
3 issue a certificate describing such lot or piece of ground by number and  
4 block, ~~and~~ stating the amount of special tax levied thereon and the  
5 purpose for which such tax was levied, and stating when such tax ~~the same~~  
6 shall become due and delinquent. The city clerk ~~He~~ shall forthwith  
7 deliver a duplicate of such certificate to the city treasurer, who shall,  
8 without delay, give at least five days' notice through publication in a  
9 legal newspaper published in or of general circulation in the city, of  
10 the time when such tax will become delinquent. To every such certificate  
11 the city clerk shall append a warrant in the usual form, requiring such  
12 city treasurer to collect such special tax or taxes by distress and sale  
13 of goods and chattels of the person, persons, or bodies corporate owing  
14 any such special tax or taxes, if such special tax or taxes are ~~the same~~  
15 ~~be~~ not paid before the time fixed for such special tax or taxes ~~the same~~  
16 to become delinquent. The city treasurer shall make his or her return of  
17 such warrants with a report of his or her doings thereunder on or before  
18 the fifteenth day of July next thereafter.

19           Sec. 121. Section 15-727, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21           15-727 It shall be sufficient in any case involving a special tax  
22 assessment in a city of the primary class to describe the lot or piece of  
23 ground as such lot or piece of ground ~~the same~~ is platted or recorded,  
24 although such lot or piece of ground belongs ~~the same belong~~ to several  
25 persons, but in case any lot or piece of ground belongs ~~belong~~ to  
26 different persons, the owner of any part thereof may pay his or her  
27 portion of the tax on such lot or piece of ground, and his or her proper  
28 share may be determined by the city treasurer.

29           Sec. 122. Section 15-728, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31           15-728 When any public improvement in a city of the primary class is

1 completed according to contract, it shall be the duty of the city  
2 engineer to carefully inspect such improvement ~~the same~~, and if the  
3 improvement is found to be properly done, such city engineer shall accept  
4 the improvement ~~same~~ and forthwith report his or her acceptance thereof  
5 to the city council with recommendation that the improvement ~~same~~ be  
6 approved or disapproved, and the city council may confirm or reject such  
7 acceptance. When the ordinance levying the tax makes such tax ~~the same~~  
8 due as the improvement is completed in front of or along any block or  
9 piece of ground, the city engineer may accept the improvement ~~same~~ in  
10 sections from time to time, if found to be done according to the  
11 contract, reporting his or her acceptance as in other cases.

12 Sec. 123. Section 15-729, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 15-729 A city of the primary class may authorize or permit the use  
15 of its roads, streets, highways, alleys, or other public rights-of-way  
16 for street railway systems. All street railway companies in any city of  
17 the primary class shall be required to pave, repave or repair between and  
18 to one foot beyond their outer rails. In case any such railway uses more  
19 than one track in any street, it shall pave, repave or repair between  
20 tracks and to one foot beyond the outer rails where such company owns, at  
21 its own cost. Whenever any street shall be ordered paved or repaved by  
22 the mayor and council of the city, such paving or repaving shall be done  
23 at the same time and shall be of the same material and character as the  
24 paving or repaving of the street upon which such railway track is  
25 located, unless other material be specially ordered by the mayor and  
26 council of the city. Such street railway companies shall be required to  
27 keep that portion of the streets required by them to be paved, repaved or  
28 repaired, in repair, using for said purpose the same material as the  
29 streets upon which the track is laid at the point of repair, or such  
30 other material as the mayor and council may require and order upon  
31 streets in such city.

1           Sec. 124. Section 15-734, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-734 The owner of property abutting on public streets in a city of  
4 the primary class is hereby primarily charged with the duty of keeping  
5 and maintaining the sidewalks on such property ~~thereon~~ in a safe and  
6 sound condition, and free from snow, ice, and other obstructions. Upon a  
7 failure to so keep and maintain such sidewalks, and ; and in default  
8 ~~thereof,~~ upon notice to such abutting property owner as hereinafter  
9 provided in this section, such abutting property owner shall be liable  
10 for injuries or damages sustained by reason of such failure thereof. Such  
11 ~~The~~ city is given general charge, control, and supervision of the streets  
12 and sidewalks thereof, and is required to cause to be maintained or  
13 maintain the same in a reasonably safe condition. The city ~~It~~ is given  
14 full power to require owners of abutting property to keep and maintain  
15 the sidewalks of such property ~~thereof~~ in a safe and sound condition and  
16 free from snow, ice, and other obstructions, and to require such abutting  
17 property owners to construct and maintain the sidewalks of such material  
18 and of such dimensions and upon such grade as may be determined by the  
19 city council. In case such abutting property owner refuses or neglects,  
20 after five days' notice by publication in a legal newspaper in or of  
21 general circulation in such city, or in place thereof, by personal  
22 service of such notice, to so construct or maintain such sidewalk, the  
23 city through the proper officers may construct or repair such sidewalk or  
24 cause such sidewalk ~~the same~~ to be constructed or repaired, and report  
25 the cost of such construction or repairs thereof to the city council,  
26 whereupon the city council shall assess such costs ~~the same~~ against such  
27 abutting property. The city council may receive bids for constructing or  
28 repairing any or all such sidewalks ~~walks,~~ and may let contracts to the  
29 lowest responsible bidders for constructing or repairing such sidewalks  
30 ~~the same~~. The contractor or contractors shall be paid for such contracts  
31 ~~therefor~~ from special assessments against the abutting property. The cost

1 of constructing, replacing, repairing, or grading thereof shall be  
2 assessed at a regular city council meeting by resolution, fixing the cost  
3 along abutting property as a special assessment against such property;  
4 and the amount charged or the cost thereof, ~~with the vote by yeas and~~  
5 ~~days,~~ shall be recorded in spread upon the minutes. Notice of the time of  
6 such meeting of the city council and its purpose shall be published once  
7 in a legal newspaper in or ~~published and~~ of general circulation in the  
8 city at least five days before the meeting of the city council is to be  
9 held, or, in place thereof, personal notice may be given to such abutting  
10 property owners. Such special assessment shall be known as special  
11 sidewalk assessments, and together with the cost of notice, shall be  
12 levied and collected as special assessments ~~taxes~~ in addition to the  
13 general revenue taxes, and shall be subject to the same penalties and  
14 shall draw interest at a rate not to exceed the rate of interest  
15 specified in section 45-104.01, as such rate may from time to time be  
16 adjusted by the Legislature, from the date of the levy thereof until  
17 satisfied.

18 Sec. 125. Section 15-735, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-735 Special sidewalk assessments assessed as provided in section  
21 15-734 may be collected:

22 (1) In the manner usual for the collection or foreclosure of county  
23 ~~or state~~ taxes against real estate;

24 (2) By foreclosure as in case of county ~~or state~~ taxes against real  
25 estate. In ; ~~Provided, however, in~~ the foreclosure of such special  
26 sidewalk assessments, any number of parties, owners of abutting property  
27 against which property a special sidewalk assessment has been made, may  
28 be made parties defendant, and any number of special sidewalk assessments  
29 may be foreclosed in one action, the decree, however, to be separate as  
30 to each particular piece of abutting property against which such special  
31 sidewalk assessments have been levied. A ; ~~and provided further, a~~

1 certified copy by the city clerk of the action of the city council in  
2 making such special sidewalk assessments shall be received in evidence as  
3 prima facie evidence of the regularity of all proceedings in the matter  
4 of making and levying such special sidewalk assessments, and such special  
5 sidewalk assessments shall constitute a lien prior and superior to all  
6 other liens except liens for taxes or other special assessments upon such  
7 abutting property. ~~In ; and provided further, in~~ the foreclosure of such  
8 special assessments, the action may be brought in the name of the city  
9 against any and all parties subject to the payment of such special  
10 sidewalk assessments in one or more actions, and the city may become a  
11 purchaser thereof for an amount not exceeding the amount of the special  
12 sidewalk assessment, ~~and~~ interest and penalties thereon; or

13 (3) The city clerk, upon the request of the city council, shall,  
14 under seal of the city, make out a statement containing a description of  
15 the property against which special sidewalk assessments are delinquent,  
16 the amount of such special sidewalk assessments, together with interest  
17 and penalties thereon, the name of the owner of such abutting property at  
18 the time of the levy, and the date of the levy, and shall transmit the  
19 same to the clerk of the district court. ~~Upon ; and upon~~ request of the  
20 city the clerk of the district court shall issue an order of sale of such  
21 abutting property and deliver the same to the county sheriff, who shall  
22 thereupon cause such property to be advertised and sold as in case of  
23 sale of real estate under judgment and execution, except that it shall  
24 not be necessary for the county ~~said~~ sheriff to cause such property to be  
25 appraised. ~~Upon ; upon~~ sale the county sheriff shall report the sale  
26 thereof to the district court for confirmation.

27 Sec. 126. Section 15-751, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 15-751 (1) Any county and any city of the primary class, which is  
30 the county seat of such county ~~thereof~~, shall have the power to join with  
31 each other and with other political or governmental subdivisions,

1 agencies, or public corporations whether federal, state, or local, or  
2 with any number of combinations thereof, by contract or otherwise in the  
3 joint ownership, operation, or performance of any property, facility,  
4 power, or function, or in agreements containing the provisions that one  
5 or more thereof operate or perform for the other or others. Any such  
6 county and any such city shall also have the power to authorize and  
7 undertake research, formulate plans, draft and seek the enactment of  
8 legislation, take other actions concerning improvement of the  
9 relationships between themselves or between each of them and other  
10 political or governmental subdivisions, agencies, or public corporations,  
11 whether federal, state, or local, for the attainment of voluntary  
12 cooperation agreements, annexations, transfers of functions to or from  
13 such city, or to or from such county, or city-county consolidation or  
14 separation, or any other means of accomplishing changes in governmental  
15 organization in which such city or such county has an interest. Such city  
16 and such county may undertake such efforts alone or in concert with other  
17 political or governmental subdivisions, agencies, or public corporations,  
18 whether federal, state, or local, or with public or private research or  
19 professional organizations. Such city and such county may appropriate and  
20 spend money for such purposes.

21 (2) Any officer or employee, whether elected or appointed, of any  
22 county, may also simultaneously be and serve as an officer or employee of  
23 any such city of the primary class, referred to in subsection (1) of this  
24 section, which is the county seat of the county where such duties are not  
25 incompatible. Any officer or employee, whether elected or appointed, of a  
26 city of the primary class which is the county seat of a county may also  
27 simultaneously be and serve as an officer or employee of the county of  
28 which such said city is the county seat where such duties are not  
29 incompatible, except ; ~~Provided~~, that this provision shall not apply to  
30 or cover the county board of such county or the mayor or members of the  
31 city council of such city.

1           Sec. 127. Section 15-752, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-752 Any action authorized under section 15-751 shall be taken  
4 only upon the affirmative vote of a majority of the county board of the  
5 ~~commissioners of such county in which a city of the primary class is the~~  
6 county seat or a majority of the members of the city council and mayor of  
7 such city, and when such action is taken by such governing body, it shall  
8 be binding upon all officers and employees of such county or such city.

9           Sec. 128. Section 15-753, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11           15-753 The city council of a city of the primary class shall have  
12 the power to create ornamental lighting districts for the purpose of  
13 acquiring and installing ornamental lights, including poles, fixtures,  
14 wiring, underground conduits, and all necessary equipment and  
15 accessories, in or along any street, streets, public grounds, or public  
16 way or ways, within the city. All such districts shall be known as  
17 ornamental lighting districts and shall be created by ordinance which  
18 shall designate the property within the district to be benefited. The  
19 city shall have the power to advertise for bids for the installation,  
20 construction, and equipment for such ornamental lights therefor, and to  
21 contract with the lowest responsible bidder therefor as authorized in its  
22 home rule charter. The cost of such ornamental lights thereof may be, in  
23 whole or in part, assessed proportionately to the benefits on the  
24 property specially benefited, and the city council shall have the power  
25 and authority to fix the period of time for the payment of the special  
26 assessments, and to issue bonds, as authorized by its ~~the~~ home rule  
27 charter.

28           Sec. 129. Section 15-754, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30           15-754 The city council of a city of the primary class shall have  
31 the power by ordinance to create public improvement districts for

1 opening, widening, or enlarging of any street, alley, boulevard, or  
2 public way or the establishing or enlarging of any park or parkway within  
3 the city. Such special improvement district having been created, the city  
4 may ~~acquire~~ ~~require~~, by agreement, purchase, condemnation, or otherwise,  
5 the necessary lands, lots, or grounds to carry out the purposes of the  
6 district. The cost thereof may be, in whole or in part, assessed  
7 proportionate to benefits, on the property specially benefited. The city  
8 council shall have power and authority to fix the period of time for the  
9 payment of the special assessments, and to issue bonds, as authorized by  
10 ~~its~~ ~~the~~ home rule charter.

11 Sec. 130. Section 15-807, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 15-807 The city council of a city of the primary class shall  
14 constitute the board of equalization for the city, and shall have power  
15 as such board to equalize all taxes and assessments, to correct any  
16 errors in the listing or valuation of property, and to supply any  
17 omissions in the same. A majority of all the members elected to the city  
18 council shall constitute a quorum for the transaction of business  
19 properly before the board, but a less number may adjourn from time to  
20 time and compel the attendance of absent members. When sitting as a board  
21 of equalization on general or special taxes, the city council may adopt  
22 rules and regulations as to the manner of presenting complaints and  
23 applying for relief. The city council ~~It~~ shall not invalidate or  
24 prejudice the proceedings of the board that a majority of the members  
25 thereof after organization as a board do not in fact continue present  
26 during the advertised hours for the sitting of such board, as long as ;  
27 ~~Provided, however,~~ the city clerk and some member of the board shall be  
28 present to receive complaints or applications for relief. No final action  
29 shall be taken with respect to any taxes or assessments by the board  
30 until a majority of the members of the city council sitting as a board of  
31 equalization shall be present and in open session.

1           Sec. 131. Section 15-808, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-808 The city council of a city of the primary class sitting as a  
4 board of equalization shall hold a session of not less than three or more  
5 than thirty days annually commencing on the first Tuesday after the third  
6 Monday in June and shall have power:

7           (1) To assess any taxable property, real and personal, not assessed;

8           (2) To review assessments made and correct such assessments ~~the same~~  
9 as appears to be just. The board shall not increase the assessment of any  
10 person, partnership, limited liability company, or corporation until such  
11 person, partnership, limited liability company, or corporation has been  
12 notified by the board to appear and show cause, if any, why the  
13 assessment should not be increased. If personal service of such notice  
14 cannot be made in the city, notice may be given by publication and it  
15 shall be sufficient if such notice is published in one issue of a legal  
16 newspaper in or daily paper of general circulation within the city; and

17           (3) To equalize the assessments of all taxable property in the city  
18 and to correct any errors in the listing or value thereof. The city  
19 council sitting as a board of equalization shall be authorized and  
20 empowered to meet at any time for the purpose of equalizing assessment of  
21 any omitted or undervalued property and to add to the assessment rolls  
22 any taxable property not included.

23           Sec. 132. Section 15-809, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25           15-809 The city council of a city of the primary class shall act as  
26 a board to equalize all special assessments, except for sidewalks  
27 affecting single properties, before special taxes for local improvements  
28 be finally levied, distributed, and apportioned, and to correct any  
29 errors therein, upon notice as provided in this section ~~herein~~. The board  
30 shall be in session not less than two hours on two successive days, and  
31 until it hears all complaints owners may make to the proposed

1 distribution and levy of the tax, and shall equalize the tax and correct  
2 errors therein. If by reduction of the amount charged on any property it  
3 is necessary to increase the proposed amount upon other property, the  
4 owner shall be notified in person or at his or her residence, or by five  
5 days' publication in a legal newspaper in or of general circulation in  
6 the city if not a resident, or if changes are many, another distribution  
7 may be submitted by any member or any owner interested, and notice by  
8 five days' publication in a legal newspaper in or of general circulation  
9 in the city be given of a second session for equalization, at which time  
10 the equalization shall be completed.

11 Sec. 133. Section 15-810, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 15-810 The city council of a city of the primary class or any  
14 committee of the members thereof or the city council, when sitting as a  
15 board of equalization, shall have the power to compel the attendance of  
16 witnesses for the investigation of matters that may come before such city  
17 council or committee ~~them~~, and the presiding officer of the city council  
18 or chairperson ~~chairman~~ of such committee, for the time being, may  
19 administer the requisite oaths. Such city ~~, and such~~ council or committee  
20 of the members thereof or the city council, when sitting as a board of  
21 equalization, shall have the same authority to compel the giving of  
22 testimony as is conferred on courts of justice.

23 Sec. 134. Section 15-811, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 15-811 If for any reason any taxable property in a the city of the  
26 primary class escapes ~~shall escape~~ taxation in any year, it shall be the  
27 duty of the city council when sitting as a board of equalization in any  
28 subsequent year to assess such property at a fair valuation for the year  
29 or years for which such property should have been assessed, and to levy  
30 thereon under such assessment a tax at the same rate and upon the same  
31 basis that other taxable property was assessed for the year in which such

1 property escaped taxation, which tax and levy shall be in addition to all  
2 current or other taxes on the same property.

3 Sec. 135. Section 15-812, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 15-812 As soon as the assessment roll ~~has~~ ~~shall have~~ been equalized,  
6 and the annual levy made on such assessment roll in a city of the primary  
7 class ~~thereon~~, the city clerk shall immediately make out a tax list,  
8 which shall be as nearly as practicable in the form prescribed by law for  
9 the tax list to be furnished county treasurers, and the city clerk ~~he~~  
10 shall deliver such tax list to the city treasurer on or before the first  
11 day of October next after the date of the levy in each year. Errors in  
12 the name of persons assessed may be corrected by the city treasurer and  
13 the tax collected from the person intended, and in case the city  
14 treasurer finds that any land has been omitted in the assessment, the  
15 city treasurer ~~he~~ shall report that fact to the city council, who may  
16 assess the same and direct the correction of the tax list as provided in  
17 this section and in section 15-811.

18 Sec. 136. Section 15-813, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-813 To each tax list so delivered as provided in section 15-812,  
21 a warrant under the hand of the city clerk of the city of the primary  
22 class shall be annexed, to be substantially in the following form:

23 In the name and by the authority of the State of Nebraska:  
24 To ..... city treasurer of the city of ..... in  
25 Nebraska;

26 You are hereby commanded to collect from each of the persons and  
27 corporations named in the annexed tax list and owners of real estate  
28 described therein the taxes set down in such list opposite their  
29 respective names, and the several parcels of land described therein; and  
30 in case any person or corporation upon whom any such tax or sum is  
31 imposed, or who by law is required to pay the same, shall refuse or

1 neglect to pay the full amount thereof before the first day of March (or  
2 September), 20.... (insert year after levy), you are to levy and collect  
3 the same by distress and sale of the goods and chattels of the person or  
4 corporation so taxed as are by law required to pay such tax.

5 Given under my hand and official seal this ..... day  
6 of ..... A.D. 20.... .

7 .....

8 City Clerk of the City of .....

9 Sec. 137. Section 15-814, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 15-814 ~~Any such~~ warrant issued pursuant to section 15-813 shall  
12 fully authorize and empower the city treasurer of the city of the primary  
13 class to levy on any personal property belonging to such delinquent, and  
14 such warrant shall be a full and complete justification of the city  
15 treasurer in any action brought to recover damages or costs for any act  
16 or proceeding by the city treasurer ~~him~~ done or taken in conformity with  
17 the commands thereof.

18 Sec. 138. Section 15-816, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-816 All municipal personal taxes in a city of the primary class  
21 shall be collected from the personal property of the person, partnership,  
22 limited liability company, or corporation owning such personal property  
23 ~~the same~~. All delinquent municipal taxes levied on any real estate within  
24 such city shall be collected by sale of such real estate in the same  
25 manner as in case of sale for delinquent county taxes.

26 Sec. 139. Section 15-817, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-817 The mayor and city council of a city of the primary class  
29 shall have full power and authority to pass ordinances not inconsistent  
30 with the laws of this state which they may deem necessary to secure a  
31 speedy and thorough collection of all municipal taxes and special

1 assessments.

2 Sec. 140. Section 15-818, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-818 All municipal taxes and special assessments in ~~a the city of~~  
5 the primary class shall be paid in money cash, or in warrants of the city  
6 drawn on the fund for which the same is offered, except that ~~;~~ ~~Provided,~~  
7 coupons on any bonds of the city shall be received in payment of taxes or  
8 special assessments.

9 Sec. 141. Section 15-819, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 15-819 Taxes assessed upon personal property in ~~a the city of the~~  
12 primary class shall be a lien upon the personal property of the person,  
13 partnership, limited liability company, or corporation assessed from and  
14 after the time the tax books are received by the city treasurer. Such  
15 lien shall be prior and superior to all other liens thereon except liens  
16 for taxes.

17 Sec. 142. Section 15-821, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 15-821 Special assessments on real estate in a city of the primary  
20 class shall be a lien from the date of the levy, and interest on all  
21 unpaid installments shall be payable annually. Such lien shall be  
22 perpetual and superior to all other liens upon the property except liens  
23 for taxes. In case of sale of any property for such tax or special  
24 assessment, the sale ~~same~~ shall be governed by the general revenue law,  
25 except as ~~herein~~ otherwise provided by law, and the rights and  
26 limitations shall be the same as in other tax sales. Each ~~;~~ ~~Provided,~~  
27 ~~each~~ installment shall draw interest at a rate not to exceed the rate of  
28 interest specified in section 45-104.01, as such rate may from time to  
29 time be adjusted by the Legislature, payable annually, from levy until  
30 due; and installments delinquent shall draw interest at the rate  
31 specified in section 45-104.01, as such rate may from time to time be

1 adjusted by the Legislature, until paid.

2 Sec. 143. Section 15-822, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-822 The city council of a city of the primary class shall have  
5 the power, in all cases where special assessments for any purpose have or  
6 may be declared void or invalid for want of jurisdiction in making or  
7 levying such special assessments, or on account of any defect or  
8 irregularity in the manner of levying such special assessments ~~the same,~~  
9 or for any cause whatever, to reassess and relevy a new assessment equal  
10 to the special benefits or not to exceed the cost of the improvement for  
11 which the assessment was made upon the property originally assessed, and  
12 such assessment so made shall constitute a lien upon the property prior  
13 and superior to all other liens except liens for taxes or other special  
14 assessments. In ; ~~Provided,~~ in all cases under the provisions of this  
15 section, the city council before making any such reassessment or relevy  
16 of special taxes or assessments shall give five days' notice in a legal  
17 newspaper in or published ~~and~~ of general circulation in the city of the  
18 time when the city council will meet to determine the matter of  
19 reassessing or relevying all such special assessments.

20 Sec. 144. Section 15-823, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 15-823 All taxes levied for the purpose of raising money to pay  
23 interest or to create a sinking fund for the payment of the principal of  
24 any funded or bonded debt of a city of the primary class ~~the city~~ shall  
25 be payable in money only, and except as otherwise expressly provided, no  
26 money so obtained shall be used for any other purpose than the payment of  
27 the interest or debt for the payment of which they shall have been  
28 raised. Such ; ~~Provided,~~ such sinking fund may, under the direction of  
29 the mayor and city council, be invested in any of the underdue bonds  
30 issued by the city, if the bonds ~~provided they~~ can be secured by the city  
31 treasurer at such rate or premiums as shall be prescribed by ordinance.

1 Any due or overdue coupon or bond shall be a sufficient warrant or order  
2 for the payment of the coupon or bond same out of any fund specially  
3 created for that purpose, without any further order or allowance by the  
4 mayor or city council.

5 Sec. 145. Section 15-824, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 15-824 Irregularities in making assessments and returns thereof, in  
8 the equalization of assessments, and in the mode and manner of  
9 advertising the sale of any property shall not invalidate or affect the  
10 sale thereof when advertised and sold for delinquent city taxes and  
11 special assessments in a city of the primary class as provided by law, as  
12 ~~herein provided~~; nor shall the sale of any real estate or any such tax or  
13 assessment be invalid on account of such real estate having been listed  
14 in the name of any other person than that of the rightful owner.

15 Sec. 146. Section 15-834, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 15-834 No bonds issued by ~~a~~ the city of the primary class which are  
18 general obligation bonds shall be sold for less than par or face value.  
19 All such bonds may contain such provisions with respect to their  
20 redemption as the city shall provide. There shall be no tax levy to pay  
21 more than the interest upon such bonds until the year before they become  
22 due, and then only so much as is needed to meet the bonds maturing the  
23 year after.

24 Sec. 147. Section 15-835, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 15-835 All money received from any special assessments in a city of  
27 the primary class shall be held by the city treasurer as a special fund  
28 to be applied to the payment of the improvement for which the assessment  
29 was made, and such money shall be used for no other purpose. Any ÷  
30 ~~Provided, however,~~ any surplus remaining in any such fund after all  
31 obligations against the same shall have been satisfied, may be

1 transferred to any other fund by order of the city council.

2 Sec. 148. Section 15-840, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-840 All liquidated and unliquidated claims and accounts payable  
5 against ~~a the city of the primary class~~ shall: (1) Be presented in  
6 writing; (2) state the name of the claimant and the amount of the claim;  
7 and (3) fully and accurately identify the items or services for which  
8 payment is claimed or the time, place, nature, and circumstances giving  
9 rise to the claim. The city finance director shall be responsible for the  
10 preauditing and approval of all claims and accounts payable, and no  
11 warrant in payment of any claim or account payable shall be drawn or paid  
12 without such approval. In order to maintain an action for a claim, other  
13 than a tort claim as defined in section 13-903, it shall be necessary, as  
14 a condition precedent, that the claimant file such claim within one year  
15 of the accrual ~~of such claim thereof~~, in the office of the city clerk, or  
16 other official whose duty it is to maintain the official records of a  
17 ~~primary-class city of the primary class~~.

18 Sec. 149. Section 15-841, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-841 Any taxpayer of ~~a the city of the primary class~~, after the  
21 allowance in whole or in part of any liquidated or unliquidated claim, or  
22 the claimant, after the disallowance in whole or in part of any such  
23 claim, may appeal therefrom to the district court of the county in which  
24 the city is situated in accordance with the procedures set forth in  
25 sections 15-1201 to 15-1205. In an appeal by a taxpayer in case the  
26 claimant finally recovers judgment for as great a sum exclusive of  
27 interest as was allowed by the city council, such appellant shall pay all  
28 costs of such appeal. In an appeal by a claimant in case claimant fails  
29 to recover as great a sum exclusive of interest as was allowed by the  
30 city council, such claimant shall pay all costs. No warrant shall issue  
31 for the payment of any such claim until the appeal is finally determined.

1 No appeal bond shall be required of the city by any court in case of  
2 appeal by the city, and judgment shall be stayed pending such appeal.

3 Sec. 150. Section 15-842.01, Reissue Revised Statutes of Nebraska,  
4 is amended to read:

5 15-842.01 No bond for costs, appeal, supersedeas, injunction, or  
6 attachment shall be required of any city of the primary class or of any  
7 officer, board, commission, head of any department, agent, or employee of  
8 any such city in any proceeding or court action in which such said city  
9 ~~of the primary class~~ or officer, board, commission, head of department,  
10 agent, or employee is a party litigant in its, ~~or~~ his, or her official  
11 capacity.

12 Sec. 151. Section 15-845, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 15-845 The city treasurer of a city of the primary class shall  
15 deposit and at all times keep on deposit for safekeeping in the banks, in  
16 the capital stock financial institutions, ~~in the~~ qualifying mutual  
17 financial institutions, or any of such banks or institutions in some of  
18 ~~them~~ doing business in such city of approved and responsible standing all  
19 money collected, received, or held by him or her as ~~such~~ city treasurer.  
20 Any such bank, capital stock financial institution, or qualifying mutual  
21 financial institution located in the city may apply for the privilege of  
22 keeping such money or any part thereof upon the following conditions: (1)  
23 All such deposits shall be subject to payment when demanded by the city  
24 treasurer; and (2) such deposits shall be subject to all regulations  
25 imposed by law or adopted by the city for the receiving and holding  
26 thereof. The fact that a stockholder, director, or other officer of such  
27 bank, capital stock financial institution, or qualifying mutual financial  
28 institution shall also be serving as mayor, as a member of the city  
29 council, or as any other officer of such city municipality shall not  
30 disqualify such bank, capital stock financial institution, or qualifying  
31 mutual financial institution from acting as a depository for such

1 municipal funds. Section 77-2366 shall apply to deposits in capital stock  
2 financial institutions. Section 77-2365.01 shall apply to deposits in  
3 qualifying mutual financial institutions.

4 Sec. 152. Section 15-848, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 15-848 The city treasurer of a city of the primary class shall not  
7 have on deposit in any bank, capital stock financial institution, or  
8 qualifying mutual financial institution at any time more than the maximum  
9 amount of the bond given by such bank, capital stock financial  
10 institution, or qualifying mutual financial institution if the bank,  
11 capital stock financial institution, or qualifying mutual financial  
12 institution gives a surety bond, nor in any bank, capital stock financial  
13 institution, or qualifying mutual financial institution giving a personal  
14 bond, more than one-half of the amount of the bond of such bank, capital  
15 stock financial institution, or qualifying mutual financial institution.  
16 The amount on deposit plus accretions at any time with any such bank,  
17 capital stock financial institution, or qualifying mutual financial  
18 institution shall not in either case exceed the paid-up capital stock and  
19 surplus of such bank, capital stock financial institution, or qualifying  
20 mutual financial institution. The city treasurer shall not be liable for  
21 any loss sustained by reason of the failure of any such bonded depository  
22 whose bond shall have been duly approved by the city attorney as provided  
23 by section 15-846 or which has, in lieu of a surety bond, given security  
24 as provided by section 15-847. Section 77-2366 shall apply to deposits in  
25 capital stock financial institutions. Section 77-2365.01 shall apply to  
26 deposits in qualifying mutual financial institutions.

27 Sec. 153. Section 15-901, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 15-901 (1) Except as provided in section 13-327, the  
30 extraterritorial zoning jurisdiction of a city of the primary class shall  
31 consist of the unincorporated area three miles beyond and adjacent to its

1 corporate boundaries.

2       (2) No owner of real estate located within the corporate limits of  
3 ~~in~~ any city of the primary class or within the extraterritorial zoning  
4 jurisdiction ~~three miles of the corporate limits~~ of any city of the  
5 primary class, when such real estate is located in the same county as the  
6 city and outside of any incorporated ~~organized~~ city or village, shall be  
7 permitted to subdivide, plat, or lay out the real estate in building lots  
8 and streets, or other portions of the real estate ~~same~~ intended to be  
9 dedicated for public use or for the use of the purchasers or owners of  
10 lots fronting thereon or adjacent thereto, without first having obtained  
11 approval by the city planning commission and, when applicable, having  
12 complied with sections 39-1311 to 39-1311.05. No plat or subdivision of  
13 such real estate shall be recorded in the office of the register of deeds  
14 or have any force or effect unless such plat or subdivision ~~the same~~ is  
15 approved by the city planning commission. A city of the primary class  
16 shall have the authority within its corporate limits and extraterritorial  
17 zoning jurisdiction ~~the area~~ to regulate the subdivision of land for the  
18 purpose, whether immediate or future, of transferring ownership or  
19 building development, except that the city shall have no power to  
20 regulate subdivision in those instances where the smallest parcel created  
21 is more than ten acres in area. A city of the primary class shall have  
22 the authority within its corporate limits and extraterritorial zoning  
23 jurisdiction ~~the area~~ to prescribe standards for laying out subdivisions  
24 in harmony with the comprehensive plan; to require the installation of  
25 improvements by the owner, by the creation of public improvement  
26 districts, or by requiring a good and sufficient bond guaranteeing  
27 installation of such improvements; and to require the dedication of land  
28 for public purposes.

29       (3) For purposes of this section, subdivision shall mean the  
30 division of a lot, tract, or parcel of land into two or more lots, sites,  
31 or other divisions of land for the purpose, whether immediate or future,

1 of ownership or building development, except that the division of land  
2 shall not be considered to be subdivision when the smallest parcel  
3 created is more than ten acres in area.

4 (4) Subdivision plats in a city of the primary class shall be  
5 approved by the city planning commission on recommendation by the city  
6 planning director and public works and utilities department. The city  
7 planning commission may withhold approval of a plat until the public  
8 works and utilities department has certified that the improvements  
9 required by the regulations have been satisfactorily installed, until a  
10 sufficient bond guaranteeing installation of the improvements has been  
11 posted, or until public improvement districts are created. The city  
12 council may provide procedures in land subdivision regulations for appeal  
13 by any person aggrieved by any action of the city planning commission or  
14 city planning director on any plat.

15 Sec. 154. Section 15-902, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 15-902 (1) Every city of the primary class shall have power within  
18 the corporate limits of ~~in the area which is within~~ the city or within  
19 the extraterritorial zoning jurisdiction ~~three miles of the corporate~~  
20 ~~limits of the city and outside of any organized city or village~~ to  
21 regulate and restrict: (a) The location, height, bulk, and size of  
22 buildings and other structures; (b) the percentage of a lot that may be  
23 occupied; (c) the size of yards, courts, and other open spaces; (d) the  
24 density of population; and (e) the locations and uses of buildings,  
25 structures, and land for trade, industry, business, residences, and other  
26 purposes. Such city shall have power to divide the area zoned into  
27 districts of such number, shape, and area as may be best suited to carry  
28 out the purposes of this section and to regulate, restrict, or prohibit  
29 the erection, construction, reconstruction, alteration, or use of  
30 buildings, structures, or land within the total area zoned or within  
31 districts. All such regulations shall be uniform for each class or kind

1 of buildings throughout each district, but regulations applicable to one  
2 district may differ from those applicable to other districts. Such zoning  
3 regulations shall be designed to secure safety from fire, flood, and  
4 other dangers and to promote the public health, safety, and general  
5 welfare and shall be made with consideration having been given to the  
6 character of the various parts of the area zoned and their peculiar  
7 suitability for particular uses and types of development and with a view  
8 to conserving property values and encouraging the most appropriate use of  
9 land throughout the area zoned, in accordance with a comprehensive plan.  
10 Such zoning regulations may include reasonable provisions regarding  
11 nonconforming uses and their gradual elimination.

12 (2)(a) A The city of the primary class shall not adopt or enforce  
13 any zoning ordinance or regulation which prohibits the use of land for a  
14 proposed residential structure for the sole reason that the proposed  
15 structure is a manufactured home if such manufactured home bears an  
16 appropriate seal which indicates that it was constructed in accordance  
17 with the standards of the Uniform Standard Code for Manufactured Homes  
18 and Recreational Vehicles, the Nebraska Uniform Standards for Modular  
19 Housing Units Act, or the United States Department of Housing and Urban  
20 Development. The city may require that a manufactured home be located and  
21 installed according to the same standards for foundation system,  
22 permanent utility connections, setback, and minimum square footage which  
23 would apply to a site-built, single-family dwelling on the same lot. The  
24 city may also require that manufactured homes meet the following  
25 standards:

26 (i) The home shall have no less than nine hundred square feet of  
27 floor area;

28 (ii) The home shall have no less than an eighteen-foot exterior  
29 width;

30 (iii) The roof shall be pitched with a minimum vertical rise of two  
31 and one-half inches for each twelve inches of horizontal run;

1 (iv) The exterior material shall be of a color, material, and scale  
2 comparable with those existing in residential site-built, single-family  
3 construction;

4 (v) The home shall have a nonreflective roof material which is or  
5 simulates asphalt or wood shingles, tile, or rock; and

6 (vi) The home shall have wheels, axles, transporting lights, and  
7 removable towing apparatus removed.

8 (b) The city may not require additional standards unless such  
9 standards are uniformly applied to all single-family dwellings in the  
10 zoning district.

11 (c) Nothing in this subsection shall be deemed to supersede any  
12 valid restrictive covenants of record.

13 (3) For purposes of this section, manufactured home shall mean (a) a  
14 factory-built structure which is to be used as a place for human  
15 habitation, which is not constructed or equipped with a permanent hitch  
16 or other device allowing it to be moved other than to a permanent site,  
17 which does not have permanently attached to its body or frame any wheels  
18 or axles, and which bears a label certifying that it was built in  
19 compliance with National Manufactured Home Construction and Safety  
20 Standards, 24 C.F.R. 3280 et seq., promulgated by the United States  
21 Department of Housing and Urban Development, or (b) a modular housing  
22 unit as defined in section 71-1557 bearing a seal in accordance with the  
23 Nebraska Uniform Standards for Modular Housing Units Act.

24 Sec. 155. Section 15-905, Revised Statutes Cumulative Supplement,  
25 2018, is amended to read:

26 15-905 Every city of the primary class may regulate in the area  
27 which is within the corporate limits of the city or within its  
28 extraterritorial zoning jurisdiction ~~three miles of the corporate limits~~  
29 ~~of the city and outside of any organized city or village~~, except as to  
30 construction on farms for farm purposes, (1) the minimum standards of  
31 construction of buildings, dwellings, and other structures in order to

1 provide safe and sound condition thereof for the preservation of health,  
2 safety, security, and general welfare, which standards may include  
3 regulations as to electric wiring, heating, plumbing, pipefitting, sewer  
4 connections, ventilation, size of habitable rooms, and the method of  
5 constructing buildings, dwellings, and other structures, and to provide  
6 for inspection thereof and building permits and fees for such permits,  
7 (2) the removal and tearing down of buildings, dwellings, and other  
8 structures in such areas which constitute nuisances because of the  
9 dilapidated, unsafe, or rundown condition or conditions, and (3) except  
10 as to the United States of America, the State of Nebraska, a county, or a  
11 village, in the extraterritorial zoning jurisdiction ~~area outside of the~~  
12 ~~corporate limits~~ of the city of the primary class, the nature, kind, and  
13 manner of constructing streets, alleys, sidewalks, curbing or abridging  
14 curbs, driveway approaches constructed on or to public right-of-way, and  
15 sewage disposal facilities. Any building or construction code implemented  
16 under this section shall be adopted and enforced as provided in section  
17 71-6406.

18 Sec. 156. Section 15-1017, Revised Statutes Cumulative Supplement,  
19 2018, is amended to read:

20 15-1017 (1) A city of the primary class which has a city pension and  
21 retirement plan or fund, or a city fire and police pension plan or fund,  
22 or both, may provide by ordinance as authorized by its home rule charter,  
23 and not prohibited by the Constitution of Nebraska, for the investment of  
24 any plan or fund, and such city ~~it~~ may provide that (a) ~~the~~ ~~such~~ a city  
25 shall place in trust any part of such plan or fund, (b) the city ~~it~~ shall  
26 place in trust any part of any such plan or fund with a corporate trustee  
27 in Nebraska, or (c) the city ~~it~~ shall purchase any part of any such plan  
28 from a life insurance company licensed to do business in the State of  
29 Nebraska. The powers conferred by this section shall be independent of  
30 and in addition and supplemental to any other provisions of the laws of  
31 the State of Nebraska with reference to the matters covered hereby, and

1 this section shall be considered as a complete and independent act and  
2 not as amendatory of or limited by any other provision of the laws of the  
3 State of Nebraska.

4 ~~(2) Beginning December 31, 1998, through December 31, 2017:~~

5 ~~(a) The clerk of a city of the primary class shall file with the~~  
6 ~~Public Employees Retirement Board an annual report on each retirement~~  
7 ~~plan established pursuant to this section, section 15-1026, and section~~  
8 ~~401(a) of the Internal Revenue Code and shall submit copies of such~~  
9 ~~report to the Auditor of Public Accounts. The Auditor of Public Accounts~~  
10 ~~may prepare a review of such report pursuant to section 84-304.02 but is~~  
11 ~~not required to do so. The annual report shall be in a form prescribed by~~  
12 ~~the Public Employees Retirement Board and shall contain the following~~  
13 ~~information for each such retirement plan:~~

14 ~~(i) The number of persons participating in the retirement plan;~~

15 ~~(ii) The contribution rates of participants in the plan;~~

16 ~~(iii) Plan assets and liabilities;~~

17 ~~(iv) The names and positions of persons administering the plan;~~

18 ~~(v) The names and positions of persons investing plan assets;~~

19 ~~(vi) The form and nature of investments;~~

20 ~~(vii) For each defined contribution plan, a full description of~~  
21 ~~investment policies and options available to plan participants; and~~

22 ~~(viii) For each defined benefit plan, the levels of benefits of~~  
23 ~~participants in the plan, the number of members who are eligible for a~~  
24 ~~benefit, and the total present value of such members' benefits, as well~~  
25 ~~as the funding sources which will pay for such benefits.~~

26 ~~If a plan contains no current active participants, the city clerk~~  
27 ~~may file in place of such report a statement with the Public Employees~~  
28 ~~Retirement Board indicating the number of retirees still drawing~~  
29 ~~benefits, and the sources and amount of funding for such benefits; and~~

30 ~~(b) If such retirement plan is a defined benefit plan which was open~~  
31 ~~to new members on January 1, 2004, in addition to the reports required by~~

1 ~~section 13-2402, the city council of a city of the primary class shall~~  
2 ~~cause to be prepared an annual report and shall file the same with the~~  
3 ~~Public Employees Retirement Board and the Nebraska Retirement Systems~~  
4 ~~Committee of the Legislature and submit to the Auditor of Public Accounts~~  
5 ~~a copy of such report. The Auditor of Public Accounts may prepare a~~  
6 ~~review of such report pursuant to section 84-304.02 but is not required~~  
7 ~~to do so. If the city council does not submit a copy of the report to the~~  
8 ~~Auditor of Public Accounts within six months after the end of the plan~~  
9 ~~year, the Auditor of Public Accounts may audit, or cause to be audited,~~  
10 ~~the city. All costs of the audit shall be paid by the city. The report~~  
11 ~~shall consist of a full actuarial analysis of each such retirement plan~~  
12 ~~established pursuant to this section and section 15-1026. The analysis~~  
13 ~~shall be prepared by an independent private organization or public entity~~  
14 ~~employing actuaries who are members in good standing of the American~~  
15 ~~Academy of Actuaries, and which organization or entity has demonstrated~~  
16 ~~expertise to perform this type of analysis and is unrelated to any~~  
17 ~~organization offering investment advice or which provides investment~~  
18 ~~management services to the retirement plan. The report to the Nebraska~~  
19 ~~Retirement Systems Committee shall be submitted electronically.~~

20       ~~(2)(a) (3)(a)~~ Beginning December 31, 2018, and each December 31  
21 thereafter, for a defined benefit plan, the city clerk of a city of the  
22 primary class or his or her designee shall prepare and electronically  
23 file an annual report with the Auditor of Public Accounts and the  
24 Nebraska Retirement Systems Committee of the Legislature. If such  
25 retirement plan is a defined benefit plan which was open to new members  
26 on January 1, 2004, the report shall be in addition to the reports  
27 required by section 13-2402. The report shall be on a form prescribed by  
28 the Auditor of Public Accounts and shall include, but not be limited to,  
29 the following information:

30       (i) The levels of benefits of participants in the plan, the number  
31 of members who are eligible for a benefit, the total present value of

1 such members' benefits, and the funding sources which will pay for such  
2 benefits; and

3 (ii) A copy of a full actuarial analysis of each such defined  
4 benefit plan. The analysis shall be prepared by an independent private  
5 organization or public entity employing actuaries who are members in good  
6 standing of the American Academy of Actuaries, and which organization or  
7 entity has demonstrated expertise to perform this type of analysis and is  
8 unrelated to any organization which offers investment advice or provides  
9 investment management services to the retirement plan.

10 (b) The Auditor of Public Accounts may prepare a review of such  
11 report pursuant to section 84-304.02 but is not required to do so. If the  
12 city council does not submit a copy of the report to the Auditor of  
13 Public Accounts within six months after the end of the plan year, the  
14 Auditor of Public Accounts may audit, or cause to be audited, the city.  
15 All costs of the audit shall be paid by the city.

16 Sec. 157. Section 15-1101, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 15-1101 In any city of the primary class there shall be created a  
19 planning department, which shall consist of a city planning commission, a  
20 planning director, and such subordinate employees as are required to  
21 administer the planning program as provided in sections 15-1101 to  
22 15-1106 hereinafter set forth. The planning director shall serve as the  
23 secretary of the city planning commission and as the administrative head  
24 of the planning department.

25 Sec. 158. Section 15-1102, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-1102 (1) The general plan for the improvement and development of  
28 a the city of the primary class shall be known as the comprehensive plan.  
29 This plan for governmental policies and action shall include the pattern  
30 and intensity of land use, the provision of public facilities including  
31 transportation and other governmental services, the effective development

1 and utilization of human and natural resources, the identification and  
2 evaluation of area needs including housing, employment, education, and  
3 health and the formulation of programs to meet such needs, surveys of  
4 structures and sites determined to be of historic, cultural,  
5 archaeological, or architectural significance or value, long-range  
6 physical and fiscal plans for governmental policies and action, and  
7 coordination of all related plans and activities of the state and local  
8 governments and agencies concerned. The comprehensive plan, with the  
9 accompanying maps, plats, charts, and descriptive and explanatory  
10 materials, shall show the recommendations concerning the physical  
11 development pattern of such city and of any land outside its boundaries  
12 related thereto, taking into account the availability of and need for  
13 conserving land and other irreplaceable natural resources, the  
14 preservation of sites of historic, cultural, archaeological, and  
15 architectural significance or value, the projected changes in size,  
16 movement, and composition of population, the necessity for expanding  
17 housing and employment opportunities, and the need for methods of  
18 achieving modernization, simplification, and improvements in governmental  
19 structures, systems, and procedures related to growth objectives. The  
20 comprehensive plan shall, among other things, show:

21 (a) ~~(1)~~ The general location, character, and extent of existing and  
22 proposed streets and highways and railroad, air, and other transportation  
23 routes and terminals;

24 (b) ~~(2)~~ Existing and proposed public ways, parks, grounds, and open  
25 spaces;

26 (c) ~~(3)~~ The general location, character, and extent of schools,  
27 school grounds, and other educational facilities and properties;

28 (d) ~~(4)~~ The general location and extent of existing and proposed  
29 public utility installations;

30 (e) ~~(5)~~ The general location and extent of community development and  
31 housing activities;

1           (f) ~~(6)~~ The general location of existing and proposed public  
2 buildings, structures, and facilities; and

3           (g) ~~An (7) When a new comprehensive plan or a full update to an~~  
4 ~~existing comprehensive plan is developed on or after July 15, 2010, but~~  
5 ~~not later than January 1, 2015, an~~ energy element which: Assesses energy  
6 infrastructure and energy use by sector, including residential,  
7 commercial, and industrial sectors; evaluates utilization of renewable  
8 energy sources; and promotes energy conservation measures that benefit  
9 the community.

10           (2) The comprehensive plan shall include a land-use plan showing the  
11 proposed general distribution and general location of business and  
12 industry, residential areas, utilities, and recreational, educational,  
13 and other categories of public and private land uses. The land-use plan  
14 shall also show the recommended standards of population density based  
15 upon population estimates and providing for activities for which space  
16 should be supplied within the area covered by the plan. The comprehensive  
17 plan shall include and show proposals for acquisition, extension,  
18 widening, narrowing, removal, vacation, abandonment, sale, and other  
19 actions affecting public improvements.

20           Sec. 159. Section 15-1103, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22           15-1103 The planning director of a city of the primary class shall  
23 be responsible for preparing the comprehensive plan and amendments and  
24 extensions thereto and for submitting such plans and modifications to the  
25 city planning commission for its consideration and action. The planning  
26 commission shall review such plans and modifications and those which the  
27 city council may suggest and, after holding at least one public hearing  
28 on each proposed action, shall provide its recommendations to the city  
29 council within a reasonable period of time. The city council shall review  
30 the recommendations of the planning commission and, after at least one  
31 public hearing on each proposed action, shall adopt or reject such plans

1 as submitted, except that the city council may, by an affirmative vote of  
2 at least five members of the city council, adopt a plan or amendments to  
3 the proposed plan different from that recommended by the planning  
4 commission.

5 When such ~~the~~ city is considering the adoption or amendment of a  
6 zoning ordinance or the approval of the platting or replatting of any  
7 development of real estate, the planning director shall notify any  
8 military installation which is located within the corporate boundary  
9 limits or the extraterritorial zoning jurisdiction of the city if the  
10 city has received a written request for such notification from the  
11 military installation. The planning director shall deliver the  
12 notification to the military installation at least ten days prior to the  
13 meeting of the planning commission at which the proposal is to be  
14 considered.

15 Sec. 160. Section 15-1104, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 15-1104 No ordinance or resolution which deals with the acquisition,  
18 extension, widening, narrowing, removal, vacation, abandonment, sale, or  
19 other change relating to any public way, transportation route, ground,  
20 open space, building or structure, or other public improvement of a  
21 character included in the comprehensive plan of a city of the primary  
22 class, the subject matter of which has not been reported on by the  
23 planning department under ~~the provisions of~~ section 15-1103, shall be  
24 adopted by the city council until such ordinance or resolution shall  
25 first have been referred to the planning department and that department  
26 has reported regarding conformity of the proposed action with the  
27 comprehensive plan. The planning department's report shall specify the  
28 character and degree of conformity or nonconformity of each proposed  
29 action to the comprehensive plan, and a report in writing thereon shall  
30 be rendered to the city council within thirty days after the date of  
31 receipt of the referral unless a longer period is granted by the city

1 council. If the planning department fails to render any such report  
2 within the allotted time, the approval of the department may be presumed  
3 by the city council.

4 Sec. 161. Section 15-1105, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 15-1105 The planning director of a city of the primary class shall  
7 be responsible for preparing any proposed the zoning ordinance and for  
8 submitting such ordinance ~~it~~ to the city planning commission for its  
9 consideration and action. The planning commission shall review the  
10 proposed zoning ordinance and, after holding at least one public hearing  
11 on each proposed action, shall approve or reject it in whole or in part  
12 and with or without modifications. When approved by the planning  
13 commission, the proposed zoning ordinance shall be submitted to the city  
14 council for its consideration, and such ~~the~~ zoning ordinance shall become  
15 effective when adopted by the city council. The city council ~~of such~~  
16 ~~primary city~~ may amend, supplement, or otherwise modify the zoning  
17 ordinance. Any such proposed amendment, supplement, or modification shall  
18 first be submitted to the planning commission for its recommendations and  
19 report. The planning commission shall hold at least one public hearing on  
20 such proposed amendment, supplement, or modification ~~with relation~~  
21 ~~thereto~~, before submitting its recommendations and report. After the  
22 recommendations and report of the planning commission have been filed,  
23 the city council shall, before enacting any proposed amendment,  
24 supplement, or modification, hold a public hearing on such proposed  
25 amendment, supplement, or modification ~~in relation thereto~~. Notice of the  
26 time and place of such hearings ~~above referred to~~ shall be given by  
27 publication thereof in a legal newspaper in or ~~paper~~ of general  
28 circulation in the city at least one time at least five days before the  
29 date of hearing. Notice with reference to proposed amendments,  
30 supplements, or modifications of the zoning ordinance shall also be  
31 posted in a conspicuous place on or near the property upon which the

1 action is pending. Such notice shall be easily visible from the street,  
2 and shall be posted at least five days before the hearing.

3 Sec. 162. Section 15-1106, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 15-1106 There may be created a board of zoning appeals of a city of  
6 the primary class comprised of five members appointed by the mayor and  
7 confirmed by the city council, which board shall have power to hear and  
8 decide appeals from any decision or order of the building inspector or  
9 other officers charged with the enforcement of ~~the~~ zoning ordinances  
10 ~~ordinance~~ in those cases when it is alleged that such decision or order  
11 is in error. The board shall also have power to decide upon petitions for  
12 variances and, subject to such standards and procedures as the city  
13 council may provide in ~~the~~ zoning ordinances ~~ordinance~~, to vary the  
14 strict application of sign regulations or height, area, parking, or  
15 density requirements to the extent necessary to permit the owner a  
16 reasonable use of his or her land in those specific instances when there  
17 are peculiar, exceptional, and unusual circumstances in connection with a  
18 specific parcel of land, which circumstances are not generally found  
19 within the locality or neighborhood concerned. The board may also have  
20 such related duties as the mayor or city council may assign. The city  
21 council may provide for appeals from a decision of the board.

22 Sec. 163. Section 15-1201, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 15-1201 Any person or persons, jointly or severally aggrieved by any  
25 final administrative or judicial order or decision of the board of zoning  
26 appeals, the board of equalization, the city council, or any officer, ~~or~~  
27 department, ~~or~~ board of a city of the primary class, shall, except as  
28 provided for claims in sections 15-840 to 15-842.01, appeal from such  
29 order or decision to the district court in the manner provided in  
30 sections 15-1201 to 15-1205 herein prescribed.

31 Sec. 164. Section 15-1202, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 15-1202 (1) The party appealing any final order or decision as  
3 provided in section 15-1201 shall within thirty days after the date of  
4 the order or decision complained of (a) file a notice of appeal with the  
5 city clerk of the city of the primary class specifying the parties taking  
6 the appeal and the order or decision appealed from and serve a copy of  
7 the notice upon the city attorney and (b) deposit the fees and bond or  
8 undertaking required pursuant to subsection (2) of this section or file  
9 an affidavit pursuant to subsection (3) of this section. The notice of  
10 appeal shall serve as a praecipe for a transcript.

11 (2) Except as provided in subsection (3) of this section, the  
12 appellant shall:

13 (a) Deposit with the city clerk a docket fee of the district court  
14 for cases originally commenced in district court;

15 (b) Deposit with the city clerk a cash bond or undertaking with at  
16 least one good and sufficient surety approved by the city clerk, in the  
17 amount of two hundred dollars, on condition that the appellant will  
18 satisfy any judgment and costs that may be adjudged against him or her;  
19 and

20 (c) Deposit with the city clerk the fees for the preparation of a  
21 certified and complete transcript of the proceedings of the city relating  
22 to the order or decision appealed.

23 (3)(a) An appellant may file with the city clerk an affidavit  
24 alleging that the appellant is indigent. The filing of such an affidavit  
25 shall relieve the appellant of the duty to deposit any fee, bond, or  
26 undertaking required by subsection (2) of this section as a condition for  
27 the preparation of the transcript or the perfecting of the appeal by the  
28 appellant subject to the determination of the court as provided in  
29 section 15-1204. In conjunction with the filing of the petition for  
30 appeal as provided for in section 15-1204, the appellant shall file a  
31 copy of the affidavit alleging his or her indigency and the district

1 court shall rule upon the issue of indigency prior to the consideration  
2 of any other matter relating to the appeal as provided in section  
3 15-1204.

4 (b) An appellant determined to be indigent under this subsection  
5 shall not be required to deposit any fee, bond, or undertaking required  
6 by subsection (2) of this section. For purposes of this section, indigent  
7 means the inability to financially pursue the appeal without prejudicing  
8 the appellant's ability to provide economic necessities for the appellant  
9 or the appellant's family.

10 (c) An appellant determined not to be indigent shall, within thirty  
11 days after the determination, deposit with the city clerk the fees and  
12 bond or undertaking required by subsection (2) of this section. The  
13 appeal shall not proceed further until the city clerk notifies the court  
14 that the appropriate deposit has been made.

15 Sec. 165. Section 15-1203, Revised Statutes Cumulative Supplement,  
16 2018, is amended to read:

17 15-1203 (1) Except as provided in subsection (2) of this section,  
18 the city clerk, on payment to him or her of the costs of the transcript,  
19 shall transmit within fifteen days to the clerk of the district court the  
20 docket fee and a certified and complete transcript of the proceedings of  
21 the city relating to the order or decision appealed as provided in  
22 section 15-1201. After receipt of such fee and transcript, the clerk of  
23 the district court shall file the appeal.

24 (2) If the appellant files an affidavit alleging that he or she is  
25 indigent pursuant to section 15-1202, the city clerk shall transmit  
26 within fifteen days to the clerk of the district court a certified and  
27 complete transcript of the proceedings of the city relating to the order  
28 or decision appealed. After receipt of the transcript, the clerk of the  
29 district court shall file the appeal.

30 Sec. 166. Section 15-1204, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           15-1204 (1) The party appealing an order or decision as provided in  
2 section 15-1201 shall file a petition within thirty days after the date  
3 the transcript is filed in the district court.

4           (2) Except as provided in subsection (3) of this section,  
5 satisfaction of the requirements of subsections (1) and (2) of section  
6 15-1202 and subsection (1) of this section shall perfect the appeal and  
7 give the district court jurisdiction of the matter appealed.

8           (3) Indigency shall be determined by the district court having  
9 jurisdiction of the appeal upon motion of the appellant before the court  
10 considers any other matter relating to the appeal. The court shall make a  
11 reasonable inquiry to determine the appellant's financial condition and  
12 shall consider such factors as the appellant's income, the availability  
13 to the appellant of other resources, including real and personal  
14 property, bank accounts, social security benefits, and unemployment or  
15 other benefits, the appellant's normal living expenses, the appellant's  
16 outstanding debts, the number and age of the appellant's dependents, and  
17 other relevant circumstances. If the appellant is deemed to be indigent,  
18 the satisfaction of the requirements of subsections (1) and (3) of  
19 section 15-1202 and subsection (1) of this section shall perfect the  
20 appeal and give the district court jurisdiction of the matter appealed.

21           Sec. 167. Section 15-1205, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23           15-1205 The district court shall hear the appeal under sections  
24 15-1201 to 15-1205 as in equity and without a jury and determine anew all  
25 questions raised before the city. The court may reverse or affirm, wholly  
26 or partly, or may modify the order or decision brought up for review.  
27 Either party may appeal from the decision of the district court to the  
28 Court of Appeals.

29           Sec. 168. Section 15-1305, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31           15-1305 Whenever a city of the primary class exercises any city

1 ~~shall exercise~~ the jurisdiction and authority granted in sections 15-1301  
2 to 15-1307 with respect to Chapter 71, article 15, the city ~~it~~ shall have  
3 the jurisdiction and authority concurrent with and independent of any  
4 existing housing authority for such purposes within the city and its area  
5 of jurisdiction. In ; ~~Provided, that in~~ order to coordinate the actions  
6 of the local housing authority and the community development agency, the  
7 local housing authority shall submit to the city council of such city,  
8 prior to the date it submits its annual budget request to the federal  
9 government, a complete report of its activities during the past calendar  
10 year and a complete description of its proposed actions for the coming  
11 calendar year. Such report shall include the number of units added to or  
12 removed from the authority's programs, the number of families housed by  
13 the authority, the number applying who were not housed and the reasons  
14 for their not being housed, the sources and amounts of all funds spent or  
15 to be spent and the amounts available for use in its housing programs  
16 that have not been used, and the policies of the authority on  
17 eligibility, admissions, occupancy, termination of tenancies, and  
18 grievance procedures. Such report shall be made available to the public  
19 upon the its delivery of the report to the city council, and shall be  
20 subject to public hearing prior to its formal acceptance by the city  
21 council.

22       Sec. 169. Section 16-401, Revised Statutes Supplement, 2019, is  
23 amended to read:

24       16-401 Regular meetings of the city council of a city of the first  
25 class shall be held at such times as may be fixed by ordinance and  
26 special meetings whenever called by the mayor or any four city council  
27 members. A majority of all the members elected to the city council shall  
28 constitute a quorum for the transaction of any business, except as  
29 otherwise required by law, but a less number may adjourn, from time to  
30 time, and compel the attendance of absent members. When the city council  
31 consists of four members as established by ordinance or home rule

1 charter, the mayor shall be deemed a member of the city council for  
2 purposes of establishing a quorum when the mayor's presence is necessary  
3 to establish the quorum. An affirmative vote of not less than one-half of  
4 the elected members shall be required for the transaction of any  
5 business.

6 Sec. 170. Section 17-105, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

8 17-105 Regular meetings of the city council of a city of the second  
9 class shall be held at such times as the city council may provide by  
10 ordinance. A majority of all the members elected to the city council  
11 shall constitute a quorum for the transaction of any business, but a  
12 fewer number of members may adjourn from time to time and compel the  
13 attendance of absent members. When the city council consists of four  
14 members as established by ordinance or home rule charter, the mayor shall  
15 be deemed a member of the city council for purposes of establishing a  
16 quorum when the mayor's presence is necessary to establish the quorum.  
17 Unless a greater vote is required by law, an affirmative vote of at least  
18 one-half of the elected members shall be required for the transaction of  
19 any business.

20 Sec. 171. Section 17-405.01, Revised Statutes Cumulative Supplement,  
21 2018, is amended to read:

22 17-405.01 (1) Except as provided in subsections ~~subsection~~ (2) and  
23 (3) of this section and section 17-407, the mayor and city council of any  
24 city of the second class or the chairperson and members of the village  
25 board of trustees may by ordinance, except as provided in sections  
26 13-1111 to 13-1118, at any time, include within the corporate limits of  
27 such city or village any contiguous or adjacent lands, lots, tracts,  
28 streets, or highways as are urban or suburban in character, and in such  
29 direction as may be deemed proper. Such grant of power shall not be  
30 construed as conferring power to extend the limits of any city of the  
31 second class or village over any agricultural lands which are rural in

1 character.

2 (2) The mayor and city council of any city of the second class or  
3 the chairperson and members of the village board of trustees may, by  
4 ordinance, annex any lands, lots, tracts, streets, or highways which  
5 constitute a redevelopment project area so designated by the city or  
6 village or its community redevelopment authority in accordance with the  
7 provisions of the Community Development Law when such annexation is for  
8 the purpose of implementing a lawfully adopted redevelopment plan  
9 containing a provision dividing ad valorem taxes as provided in  
10 subsection (1) of section 18-2147 and which will involve the construction  
11 or development of an agricultural processing facility, notwithstanding  
12 that such lands, lots, tracts, streets, or highways are not contiguous or  
13 adjacent or are not urban or suburban in character. Such annexation shall  
14 comply with all other provisions of law relating to annexation generally  
15 for cities of the second class and villages. The city or village shall  
16 not, in consequence of the annexation under this subsection of any  
17 noncontiguous land, exercise the authority granted to it by law statute  
18 to extend its extraterritorial zoning jurisdiction beyond its corporate  
19 boundaries for purposes of planning, zoning, or subdivision development  
20 without the agreement of any other city, village, or county currently  
21 exercising zoning jurisdiction over the area surrounding the annexed  
22 redevelopment project area. The annexation of any noncontiguous land  
23 undertaken pursuant to this subsection shall not result in any change in  
24 the service area of any electric utility without the express agreement of  
25 the electric utility serving the annexed noncontiguous area at the time  
26 of annexation, except that at such time following the annexation of the  
27 noncontiguous area as the city or village lawfully annexes sufficient  
28 intervening territory so as to directly connect the noncontiguous area to  
29 the main body of the city or village, such noncontiguous area shall,  
30 solely for the purposes of section 70-1008, be treated as if it had been  
31 annexed by the city or village on the date upon which the connecting

1 intervening territory had been formally annexed. ~~(3)~~ For purposes of this  
2 ~~subsection (2) of this section~~, agricultural processing facility means a  
3 plant or establishment where value is added to agricultural commodities  
4 through processing, fabrication, or other means and where eighty percent  
5 or more of the direct sales from the facility are to other than the  
6 ultimate consumer of the processed commodities. A facility shall not  
7 qualify as an agricultural processing facility unless its construction or  
8 development involves the investment of more than one million dollars  
9 derived from nongovernmental sources.

10 (3) The mayor and two-thirds of the city council of any city of the  
11 second class or the chairperson and two-thirds of the members of the  
12 village board of trustees may, by ordinance, annex any lands, lots,  
13 tracts, streets, or highways when such annexation is for the purpose of  
14 relocating part or all of such city or village due to catastrophic  
15 flooding, notwithstanding that such lands, lots, tracts, streets, or  
16 highways are not contiguous or adjacent or are not urban or suburban in  
17 character. Such annexation shall comply with all other provisions of law  
18 relating to annexation generally for cities of the second class and  
19 villages. The city or village shall not, in consequence of the annexation  
20 under this subsection of any noncontiguous land, exercise the authority  
21 granted to it by law to extend its extraterritorial zoning jurisdiction  
22 beyond its corporate boundaries for purposes of planning, zoning, or  
23 subdivision development without the agreement of any other city, village,  
24 or county currently exercising zoning jurisdiction over the area  
25 surrounding the annexed area. The annexation of any noncontiguous land  
26 undertaken pursuant to this subsection shall not result in any change in  
27 the service area of any electric utility without the express agreement of  
28 the electric utility serving the annexed noncontiguous area at the time  
29 of annexation, except that at such time following the annexation of the  
30 noncontiguous area as the city or village lawfully annexes sufficient  
31 intervening territory so as to directly connect the noncontiguous area to

1 the main body of the city or village, such noncontiguous area shall,  
2 solely for the purposes of section 70-1008, be treated as if it had been  
3 annexed by the city or village on the date upon which the connecting  
4 intervening territory had been formally annexed. If, within five years  
5 following an annexation undertaken pursuant to this subsection, part or  
6 all of the city or village has not been relocated to the annexed area,  
7 the city or village shall initiate disconnection of such annexed area  
8 pursuant to section 17-414. For purposes of this subsection, catastrophic  
9 flooding means a flooding event that (a) results in total property damage  
10 within the city or village which exceeds forty-five percent of the total  
11 assessed value of the improvements within the city or village and (b) is  
12 declared to be a major disaster by the President of the United States or  
13 the Governor.

14       Sec. 172. Section 18-2101.02, Revised Statutes Supplement, 2019, is  
15 amended to read:

16       18-2101.02 (1) For any city that (a) intends to carry out a  
17 redevelopment project which will involve the construction of workforce  
18 housing in an extremely blighted area as authorized under subdivision  
19 (28)(g) of section 18-2103, (b) intends to declare an area as an  
20 extremely blighted area for purposes of funding decisions under  
21 subdivision (1)(b) of section 58-708, or (c) intends to declare an area  
22 as an extremely blighted area in order for individuals purchasing  
23 residences in such area to qualify for the income tax credit authorized  
24 in subsection (7) of section 77-2715.07, the governing body of such city  
25 shall first declare, by resolution adopted after the public hearings  
26 required under this section, such area to be an extremely blighted area.

27       (2) Prior to making such declaration, the governing body of the city  
28 shall conduct or cause to be conducted a study or an analysis on whether  
29 the area is extremely blighted and shall submit the question of whether  
30 such area is extremely blighted to the planning commission or board of  
31 the city for its review and recommendation. The planning commission or

1 board shall hold a public hearing on the question after giving notice of  
2 the hearing as provided in section 18-2115.01. ~~Such notice shall include~~  
3 ~~a map of sufficient size to show the area to be declared extremely~~  
4 ~~blighted or information on where to find such map and shall provide~~  
5 ~~information on where to find copies of the study or analysis conducted~~  
6 ~~pursuant to this subsection.~~ The planning commission or board shall  
7 submit its written recommendations to the governing body of the city  
8 within thirty days after the public hearing.

9 (3) Upon receipt of the recommendations of the planning commission  
10 or board, or if no recommendations are received within thirty days after  
11 the public hearing required under subsection (2) of this section, the  
12 governing body shall hold a public hearing on the question of whether the  
13 area is extremely blighted after giving notice of the hearing as provided  
14 in section 18-2115.01. ~~Such notice shall include a map of sufficient size~~  
15 ~~to show the area to be declared extremely blighted or information on~~  
16 ~~where to find such map and shall provide information on where to find~~  
17 ~~copies of the study or analysis conducted pursuant to subsection (2) of~~  
18 ~~this section.~~ At the public hearing, all interested parties shall be  
19 afforded a reasonable opportunity to express their views respecting the  
20 proposed declaration. After such hearing, the governing body of the city  
21 may make its declaration.

22 (4) Copies of each study or analysis conducted pursuant to  
23 subsection (2) of this section shall be posted on the city's public web  
24 site or made available for public inspection at a location designated by  
25 the city.

26 (5) The study or analysis required under subsection (2) of this  
27 section may be conducted in conjunction with the study or analysis  
28 required under section 18-2109. The hearings required under this section  
29 may be held in conjunction with the hearings required under section  
30 18-2109.

31 Sec. 173. Section 18-2103, Revised Statutes Supplement, 2019, is

1 amended to read:

2 18-2103 For purposes of the Community Development Law, unless the  
3 context otherwise requires:

4 (1) Area of operation means and includes the area within the  
5 corporate limits of the city and such land outside the city as may come  
6 within the purview of sections 18-2123 and 18-2123.01;

7 (2) Authority means any community redevelopment authority created  
8 pursuant to section 18-2102.01 and ~~any a city or village which has~~  
9 ~~created a~~ community development agency created pursuant to the provisions  
10 of section 18-2101.01 and does not include a limited community  
11 redevelopment authority;

12 (3) Blighted area means an area (a) which, by reason of the presence  
13 of a substantial number of deteriorated or deteriorating structures,  
14 existence of defective or inadequate street layout, faulty lot layout in  
15 relation to size, adequacy, accessibility, or usefulness, insanitary or  
16 unsafe conditions, deterioration of site or other improvements, diversity  
17 of ownership, tax or special assessment delinquency exceeding the fair  
18 value of the land, defective or unusual conditions of title, improper  
19 subdivision or obsolete platting, or the existence of conditions which  
20 endanger life or property by fire and other causes, or any combination of  
21 such factors, substantially impairs or arrests the sound growth of the  
22 community, retards the provision of housing accommodations, or  
23 constitutes an economic or social liability and is detrimental to the  
24 public health, safety, morals, or welfare in its present condition and  
25 use and (b) in which there is at least one of the following conditions:  
26 (i) Unemployment in the designated area is at least one hundred twenty  
27 percent of the state or national average; (ii) the average age of the  
28 residential or commercial units in the area is at least forty years;  
29 (iii) more than half of the plotted and subdivided property in an area is  
30 unimproved land that has been within the city for forty years and has  
31 remained unimproved during that time; (iv) the per capita income of the

1 area is lower than the average per capita income of the city or village  
2 in which the area is designated; or (v) the area has had either stable or  
3 decreasing population based on the last two decennial censuses. In no  
4 event shall a city of the metropolitan, primary, or first class designate  
5 more than thirty-five percent of the city as blighted, a city of the  
6 second class shall not designate an area larger than fifty percent of the  
7 city as blighted, and a village shall not designate an area larger than  
8 one hundred percent of the village as blighted. A redevelopment project  
9 involving a formerly used defense site as authorized under section  
10 18-2123.01 shall not count towards the percentage limitations contained  
11 in this subdivision;

12 (4) Bonds means any bonds, including refunding bonds, notes, interim  
13 certificates, debentures, or other obligations issued pursuant to the  
14 Community Development Law except for bonds issued pursuant to section  
15 18-2142.04;

16 (5) Business means any private business located in an enhanced  
17 employment area;

18 (6) City means any city or incorporated village in the state;

19 (7) Clerk means the clerk of the city or village;

20 (8) Community redevelopment area means a substandard and blighted  
21 area which the community redevelopment authority designates as  
22 appropriate for a redevelopment renewal project;

23 (9) Employee means a person employed at a business as a result of a  
24 redevelopment project;

25 (10) Employer-provided health benefit means any item paid for by the  
26 employer in total or in part that aids in the cost of health care  
27 services, including, but not limited to, health insurance, health savings  
28 accounts, and employer reimbursement of health care costs;

29 (11) Enhanced employment area means an area not exceeding six  
30 hundred acres (a) within a community redevelopment area which is  
31 designated by an authority as eligible for the imposition of an

1 occupation tax or (b) not within a community redevelopment area as may be  
2 designated under section 18-2142.04;

3 (12) Equivalent employees means the number of employees computed by  
4 (a) dividing the total hours to be paid in a year by (b) the product of  
5 forty times the number of weeks in a year;

6 (13) Extremely blighted area means a substandard and blighted area  
7 in which: (a) The average rate of unemployment in the area during the  
8 period covered by the most recent federal decennial census or American  
9 Community Survey 5-Year Estimate is at least two hundred percent of the  
10 average rate of unemployment in the state during the same period; and (b)  
11 the average poverty rate in the area exceeds twenty percent for the total  
12 federal census tract or tracts or federal census block group or block  
13 groups in the area;

14 (14) Federal government means the United States of America, or any  
15 agency or instrumentality, corporate or otherwise, of the United States  
16 of America;

17 (15) Governing body or local governing body means the city council,  
18 board of trustees, or other legislative body charged with governing the  
19 municipality;

20 (16) Limited community redevelopment authority means a community  
21 redevelopment authority created pursuant to section 18-2102.01 having  
22 only one single specific limited pilot project authorized;

23 (17) Mayor means the mayor of the city or chairperson of the board  
24 of trustees of the village;

25 (18) New investment means the value of improvements to real estate  
26 made in an enhanced employment area by a developer or a business;

27 (19) Number of new employees means the number of equivalent  
28 employees that are employed at a business as a result of the  
29 redevelopment project during a year that are in excess of the number of  
30 equivalent employees during the year immediately prior to the year that a  
31 redevelopment plan is adopted;

1 (20) Obligee means any bondholder, agent, or trustee for any  
2 bondholder, or lessor demising to any authority, established pursuant to  
3 section 18-2102.01, property used in connection with a redevelopment  
4 project, or any assignee or assignees of such lessor's interest or any  
5 part thereof, and the federal government when it is a party to any  
6 contract with such authority;

7 (21) Occupation tax means a tax imposed under section 18-2142.02;

8 (22) Person means any individual, firm, partnership, limited  
9 liability company, corporation, company, association, joint-stock  
10 association, or body politic and includes any trustee, receiver,  
11 assignee, or other similar representative thereof;

12 (23) Public body means the state or any municipality, county,  
13 township, board, commission, authority, district, or other political  
14 subdivision or public body of the state;

15 (24) Real property means all lands, including improvements and  
16 fixtures thereon, and property of any nature appurtenant thereto, or used  
17 in connection therewith, and every estate, interest and right, legal or  
18 equitable, therein, including terms for years and liens by way of  
19 judgment, mortgage, or otherwise, and the indebtedness secured by such  
20 liens;

21 (25) Redeveloper means any person, partnership, or public or private  
22 corporation or agency which enters or proposes to enter into a  
23 redevelopment contract;

24 (26) Redevelopment contract means a contract entered into between an  
25 authority and a redeveloper for the redevelopment of an area in  
26 conformity with a redevelopment plan;

27 (27) Redevelopment plan means a plan, as it exists from time to time  
28 for one or more community redevelopment areas, or for a redevelopment  
29 project, which (a) conforms to the general plan for the municipality as a  
30 whole and (b) is sufficiently complete to indicate such land acquisition,  
31 demolition and removal of structures, redevelopment, improvements, and

1 rehabilitation as may be proposed to be carried out in the community  
2 redevelopment area, zoning and planning changes, if any, land uses,  
3 maximum densities, and building requirements;

4 (28) Redevelopment project means any work or undertaking in one or  
5 more community redevelopment areas: (a) To acquire substandard and  
6 blighted areas or portions thereof, including lands, structures, or  
7 improvements the acquisition of which is necessary or incidental to the  
8 proper clearance, development, or redevelopment of such substandard and  
9 blighted areas; (b) to clear any such areas by demolition or removal of  
10 existing buildings, structures, streets, utilities, or other improvements  
11 thereon and to install, construct, or reconstruct streets, utilities,  
12 parks, playgrounds, public spaces, public parking facilities, sidewalks  
13 or moving sidewalks, convention and civic centers, bus stop shelters,  
14 lighting, benches or other similar furniture, trash receptacles,  
15 shelters, skywalks and pedestrian and vehicular overpasses and  
16 underpasses, enhancements to structures in the redevelopment plan area  
17 which exceed minimum building and design standards in the community and  
18 prevent the recurrence of substandard and blighted conditions, and any  
19 other necessary public improvements essential to the preparation of sites  
20 for uses in accordance with a redevelopment plan; (c) to sell, lease, or  
21 otherwise make available land in such areas for residential,  
22 recreational, commercial, industrial, or other uses, including parking or  
23 other facilities functionally related or subordinate to such uses, or for  
24 public use or to retain such land for public use, in accordance with a  
25 redevelopment plan; and may also include the preparation of the  
26 redevelopment plan, the planning, survey, and other work incident to a  
27 redevelopment project and the preparation of all plans and arrangements  
28 for carrying out a redevelopment project; (d) to dispose of all real and  
29 personal property or any interest in such property, or assets, cash, or  
30 other funds held or used in connection with residential, recreational,  
31 commercial, industrial, or other uses, including parking or other

1 facilities functionally related or subordinate to such uses, or any  
2 public use specified in a redevelopment plan or project, except that such  
3 disposition shall be at its fair value for uses in accordance with the  
4 redevelopment plan; (e) to acquire real property in a community  
5 redevelopment area which, under the redevelopment plan, is to be repaired  
6 or rehabilitated for dwelling use or related facilities, repair or  
7 rehabilitate the structures, and resell the property; (f) to carry out  
8 plans for a program of voluntary or compulsory repair, rehabilitation, or  
9 demolition of buildings in accordance with the redevelopment plan; and  
10 (g) in a rural community or in an extremely blighted area within a  
11 municipality that is not a rural community, to carry out construction of  
12 workforce housing;

13 (29) Redevelopment project valuation means the valuation for  
14 assessment of the taxable real property in a redevelopment project last  
15 certified for the year prior to the effective date of the provision  
16 authorized in section 18-2147;

17 (30) Rural community means any municipality in a county with a  
18 population of fewer than one hundred thousand inhabitants as determined  
19 by the most recent federal decennial census;

20 (31) Substandard area means an area in which there is a predominance  
21 of buildings or improvements, whether nonresidential or residential in  
22 character, which, by reason of dilapidation, deterioration, age or  
23 obsolescence, inadequate provision for ventilation, light, air,  
24 sanitation, or open spaces, high density of population and overcrowding,  
25 or the existence of conditions which endanger life or property by fire  
26 and other causes, or any combination of such factors, is conducive to ill  
27 health, transmission of disease, infant mortality, juvenile delinquency,  
28 and crime, (which cannot be remedied through construction of prisons),  
29 and is detrimental to the public health, safety, morals, or welfare; and

30 (32) Workforce housing means:

31 (a) Housing that meets the needs of today's working families;

1 (b) Housing that is attractive to new residents considering  
2 relocation to a rural community;

3 (c) Owner-occupied housing units that cost not more than two hundred  
4 seventy-five thousand dollars to construct or rental housing units that  
5 cost not more than two hundred thousand dollars per unit to construct.  
6 For purposes of this subdivision (c), housing unit costs shall be updated  
7 annually by the Department of Economic Development based upon the most  
8 recent increase or decrease in the Producer Price Index for all  
9 commodities, published by the United States Department of Labor, Bureau  
10 of Labor Statistics;

11 (d) Owner-occupied and rental housing units for which the cost to  
12 substantially rehabilitate exceeds fifty percent of a unit's assessed  
13 value; and

14 (e) Upper-story housing.

15 Sec. 174. Section 18-2109, Revised Statutes Cumulative Supplement,  
16 2018, is amended to read:

17 18-2109 (1) An authority shall not prepare a redevelopment plan for  
18 a redevelopment project area and the governing body of the city in which  
19 such area is located shall not approve a redevelopment plan unless the  
20 governing body of the city in which such area is located has, by  
21 resolution adopted after the public hearings required under this section,  
22 declared such area to be a substandard and blighted area in need of  
23 redevelopment.

24 (2) Prior to making such declaration, the governing body of the city  
25 shall conduct or cause to be conducted a study or an analysis on whether  
26 the area is substandard and blighted and shall submit the question of  
27 whether such area is substandard and blighted to the planning commission  
28 or board of the city for its review and recommendation. The planning  
29 commission or board shall hold a public hearing on the question after  
30 giving notice of the hearing as provided in section 18-2115.01. ~~Such~~  
31 ~~notice shall include a map of sufficient size to show the area to be~~

1 ~~declared substandard and blighted or information on where to find such~~  
2 ~~map and shall provide information on where to find copies of the~~  
3 ~~substandard and blighted study or analysis conducted pursuant to this~~  
4 ~~subsection.~~ The planning commission or board shall submit its written  
5 recommendations to the governing body of the city within thirty days  
6 after the public hearing.

7 (3) Upon receipt of the recommendations of the planning commission  
8 or board, or if no recommendations are received within thirty days after  
9 the public hearing required under subsection (2) of this section, the  
10 governing body shall hold a public hearing on the question of whether the  
11 area is substandard and blighted after giving notice of the hearing as  
12 provided in section 18-2115.01. ~~Such notice shall include a map of~~  
13 ~~sufficient size to show the area to be declared substandard and blighted~~  
14 ~~or information on where to find such map and shall provide information on~~  
15 ~~where to find copies of the substandard and blighted study or analysis~~  
16 ~~conducted pursuant to subsection (2) of this section.~~ At the public  
17 hearing, all interested parties shall be afforded a reasonable  
18 opportunity to express their views respecting the proposed declaration.  
19 After such hearing, the governing body of the city may make its  
20 declaration.

21 (4) Copies of each substandard and blighted study or analysis  
22 conducted pursuant to subsection (2) of this section shall be posted on  
23 the city's public web site or made available for public inspection at a  
24 location designated by the city.

25 Sec. 175. Section 18-2115, Revised Statutes Cumulative Supplement,  
26 2018, is amended to read:

27 18-2115 (1) The planning commission or board of the city shall hold  
28 a public hearing on any redevelopment plan or substantial modification  
29 thereof after giving notice of the hearing as provided in section  
30 18-2115.01. ~~Such notice shall specifically identify the area to be~~  
31 ~~redeveloped under the plan, shall include a map of sufficient size to~~

1 ~~show the area to be redeveloped or information on where to find such map,~~  
2 ~~and shall provide information on where to find copies of any cost-benefit~~  
3 ~~analysis conducted pursuant to section 18-2113.~~

4 (2) After the hearing required under subsection (1) of this section,  
5 the governing body of the city shall hold a public hearing on any  
6 redevelopment plan or substantial modification thereof after giving  
7 notice of the hearing as provided in section 18-2115.01. Such notice  
8 shall specifically identify the area to be redeveloped under the plan,  
9 shall include a map of sufficient size to show the area to be redeveloped  
10 or information on where to find such map, and shall provide information  
11 on where to find copies of any cost-benefit analysis conducted pursuant  
12 to section 18-2113. At the public hearing, all interested parties shall  
13 be afforded a reasonable opportunity to express their views respecting  
14 the proposed redevelopment plan.

15 (3) For purposes of this section, substantial modification means a  
16 change to a redevelopment plan that (a) materially alters or reduces  
17 existing areas or structures otherwise available for public use or  
18 access, (b) substantially alters the use of the community redevelopment  
19 area as contemplated in the redevelopment plan, or (c) increases the  
20 amount of ad valorem taxes pledged under section 18-2150 by more than  
21 five percent, if the amount of such taxes is included in the  
22 redevelopment plan.

23 Sec. 176. Section 18-2115.01, Revised Statutes Supplement, 2019, is  
24 amended to read:

25 18-2115.01 (1) For any hearing to be held pursuant to section  
26 18-2101.02, 18-2109, or 18-2115:

27 (a) The notice of hearing shall:

28 (i) Be published at least once a week for two consecutive weeks in a  
29 legal newspaper in or of general circulation in the community;

30 (ii) Be given to any neighborhood association which is registered  
31 under subsection (2) of this section and whose area of representation is

1 located in whole or in part within a one-mile radius of the area to be  
2 declared extremely blighted under section 18-2101.02, the area to be  
3 declared substandard and blighted under section 18-2109, or the area to  
4 be redeveloped in the redevelopment plan or substantial modification  
5 thereof under section 18-2115; and

6 (iii) Be given to the president or chairperson of the governing body  
7 of each county, school district, community college area, educational  
8 service unit, and natural resources district that includes the real  
9 property to be declared extremely blighted under section 18-2101.02, the  
10 real property to be declared substandard and blighted under section  
11 18-2109, or the real property subject to the redevelopment plan or  
12 substantial modification thereof under section 18-2115;

13 (b) The time of the hearing shall be at least ten days from the last  
14 publication of notice under subdivision (1)(a)(i) of this section;

15 (c) The notice of hearing described in subdivision (1)(a)(ii) of  
16 this section shall be given at least ten days prior to the hearing, shall  
17 be sent in the manner requested by the neighborhood association, and  
18 shall be deemed given on the date it is sent to the neighborhood  
19 association. The notice of hearing described in subdivision (1)(a)(iii)  
20 of this section shall be given at least ten days prior to the hearing,  
21 shall be sent by certified mail, return receipt requested, to the  
22 president or chairperson of the governing body, and shall be deemed given  
23 on the date it is mailed by certified mail to the president or  
24 chairperson; and

25 (d) The notice of hearing shall include the following information:

26 (i) The time, date, place, and purpose of the hearing;

27 (ii) A map of sufficient size to show the area to be declared  
28 extremely blighted under section 18-2101.02, the area to be declared  
29 substandard and blighted under section 18-2109, or the area to be  
30 redeveloped in the redevelopment plan or substantial modification thereof  
31 under section 18-2115, or information on where to find such map;

1        (iii) For a hearing held pursuant to section 18-2101.02, information  
2 on where to find copies of the study or analysis conducted pursuant to  
3 subsection (2) of section 18-2101.02;

4        (iv) For a hearing held pursuant to section 18-2109, information on  
5 where to find copies of the study or analysis conducted pursuant to  
6 subsection (2) of section 18-2109; and

7        (v) For a hearing held pursuant to section 18-2115, a specific  
8 identification of the area to be redeveloped under the plan and  
9 information on where to find copies of any cost-benefit analysis  
10 conducted pursuant to section 18-2113.

11        ~~(1) Public notice of any hearing required under section 18-2101.02,~~  
12 ~~18-2109, or 18-2115 shall be given by publication at least once a week~~  
13 ~~for two consecutive weeks in a legal newspaper in or of general~~  
14 ~~circulation in the community. The time of the hearing shall be at least~~  
15 ~~ten days from the last publication.~~

16        ~~(2)(a) Notice of any hearing required under section 18-2101.02,~~  
17 ~~18-2109, or 18-2115 shall be given to neighborhood associations that have~~  
18 ~~registered under subsection (5) of this section as follows:~~

19        ~~(i) For a hearing under section 18-2109, notice shall be given to~~  
20 ~~each registered neighborhood association whose area of representation is~~  
21 ~~located in whole or in part within a one-mile radius of the area to be~~  
22 ~~declared substandard and blighted;~~

23        ~~(ii) For a hearing under section 18-2101.02, notice shall be given~~  
24 ~~to each registered neighborhood association whose area of representation~~  
25 ~~is located in whole or in part within a one-mile radius of the area to be~~  
26 ~~declared extremely blighted; and~~

27        ~~(iii) For a hearing under section 18-2115, notice shall be given to~~  
28 ~~each registered neighborhood association whose area of representation is~~  
29 ~~located in whole or in part within a one-mile radius of the area to be~~  
30 ~~redeveloped.~~

31        ~~(b) Notice under this subsection shall be given at least ten days~~

1 ~~prior to the hearing in the manner requested by the neighborhood~~  
2 ~~association. The notice shall be deemed given on the date it is sent.~~

3 ~~(3)(a) Notice of any hearing required under section 18-2101.02,~~  
4 ~~18-2109, or 18-2115 shall be given to political subdivisions as follows:~~

5 ~~(i) For a hearing under section 18-2109, notice shall be given to~~  
6 ~~the president or chairperson of the governing body of each county, school~~  
7 ~~district, community college area, educational service unit, and natural~~  
8 ~~resources district in which the real property to be declared substandard~~  
9 ~~and blighted is located;~~

10 ~~(ii) For a hearing under section 18-2101.02, notice shall be given~~  
11 ~~to the president or chairperson of the governing body of each county,~~  
12 ~~school district, community college area, educational service unit, and~~  
13 ~~natural resources district in which the real property to be declared~~  
14 ~~extremely blighted is located; and~~

15 ~~(iii) For a hearing under section 18-2115, notice shall be given to~~  
16 ~~the president or chairperson of the governing body of each county, school~~  
17 ~~district, community college area, educational service unit, and natural~~  
18 ~~resources district in which the real property subject to the~~  
19 ~~redevelopment plan or substantial modification thereof is located.~~

20 ~~(b) Notice under this subsection shall be given at least ten days~~  
21 ~~prior to the hearing by certified mail, return receipt requested. The~~  
22 ~~notice shall be deemed given on the date it is mailed by certified mail.~~

23 ~~(4) All notices given under this section shall describe the time,~~  
24 ~~date, place, and purpose of the hearing.~~

25 ~~(2) (5) Each neighborhood association desiring to receive notice of~~  
26 ~~any hearing required under section 18-2101.02, 18-2109, or 18-2115 shall~~  
27 ~~register with the city's planning department or, if there is no planning~~  
28 ~~department, with the city clerk. The registration shall include a~~  
29 ~~description of the area of representation of the association, the name of~~  
30 ~~and contact information for the individual designated by the association~~  
31 ~~to receive the notice on its behalf, and the requested manner of service,~~

1 whether by email, first-class mail, or certified mail. Registration of  
2 the neighborhood association for purposes of this section shall be  
3 accomplished in accordance with such other rules and regulations as may  
4 be adopted and promulgated by the city.

5 Sec. 177. Section 18-2117.02, Revised Statutes Cumulative  
6 Supplement, 2018, is amended to read:

7 18-2117.02 On or before May 1 of each year, each authority, or such  
8 other division or department of the city as designated by the governing  
9 body, shall compile information regarding the approval and progress of  
10 redevelopment projects that are financed in whole or in part through the  
11 division of taxes as provided in section 18-2147 and report such  
12 information to the governing body of the city and to the governing body  
13 of each county, school district, community college area, educational  
14 service unit, and natural resources district whose property taxes are  
15 affected by such division of taxes. The report shall include, but not be  
16 limited to, the following information:

17 (1) The total number of active redevelopment projects within the  
18 city that have been financed in whole or in part through the division of  
19 taxes as provided in section 18-2147;

20 (2) The total estimated project costs for all such redevelopment  
21 projects;

22 (3) A comparison between the initial projected valuation of property  
23 included in each such redevelopment project as described in the  
24 redevelopment contract and the assessed value of the property included in  
25 each such redevelopment project as of January 1 of the year of the  
26 report;

27 ~~(4) The number of such redevelopment projects for which financing~~  
28 ~~has been paid in full during the previous calendar year and for which~~  
29 ~~taxes are no longer being divided pursuant to section 18-2147;~~

30 (4) ~~(5)~~ The number of such redevelopment projects approved by the  
31 governing body in the previous calendar year;

1        ~~(5) (6)~~ Information specific to each such redevelopment project  
2 approved by the governing body in the previous calendar year, including  
3 the project area, project type, amount of financing approved, and total  
4 estimated project costs;~~and~~

5        (6) The number of redevelopment projects for which financing has  
6 been paid in full during the previous calendar year and for which taxes  
7 are no longer being divided pursuant to section 18-2147; and

8        (7) The percentage of the city that has been designated as blighted.

9        Sec. 178. Section 18-2117.03, Revised Statutes Cumulative  
10 Supplement, 2018, is amended to read:

11        18-2117.03 (1) A redevelopment project that includes the division  
12 of taxes as provided in section 18-2147 shall not provide for the  
13 reimbursement of costs incurred prior to approval of the redevelopment  
14 project, except for costs relating to:

15        (a) (1) The preparation of materials and applications related to the  
16 redevelopment project;

17        (b) (2) The preparation of a cost-benefit analysis conducted  
18 pursuant to section 18-2113;

19        (c) (3) The preparation of a redevelopment contract;

20        (d) (4) The preparation of bond and other financing instruments;

21        (e) (5) Land acquisition and related due diligence activities,  
22 including, but not limited to, surveys and environmental studies; and

23        (f) (6) Site demolition and preparation.

24        (2) This section shall not be construed to require the reimbursement  
25 of legal fees incurred prior to approval of the redevelopment project.

26        Sec. 179. Section 18-2142.05, Revised Statutes Cumulative  
27 Supplement, 2018, is amended to read:

28        18-2142.05 Prior to approving a redevelopment project that expressly  
29 carries to~~carry~~ out the construction of workforce housing, a governing  
30 body shall (1) receive a housing study which is current within twenty-  
31 four months, (2) prepare an incentive plan for construction of housing in

1 the municipality targeted to house existing or new workers, (3) hold a  
2 public hearing on such incentive plan with notice which complies with the  
3 conditions set forth in section 18-2115.01, and (4) after the public  
4 hearing find that such incentive plan is necessary to prevent the spread  
5 of blight and substandard conditions within the municipality, will  
6 promote additional safe and suitable housing for individuals and families  
7 employed in the municipality, and will not result in the unjust  
8 enrichment of any individual or company. A public hearing held under this  
9 section shall be separate from any public hearing held under section  
10 18-2115.

11 Sec. 180. Section 19-612, Revised Statutes Supplement, 2019, is  
12 amended to read:

13 19-612 City council members in a city under the city manager plan of  
14 government shall be nominated and elected as provided in section 32-538.  
15 The number of city council members shall be determined by the class and  
16 population of the city. In cities having one thousand or more but not  
17 more than forty thousand inhabitants as determined by the most recent  
18 federal decennial census or the most recent revised certified count by  
19 the United States Bureau of the Census, there shall be five members, and  
20 in cities having more than forty thousand but less than two hundred  
21 thousand inhabitants as determined by the most recent federal decennial  
22 census or the most recent revised certified count by the United States  
23 Bureau of the Census, there shall be seven members, except that in cities  
24 having between ten thousand and forty thousand inhabitants as determined  
25 by the most recent federal decennial census or the most recent revised  
26 certified count by the United States Bureau of the Census, the city  
27 council may by ordinance provide for seven members. The terms of office  
28 of all such members shall commence on the first regular meeting of such  
29 city council in December following their election.

30 Sec. 181. Section 19-927, Revised Statutes Supplement, 2019, is  
31 amended to read:

1           19-927 The planning commission of a city of the first class, city of  
2 the second class, or village shall elect its chairperson from its members  
3 and create and fill such other of its offices as it may determine. The  
4 term of the chairperson shall be one year, and he or she shall be  
5 eligible for reelection. The commission shall hold at least one regular  
6 meeting in each calendar quarter, except as provided in this section. The  
7 ~~the~~ city council or village board of trustees may require the commission  
8 to meet more frequently and the chairperson of the commission may call  
9 for a meeting when necessary to deal with business pending before the  
10 commission. If no business is pending before the commission, the  
11 chairperson may cancel a quarterly meeting, but no more than three  
12 quarterly meetings may be cancelled per calendar year. The commission  
13 shall adopt rules and regulations for the transaction of business and  
14 shall keep a record of its resolutions, transactions, findings, and  
15 determinations, which shall be a public record.

16           Sec. 182. Section 19-5205, Revised Statutes Cumulative Supplement,  
17 2018, is amended to read:

18           19-5205 (1) If a land bank is created by a single municipality, the  
19 board of such land bank shall meet the following requirements:

20           (a) The board shall consist of:

21           (i) Seven voting members appointed by the mayor of the municipality  
22 that created the land bank and confirmed by a two-thirds vote of the  
23 governing body of such municipality;

24           (ii) The planning director of the municipality that created the land  
25 bank or his or her designee, as a nonvoting, ex officio member;

26           (iii) One member of the governing body of the municipality that  
27 created the land bank, appointed by such governing body, as a nonvoting,  
28 ex officio member; and

29           (iv) Such other nonvoting members as are appointed by the mayor of  
30 the municipality that created the land bank;

31           (b) The seven voting members of the board shall be residents of the

1 municipality that created the land bank;

2 (c) If the governing body of the municipality creating the land bank  
3 has any of its members elected by district or ward, then at least one  
4 voting member of the board shall be appointed from each such district or  
5 ward. Such voting members shall represent, to the greatest extent  
6 possible, the racial and ethnic diversity of the municipality creating  
7 the land bank;

8 (d) The seven voting members of the board shall have, collectively,  
9 verifiable skills, expertise, and knowledge in market-rate and affordable  
10 residential, commercial, industrial, and mixed-use real estate  
11 development, financing, law, purchasing and sales, asset management,  
12 economic and community development, and the acquisition of tax sale  
13 certificates;

14 (e) The seven voting members of the board shall include:

15 (i) At least one member representing a chamber of commerce;

16 (ii) At least one member with experience in banking;

17 (iii) At least one member with experience in real estate  
18 development;

19 (iv) At least one member with experience as a realtor;

20 (v) At least one member with experience in nonprofit or affordable  
21 housing; and

22 (vi) At least one member with experience in large-scale residential  
23 or commercial property rental; and

24 (f) A single voting member may satisfy more than one of the  
25 requirements provided in subdivision (1)(e) of this section if he or she  
26 has the required qualifications. It is not necessary that there be a  
27 different member to fulfill each such requirement.

28 (2) If a land bank is created by more than one municipality pursuant  
29 to an agreement under the Interlocal Cooperation Act, the board of such  
30 land bank shall meet the following requirements:

31 (a) The board shall consist of:

1 (i) An odd number of voting members, totaling at least seven,  
2 appointed by the mayors of the municipalities that created the land bank,  
3 as mutually agreed to by such mayors, and confirmed by a two-thirds vote  
4 of the governing body of each municipality that created the land bank;

5 (ii) The planning director of each municipality that created the  
6 land bank or his or her designee, as nonvoting, ex officio members;

7 (iii) One member of the governing body of each municipality that  
8 created the land bank, appointed by the governing body on which such  
9 member serves, as nonvoting, ex officio members; and

10 (iv) Such other nonvoting members as are appointed by the mayors of  
11 the municipalities that created the land bank, as mutually agreed to by  
12 such mayors;

13 (b) Each voting member of the board shall be a resident of one of  
14 the municipalities that created the land bank, with at least one voting  
15 member appointed from each such municipality;

16 (c) If the governing body of the largest municipality creating the  
17 land bank has any of its members elected by district or ward, then at  
18 least one voting member of the board shall be appointed from each such  
19 district or ward. Such voting members shall represent, to the greatest  
20 extent possible, the racial and ethnic diversity of the largest  
21 municipality creating the land bank;

22 (d) The voting members of the board shall have, collectively,  
23 verifiable skills, expertise, and knowledge in market-rate and affordable  
24 residential, commercial, industrial, and mixed-use real estate  
25 development, financing, law, purchasing and sales, asset management,  
26 economic and community development, and the acquisition of tax sale  
27 certificates;

28 (e) The voting members of the board shall include:

29 (i) At least one member representing a chamber of commerce;

30 (ii) At least one member with experience in banking;

31 (iii) At least one member with experience in real estate

1 development;

2 (iv) At least one member with experience as a realtor;

3 (v) At least one member with experience in nonprofit or affordable  
4 housing; and

5 (vi) At least one member with experience in large-scale residential  
6 or commercial property rental; and

7 (f) A single voting member may satisfy more than one of the  
8 requirements provided in subdivision (2)(e) of this section if he or she  
9 has the required qualifications. It is not necessary that there be a  
10 different member to fulfill each such requirement.

11 (3) The members of the board shall select annually from among  
12 themselves a chairperson, a vice-chairperson, a treasurer, and such other  
13 officers as the board may determine.

14 (4) A public official or public employee shall be eligible to be a  
15 member of the board.

16 (5) A vacancy on the board among the appointed board members shall  
17 be filled not later than six months after the date of such vacancy in the  
18 same manner as the original appointment.

19 (6) Board members shall serve without compensation.

20 (7) The board shall meet in regular session according to a schedule  
21 adopted by the board and shall also meet in special session as convened  
22 by the chairperson or upon written notice signed by a majority of the  
23 voting members. The presence of a majority of the voting members of the  
24 board shall constitute a quorum.

25 (8) Except as otherwise provided in subsections (9) and (11) of this  
26 section and in sections 19-5210 and 19-5214, all actions of the board  
27 shall be approved by the affirmative vote of a majority of the voting  
28 members present and voting.

29 (9) Any action of the board on the following matters shall be  
30 approved by a majority of the voting members:

31 (a) Adoption of bylaws and other rules and regulations for conduct

1 of the land bank's business;

2 (b) Hiring or firing of any employee or contractor of the land bank.

3 This function may, by majority vote of the voting members, be delegated

4 by the board to a specified officer or committee of the land bank, under

5 such terms and conditions, and to the extent, that the board may specify;

6 (c) The incurring of debt;

7 (d) Adoption or amendment of the annual budget; and

8 (e) Sale, lease, encumbrance, or alienation of real property,  
9 improvements, or personal property with a value of more than fifty  
10 thousand dollars.

11 (10) Members of a board shall not be liable personally on the bonds  
12 or other obligations of the land bank, and the rights of creditors shall  
13 be solely against such land bank.

14 (11) The board shall adopt policies and procedures to specify the  
15 conditions that must be met in order for the land bank to give an  
16 automatically accepted bid as authorized in sections 19-5217 and 19-5218.  
17 The adoption of such policies and procedures shall require the approval  
18 of two-thirds of the voting members of the board. At a minimum, such  
19 policies and procedures shall ensure that the automatically accepted bid  
20 shall only be given for one of the following reasons:

21 (a) The real property substantially meets more than one of the  
22 following criteria as determined by two-thirds of the voting members of  
23 the board:

24 (i) The property is not occupied by the owner or any lessee or  
25 licensee of the owner;

26 (ii) There are no utilities currently being provided to the  
27 property;

28 (iii) Any buildings on the property have been deemed unfit for human  
29 habitation, occupancy, or use by local housing officials;

30 (iv) Any buildings on the property are exposed to the elements such  
31 that deterioration of the building is occurring;

1 (v) Any buildings on the property are boarded up;

2 (vi) There have been previous efforts to rehabilitate any buildings  
3 on the property;

4 (vii) There is a presence of vermin, uncut vegetation, or debris  
5 accumulation on the property;

6 (viii) There have been past actions by the municipality to maintain  
7 the grounds or any building on the property; or

8 (ix) The property has been out of compliance with orders of local  
9 housing officials;

10 (b) The real property is contiguous to a parcel that meets more than  
11 one of the criteria in subdivision (11)(a) of this section or that is  
12 already owned by the land bank; or

13 (c) Acquisition of the real property by the land bank would serve  
14 the best interests of the community as determined by two-thirds of the  
15 voting members of the board. In determining whether the acquisition would  
16 serve the best interests of the community, the board shall take into  
17 consideration the hierarchical ranking of priorities for the use of real  
18 property conveyed by a land bank established pursuant to subsection (5)  
19 of section 19-5210, if any such hierarchical ranking is established.

20 Sec. 183. Section 19-5305, Revised Statutes Cumulative Supplement,  
21 2018, is amended to read:

22 19-5305 (1) Following the creation of a district under section  
23 19-5304, the mayor, with the approval of the city council, shall appoint  
24 a riverfront development authority to oversee and manage the district.  
25 The authority shall consist of five or more members who collectively  
26 shall have skills, expertise, and knowledge in residential, commercial,  
27 and mixed-use real estate development, financing, law, asset management,  
28 economic and community development, and tourism promotion.

29 (2) The members of the authority shall select annually from among  
30 themselves a chairperson, a vice-chairperson, a treasurer, and such other  
31 officers as the authority may determine.

1 (3) A public official or public employee shall be eligible to be a  
2 member of the authority.

3 (4) A vacancy on the authority shall be filled not later than six  
4 months after the date of such vacancy in the same manner as the original  
5 appointment.

6 (5) Members of the authority shall serve without compensation.

7 (6) The authority shall meet in regular session according to a  
8 schedule adopted by the authority and shall also meet in special session  
9 as convened by the chairperson or upon written notice signed by a  
10 majority of the members.

11 (7) Two or more cities which have a contiguous riverfront along the  
12 same river may enter into an agreement pursuant to the Interlocal  
13 Cooperation Act to create a single authority to jointly oversee and  
14 manage the districts created in such cities. An agreement entered into  
15 under this subsection shall contain the information required by section  
16 19-5304.

17 (8) An authority which oversees and manages a district bordering  
18 another state may enter into an agreement pursuant to the Interlocal  
19 Cooperation Act with a political subdivision, public agency, or quasi-  
20 public agency in such other state to jointly oversee and manage the  
21 district and any similar district or districts in such other state.

22 (9) Each authority created pursuant to the Riverfront Development  
23 District Act shall be deemed to be a public corporation acting in a  
24 governmental capacity and a political subdivision of the state and shall  
25 have permanent and perpetual duration until terminated and dissolved in  
26 accordance with section 19-5317.

27 Sec. 184. Section 32-538, Revised Statutes Supplement, 2019, is  
28 amended to read:

29 32-538 (1) In a city which adopts the city manager plan of  
30 government pursuant to the City Manager Plan of Government Act, the  
31 ~~number of~~ city council members shall be nominated at the statewide

1 primary election and elected at the statewide general election.  
2 ~~determined by the class and population of the city. In cities having one~~  
3 ~~thousand or more but not more than forty thousand inhabitants as~~  
4 ~~determined by the most recent federal decennial census or the most recent~~  
5 ~~revised certified count by the United States Bureau of the Census, there~~  
6 ~~shall be five members, and in cities having more than forty thousand but~~  
7 ~~less than two hundred thousand inhabitants as determined by the most~~  
8 ~~recent federal decennial census or the most recent revised certified~~  
9 ~~count by the United States Bureau of the Census, there shall be seven~~  
10 ~~members, except that in cities having between twenty-five thousand and~~  
11 ~~forty thousand inhabitants as determined by the most recent federal~~  
12 ~~decennial census or the most recent revised certified count by the United~~  
13 ~~States Bureau of the Census, the city council may by ordinance provide~~  
14 ~~for seven members. Council~~

15 (2) City council members shall be elected from the city at large  
16 unless the city council by ordinance provides for the election of all or  
17 some of the city its council members by wards, the number and boundaries  
18 of which are provided for in section 16-104. City council ~~Council~~ members  
19 shall serve for terms of four years or until their successors are elected  
20 and qualified. The city council members shall meet the qualifications  
21 found in sections 19-613 and 19-613.01.

22 (3) The first election under an ordinance changing the number of  
23 city council members or their manner of election shall take place at the  
24 next statewide primary and general elections ~~regular city election~~. City  
25 council ~~Council~~ members whose terms of office expire after the election  
26 shall continue in office until the expiration of the terms for which they  
27 were elected and until their successors are elected and qualified. At the  
28 first election under an ordinance changing the number of city council  
29 members or their manner of election, one-half or the bare majority of  
30 city council members elected at large, as the case may be, who receive  
31 the highest number of votes shall serve for four years and the other or

1 others, if needed, for two years. At such first election, one-half or the  
2 bare majority of city council members, as the case may be, who are  
3 elected by wards shall serve for four years and the other or others, if  
4 needed, for two years, as provided in the ordinance. If only one city  
5 council member is to be elected at large at such first election, such  
6 member shall serve for four years.

7 ~~(2) Commencing with the statewide primary election in 1976, and~~  
8 ~~every two years thereafter, those candidates whose terms will be expiring~~  
9 ~~shall be nominated at the statewide primary election and elected at the~~  
10 ~~statewide general election.~~

11 Sec. 185. Section 71-1599, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 71-1599 All vacancies shall be filled for the unexpired terms. A  
14 vacancy shall be filled not later than six months after the date of such  
15 vacancy by the same authority and in the same manner as the previous  
16 commissioner whose position has become vacant was appointed.

17 Sec. 186. Section 84-304, Revised Statutes Supplement, 2019, is  
18 amended to read:

19 84-304 It shall be the duty of the Auditor of Public Accounts:

20 (1) To give information electronically to the Legislature, whenever  
21 required, upon any subject relating to the fiscal affairs of the state or  
22 with regard to any duty of his or her office;

23 (2) To furnish offices for himself or herself and all fuel, lights,  
24 books, blanks, forms, paper, and stationery required for the proper  
25 discharge of the duties of his or her office;

26 (3)(a) To examine or cause to be examined, at such time as he or she  
27 shall determine, books, accounts, vouchers, records, and expenditures of  
28 all state officers, state bureaus, state boards, state commissioners, the  
29 state library, societies and associations supported by the state, state  
30 institutions, state colleges, and the University of Nebraska, except when  
31 required to be performed by other officers or persons. Such examinations

1 shall be done in accordance with generally accepted government auditing  
2 standards for financial audits and attestation engagements set forth in  
3 Government Auditing Standards (2011 Revision), published by the  
4 Comptroller General of the United States, Government Accountability  
5 Office, and except as provided in subdivision (10) of this section,  
6 subdivision (16) of section 50-1205, and section 84-322, shall not  
7 include performance audits, whether conducted pursuant to attestation  
8 engagements or performance audit standards as set forth in Government  
9 Auditing Standards (2011 Revision), published by the Comptroller General  
10 of the United States, Government Accountability Office.

11 (b) Any entity, excluding the state colleges and the University of  
12 Nebraska, that is audited or examined pursuant to subdivision (3)(a) of  
13 this section and that is the subject of a comment and recommendation in a  
14 management letter or report issued by the Auditor of Public Accounts  
15 shall, on or before six months after the issuance of such letter or  
16 report, provide to the Auditor of Public Accounts a detailed written  
17 description of any corrective action taken or to be taken in response to  
18 the comment and recommendation. The Auditor of Public Accounts may  
19 investigate and evaluate the corrective action. The Auditor of Public  
20 Accounts shall then electronically submit a report of any findings of  
21 such investigation and evaluation to the Governor, the appropriate  
22 standing committee of the Legislature, and the Appropriations Committee  
23 of the Legislature. The Auditor of Public Accounts shall also ensure that  
24 the report is delivered to the Appropriations Committee for entry into  
25 the record during the committee's budget hearing process;

26 (4)(a) To examine or cause to be examined, at the expense of the  
27 political subdivision, when the Auditor of Public Accounts determines  
28 such examination necessary or when requested by the political  
29 subdivision, the books, accounts, vouchers, records, and expenditures of  
30 any agricultural association formed under Chapter 2, article 20, any  
31 county agricultural society, any joint airport authority formed under the

1 Joint Airport Authorities Act, any city or county airport authority, any  
2 bridge commission created pursuant to section 39-868, any cemetery  
3 district, any community redevelopment authority or limited community  
4 redevelopment authority established under the Community Development Law,  
5 any development district, any drainage district, any health district, any  
6 local public health department as defined in section 71-1626, any  
7 historical society, any hospital authority or district, any county  
8 hospital, any housing agency as defined in section 71-1575, any  
9 irrigation district, any county or municipal library, any community  
10 mental health center, any railroad transportation safety district, any  
11 rural water district, any township, Wyuka Cemetery, the Educational  
12 Service Unit Coordinating Council, any entity created pursuant to the  
13 Interlocal Cooperation Act, any educational service unit, any village,  
14 any service contractor or subrecipient of state or federal funds, any  
15 political subdivision with the authority to levy a property tax or a  
16 toll, or any entity created pursuant to the Joint Public Agency Act.

17 For purposes of this subdivision, service contractor or subrecipient  
18 means any nonprofit entity that expends state or federal funds to carry  
19 out a state or federal program or function, but it does not include an  
20 individual who is a direct beneficiary of such a program or function or a  
21 licensed health care provider or facility receiving direct payment for  
22 medical services provided for a specific individual.

23 (b) The Auditor of Public Accounts may waive the audit requirement  
24 of subdivision (4)(a) of this section upon the submission by the  
25 political subdivision of a written request in a form prescribed by the  
26 auditor. The auditor shall notify the political subdivision in writing of  
27 the approval or denial of the request for a waiver.

28 (c) Through December 31, 2017, the Auditor of Public Accounts may  
29 conduct audits under this subdivision for purposes of sections 2-3228,  
30 12-101, 13-2402, 14-567, 14-1805.01, 14-2111, ~~15-1017~~, 16-1017, 16-1037,  
31 19-3501, 23-1118, 23-3526, 71-1631.02, and 79-987.

1 (d) Beginning on May 24, 2017, the Auditor of Public Accounts may  
2 conduct audits under this subdivision for purposes of sections 13-2402,  
3 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 18-814,  
4 71-1631.02, and 79-987 and shall prescribe the form for the annual  
5 reports required in each of such sections. Such annual reports shall be  
6 published annually on the web site of the Auditor of Public Accounts;

7 (5) To report promptly to the Governor and the appropriate standing  
8 committee of the Legislature the fiscal condition shown by such  
9 examinations conducted by the auditor, including any irregularities or  
10 misconduct of officers or employees, any misappropriation or misuse of  
11 public funds or property, and any improper system or method of  
12 bookkeeping or condition of accounts. The report submitted to the  
13 committee shall be submitted electronically. In addition, if, in the  
14 normal course of conducting an audit in accordance with subdivision (3)  
15 of this section, the auditor discovers any potential problems related to  
16 the effectiveness, efficiency, or performance of state programs, he or  
17 she shall immediately report them electronically to the Legislative  
18 Performance Audit Committee which may investigate the issue further,  
19 report it electronically to the appropriate standing committee of the  
20 Legislature, or both;

21 (6)(a) To examine or cause to be examined the books, accounts,  
22 vouchers, records, and expenditures of a fire protection district. The  
23 expense of the examination shall be paid by the political subdivision.

24 (b) Whenever the expenditures of a fire protection district are one  
25 hundred fifty thousand dollars or less per fiscal year, the fire  
26 protection district shall be audited no more than once every five years  
27 except as directed by the board of directors of the fire protection  
28 district or unless the auditor receives a verifiable report from a third  
29 party indicating any irregularities or misconduct of officers or  
30 employees of the fire protection district, any misappropriation or misuse  
31 of public funds or property, or any improper system or method of

1 bookkeeping or condition of accounts of the fire protection district. In  
2 the absence of such a report, the auditor may waive the five-year audit  
3 requirement upon the submission of a written request by the fire  
4 protection district in a form prescribed by the auditor. The auditor  
5 shall notify the fire protection district in writing of the approval or  
6 denial of a request for waiver of the five-year audit requirement. Upon  
7 approval of the request for waiver of the five-year audit requirement, a  
8 new five-year audit period shall begin.

9 (c) Whenever the expenditures of a fire protection district exceed  
10 one hundred fifty thousand dollars in a fiscal year, the auditor may  
11 waive the audit requirement upon the submission of a written request by  
12 the fire protection district in a form prescribed by the auditor. The  
13 auditor shall notify the fire protection district in writing of the  
14 approval or denial of a request for waiver. Upon approval of the request  
15 for waiver, a new five-year audit period shall begin for the fire  
16 protection district if its expenditures are one hundred fifty thousand  
17 dollars or less per fiscal year in subsequent years;

18 (7) To appoint two or more assistant deputies (a) whose entire time  
19 shall be devoted to the service of the state as directed by the auditor,  
20 (b) who shall be certified public accountants with at least five years'  
21 experience, (c) who shall be selected without regard to party affiliation  
22 or to place of residence at the time of appointment, (d) who shall  
23 promptly report to the auditor the fiscal condition shown by each  
24 examination, including any irregularities or misconduct of officers or  
25 employees, any misappropriation or misuse of public funds or property,  
26 and any improper system or method of bookkeeping or condition of  
27 accounts, and it shall be the duty of the auditor to file promptly with  
28 the Governor a duplicate of such report, and (e) who shall qualify by  
29 taking an oath which shall be filed in the office of the Secretary of  
30 State;

31 (8) To conduct audits and related activities for state agencies,

1 political subdivisions of this state, or grantees of federal funds  
2 disbursed by a receiving agency on a contractual or other basis for  
3 reimbursement to assure proper accounting by all such agencies, political  
4 subdivisions, and grantees for funds appropriated by the Legislature and  
5 federal funds disbursed by any receiving agency. The auditor may contract  
6 with any political subdivision to perform the audit of such political  
7 subdivision required by or provided for in section 23-1608 or 79-1229 or  
8 this section and charge the political subdivision for conducting the  
9 audit. The fees charged by the auditor for conducting audits on a  
10 contractual basis shall be in an amount sufficient to pay the cost of the  
11 audit. The fees remitted to the auditor for such audits and services  
12 shall be deposited in the Auditor of Public Accounts Cash Fund;

13 (9) To develop and maintain an annual budget and actual financial  
14 information reporting system for political subdivisions that is  
15 accessible online by the public;

16 (10) When authorized, to conduct joint audits with the Legislative  
17 Performance Audit Committee as described in section 50-1205; and

18 (11) Unless otherwise specifically provided, to assess the interest  
19 rate on delinquent payments of any fees for audits and services owing to  
20 the Auditor of Public Accounts at a rate of fourteen percent per annum  
21 from the date of billing unless paid within thirty days after the date of  
22 billing. For an entity created pursuant to the Interlocal Cooperation Act  
23 or the Joint Public Agency Act, any participating public agencies shall  
24 be jointly and severally liable for the fees and interest owed if such  
25 entity is defunct or unable to pay.

26 Sec. 187. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
27 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32,  
28 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50,  
29 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68,  
30 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86,  
31 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103,

1 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117,  
2 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131,  
3 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145,  
4 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159,  
5 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 172, 173, 174,  
6 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, and 190  
7 of this act become operative three calendar months after the adjournment  
8 of this legislative session. The other sections of this act become  
9 operative on their effective date.

10 Sec. 188. Original sections 13-2102, 14-1813, 15-103, 15-104,  
11 15-105, 15-106, 15-106.01, 15-106.02, 15-108, 15-110, 15-111, 15-112,  
12 15-113, 15-115, 15-116, 15-117, 15-118, 15-201, 15-201.01, 15-204,  
13 15-205, 15-207, 15-208, 15-209, 15-210, 15-212, 15-215, 15-216, 15-217,  
14 15-218, 15-219, 15-220, 15-221, 15-222, 15-223, 15-224, 15-225, 15-228,  
15 15-229, 15-229.01, 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01,  
16 15-235.03, 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243,  
17 15-244, 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257, 15-258,  
18 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266, 15-268.01,  
19 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307, 15-308, 15-309,  
20 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316, 15-317, 15-322,  
21 15-326, 15-332, 15-401, 15-402, 15-403, 15-406, 15-501, 15-502, 15-701,  
22 15-701.01, 15-701.02, 15-702.01, 15-702.02, 15-702.03, 15-702.04, 15-708,  
23 15-717, 15-720, 15-724, 15-725, 15-726, 15-727, 15-728, 15-729, 15-734,  
24 15-735, 15-751, 15-752, 15-753, 15-754, 15-807, 15-808, 15-809, 15-810,  
25 15-811, 15-812, 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821,  
26 15-822, 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01,  
27 15-845, 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104,  
28 15-1105, 15-1106, 15-1201, 15-1204, 15-1205, 15-1305, and 71-1599,  
29 Reissue Revised Statutes of Nebraska, sections 3-502, 15-102, 15-202,  
30 15-211, 15-241, 15-268, 15-404, 15-709, 15-713, 15-718, 15-905, 15-1017,  
31 15-1202, 15-1203, 17-105, 18-2109, 18-2115, 18-2117.02, 18-2117.03,

1 18-2142.05, 19-5205, and 19-5305, Revised Statutes Cumulative Supplement,  
2 2018, and sections 13-2705, 16-401, 18-2101.02, 18-2103, 18-2115.01,  
3 19-612, 19-927, 32-538, and 84-304, Revised Statutes Supplement, 2019,  
4 are repealed.

5 Sec. 189. Original section 17-405.01, Revised Statutes Cumulative  
6 Supplement, 2018, is repealed.

7 Sec. 190. The following sections are outright repealed: Sections  
8 15-730, 15-731, 15-732, and 15-733, Reissue Revised Statutes of Nebraska.

9 Sec. 191. Since an emergency exists, this act takes effect when  
10 passed and approved according to law.