Introduce by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Briese, 41; Crawford, 45; Hansen, M., 26; Hunt, 8; Lowe, 37.

Read first time January 11, 2019

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to cities of the first class; to amend
2 sections 16-115, 16-118, 16-316, 16-321.01, 16-610, 16-611, 16-614,
3 16-629, 16-645, 16-648, 16-663, 16-671.01, 16-674, 16-675, and
4 16-808, Reissue Revised Statutes of Nebraska, and sections 16-119,
5 16-304, 16-305, 16-309, 16-312, 16-313, 16-314, 16-317, 16-318,
6 16-319, 16-320, 16-321, 16-322, 16-323, 16-324, 16-326, 16-327,
7 16-401, 16-402, 16-403, 16-404, 16-405, 16-406, 16-501, 16-502,
8 16-503, 16-606, 16-609, 16-615, 16-618, 16-621, 16-624, 16-626,
9 16-627, 16-630, 16-631, 16-632, 16-637, 16-646, 16-647, 16-649,
10 16-650, 16-651, 16-652, 16-653, 16-654, 16-661, 16-662, 16-664,
11 16-665, 16-672, 16-672.07, 16-679, 16-680, 16-691, 16-691.01,
12 16-692, 16-693, 16-697, 16-699, 16-6, 100, 16-702, 16-706, 16-707,
13 16-712, 16-713, 16-714, 16-716, 16-717, 16-718, 16-719, 16-720,
14 16-722, 16-723, 16-727, and 16-728, Revised Statutes Cumulative
15 Supplement, 2018; to change provisions relating to cities of the
16 first class; to harmonize provisions; and to repeal the original
17 sections.
18 Be it enacted by the people of the State of Nebraska,
Section 1. Section 16-115, Reissue Revised Statutes of Nebraska, is amended to read:

16-115 The corporate name of each city of the first class shall be the City of ................., and all process whatever affecting any such city shall be served in the manner provided for service of a summons in a civil action. The city shall procure and keep a seal with such emblem and device as it may think proper. Such seal may be either an engraved or ink stamp seal. It shall have included thereon the City of ................., together with date of incorporation, which shall be the seal of the city, and no other seal shall be used by the city. The impression or representation of the seal by stamp shall be sufficient sealing in all cases where sealing is required. An impression or representation of such seal shall be filed in the office of the Secretary of State, together with a resolution of the city council that the same has been duly adopted and is the seal of such said city.

Sec. 2. Section 16-118, Reissue Revised Statutes of Nebraska, is amended to read:

16-118 For purposes of sections 16-117 and 16-130, lands, lots, tracts, streets, or highways shall be deemed contiguous although a stream, embankment, strip, or parcel of land not more than two hundred feet wide lies between the same and the corporate limits.

Sec. 3. Section 16-119, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-119 Any extraterritorial zoning regulations, property use regulations, or other laws, codes, rules, or regulations imposed upon any annexed lands by a the city of the first class before such annexation shall continue in full force and effect until otherwise changed.

Sec. 4. Section 16-304, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-304 Each city council member of a city of the first class, before entering upon the duties of his or her office, shall be required to give
bond or evidence of equivalent insurance to the city. The bond shall be
with two or more good and sufficient sureties or some responsible surety
company. If by two sureties, they shall each justify that he or she is
worth at least two thousand dollars over and above all debts and
exemptions. Such bonds or evidence of equivalent insurance shall be in
the sum of one thousand dollars, shall be conditioned for the faithful
discharge of the duties of the city council member giving such bond or
insurance, and shall be further conditioned that if the city council
member shall vote for any expenditure or appropriation of money or
creation of any liability in excess of the amount allowed by law, such
city council member, and the sureties signing such bond, shall be liable
thereon. The bond shall be filed with the city clerk and approved by the
mayor, and upon the approval, the city may pay the premium for such bond.
Any liability sought to be incurred, or debt created in excess of the
amount limited or authorized by law, shall be taken and held by every
court of the state as the joint and several liability and obligation of
the city council member voting for and the mayor approving such
liability, obligation, or debt, and not the debt, liability, or
obligation of the city. Voting for or approving of such liability,
obligation, or debt shall be conclusive evidence of malfeasance in office
for which such city council member or mayor may be removed from office.

Sec. 5. Section 16-305, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-305 All officers and employees of a the city of the first class
shall receive such compensation as the mayor and city council may fix at
the time of their appointment or employment, subject to the limitations
set forth in this section. The city council may at its discretion by
ordinance combine and merge any elective or appointive office or
employment or any combination of duties of any such offices or
employments, except mayor and city council member, with any other
elective or appointive office or employment so that one or more of such
of duties of any such offices or employments may be held by the same officer or employee at the same time. The city manager in a city under the city manager plan of government as provided in Chapter 19, article 6, may in his or her discretion combine and merge any elective or appointive office or employment or any combination of duties of any such offices or employments, except mayor and city council member, with any other elective or appointive office or employment so that one or more of such offices or employments or any combination of duties of any such offices or employments may be held by the same officer or employee at the same time. The offices or employments so merged and combined shall always be construed to be separate, and the effect of the combination or merger shall be limited to a consolidation of official duties only. The salary or compensation of the officer or employee holding the merged and combined offices or employments or offices and employments shall not be in excess of the maximum amount provided by law for the salary or compensation of the office, offices, employment, or employments so merged and combined.

Sec. 6. Section 16-309, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-309 All officers of a city of the first class appointed by the mayor and confirmed by the city council shall hold the office to which they may be appointed until the end of the mayor's term of office and until their successors are appointed and qualified, unless sooner removed or the ordinance creating the office is repealed, or as otherwise provided by law.

Sec. 7. Section 16-312, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-312 The mayor of a city of the first class shall preside at all the meetings of the city council and shall have the right to vote when his or her vote will provide the additional vote required to create a
number of votes equal to a majority of the number of members elected to
city council. He or she shall have the superintending control of all
officers and affairs of the city and shall take care that the
ordinances of the city and the provisions of law relating to cities of
the first class are complied with. He or she may administer oaths and
shall sign the commissions and appointments of all the officers appointed
in the city.

Sec. 8. Section 16-313, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-313 The mayor of a city of the first class shall have the power
to approve or veto any ordinance passed by the city council and to
approve or veto any order, bylaw, resolution, award of or vote to enter
into any contract, or the allowance of any claim. If the mayor approves
the ordinance, order, bylaw, resolution, contract, or claim, he or she
shall sign it, and it shall become effective. If the mayor vetoes the
ordinance, order, bylaw, resolution, contract, or any item or items of
appropriations or claims, he or she shall return it to the city council
stating that the measure is vetoed. The mayor may issue the veto at the
meeting at which the measure passed or within seven calendar days after
the meeting. If the mayor issues the veto after the meeting, the mayor
shall notify the city clerk of the veto in writing. The city clerk shall
notify the city council in writing of the mayor's veto. Any ordinance,
order, bylaw, resolution, award of or vote to enter into any contract, or
the allowance of any claim vetoed by the mayor, may be passed over his or
her veto by a vote of two-thirds of all the members elected to the city
council, notwithstanding his or her veto. If the mayor neglects or
refuses to sign any ordinance, order, bylaw, resolution, award of or vote
to enter into any contract, or the allowance of any claim, but fails to
veto the measure within the time required by this section, the measure
shall become effective without his or her signature. The mayor may veto
any item or items of any appropriation bill or any claims bill, and
approve the remainder thereof, and the item or items so vetoed may be
passed by the city council over the veto as in other cases.

Sec. 9. Section 16-314, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-314 The mayor of a city of the first class shall, from time to
time, communicate to the city council such information and recommend such
measures as in his or her opinion may tend to the improvement of the
finances of the city, the police, health, comfort, and general prosperity
of the city, and may have such jurisdiction as may be invested in him or
her by ordinance over all places within the extraterritorial zoning
jurisdiction of the city, for the enforcement of health or quarantine
ordinances and the regulation thereof.

Sec. 10. Section 16-316, Reissue Revised Statutes of Nebraska, is
amended to read:

16-316 The mayor of a city of the first class shall have power after
conviction to remit fines and forfeitures, and to grant reprieves and
pardons for all offenses arising under the ordinances of the city.

Sec. 11. Section 16-317, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-317 The city clerk of a city of the first class shall have the
custody of all laws and ordinances and shall keep a correct journal of
the proceedings of the city council. After the period of time specified
by the State Records Administrator pursuant to the Records Management
Act, the city clerk may transfer such journal of the proceedings of the
city council to the State Archives of the Nebraska State Historical
Society for permanent preservation. He or she shall also perform such
other duties as may be required by the ordinances of the city.

Sec. 12. Section 16-318, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-318 (1) The city treasurer of a city of the first class shall be
required to give bond or evidence of equivalent insurance of not less
than twenty-five thousand dollars, or he or she may be required to give
bond in double the sum of money estimated by the city council at any time
to be in his or her hands belonging to the city. The city treasurer shall
be the custodian of all money belonging to the city. The city council
shall pay the actual premium of the bond or insurance coverage of such
treasurer.

(2) The city treasurer of a city of the first class shall keep a
separate account of each fund or appropriation and the debts and credits
belonging thereto. He or she shall give every person paying money into
the treasury a receipt therefor, specifying date of payment and on what
account paid. He or she shall also file copies of such receipts, except
tax receipts, with his or her monthly reports, and he or she shall at the
end of every month, and as often as may be requested, render an account
to the city council, under oath, showing the state of the treasury at the
date of such account, the amount of money remaining in each fund and the
amount paid therefrom, and the balance of money in the treasury. The city
treasurer shall also accompany such account with a statement of all
receipts and disbursements, together with all warrants redeemed and paid
by him or her, which warrants, with all vouchers held by him or her,
shall be filed with his or her account in the city clerk's office. He or
she shall produce and show all funds shown by such report to be on hand,
or satisfy the city council or its committee that he or she has such
funds in his or her custody or under his or her control. If the city
treasurer fails to render his or her account within twenty days after the
end of the month, or by a later date established by the city council, the
mayor with the consent of the city council may consider this failure as
cause to remove the city treasurer from office.

(3) The city treasurer of a city of the first class shall keep a
record of all outstanding bonds against the city, showing the number and
amount of each bond, for and to whom the bonds were issued, and the date
upon which any bond is purchased, paid, or canceled. He or she shall
accompany the annual statement submitted pursuant to section 19-1101 with a description of the bonds issued and sold in that year and the terms of sale, with every item of expense thereof.

(4) The city treasurer of a city of the first class may employ and appoint a delinquent tax collector, who shall be allowed a percentage upon his or her collections to be fixed by the city council, not to exceed the fees allowed by law to the county treasurer for like services. Upon taxes collected by such delinquent tax collector, the city treasurer shall receive no fees.

(5) The city treasurer of a city of the first class shall prepare all special assessment lists and shall collect all special assessments.

Sec. 13. Section 16-319, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-319 The city attorney of a city of the first class shall be the legal advisor of the city council and other city officers. The city attorney shall commence, prosecute, and defend all suits and actions necessary to be commenced, prosecuted, or defended on behalf of the city, or that may be ordered by the city council. He or she shall attend meetings of the city council and give them his or her opinion upon any matters submitted to him or her, either orally or in writing as may be required. The mayor and city council shall have the right to pay the city attorney additional compensation for legal services performed by him or her for the city or to employ additional legal assistance and to pay for such legal assistance out of the funds of the city. Whenever the mayor and city council have by ordinance so authorized, the board of public works shall have the right to pay the city attorney additional compensation for legal services performed by him or her for it or to employ additional legal assistance other than the city attorney and pay such legal assistance out of funds disbursed under the orders of the board of public works.

Sec. 14. Section 16-320, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-320 The city engineer of a city of the first class shall make a record of the minutes of his or her surveys and of all work done for the city, including sewers, extension of water systems and heating systems, electric light and sewerage systems, and power plants, and accurately make such plats, sections, profiles, and maps as may be necessary in the prosecution of any public work, which shall be public records and belong to the city and be turned over to his or her successor.

Sec. 15. Section 16-321, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-321 (1) The city engineer of a city of the first class shall, when requested by the mayor or city council, make estimates of the cost of labor and material which may be done or furnished by contract with the city and make all surveys, estimates, and calculations necessary to be made for the establishment of grades, the building of culverts, sewers, electric light systems, waterworks, power plants, public heating systems, bridges, curbing, and gutters, the improvement of streets, and the erection and repair of buildings and shall perform such other duties as the city council may require. When the city has appointed a board of public works, and the mayor and city council have by ordinance so authorized, such board may utilize its own engineering staff and may hire consulting engineers for the design and installation of extensions and improvements of the works under the jurisdiction of the board of public works. Whenever the mayor and city council have authorized the same, the board of public works may purchase material and employ labor for the enlargement or improvement of the systems and works under the jurisdiction of the board.

(2) Except as provided in section 18-412.01, no contract for enlargement or general improvements, such as water extensions, sewers, public heating systems, bridges, work on streets, or any other work or improvement when the cost of such improvement is assessed to the
property, costing over thirty thousand dollars shall be made unless it is
first approved by the city council.

(3) Except as provided in section 18-412.01, before the city council
makes any contract in excess of thirty thousand dollars for enlargement
or general improvements, such as water extensions, sewers, public heating
systems, bridges, work on streets, or any other work or improvement when
the cost of such enlargement or improvement is assessed to the property,
an estimate of the cost shall be made by the city engineer and submitted
to the city council. In advertising for bids as provided in subsections
(4) and (6) of this section, the city council may publish the amount of
the estimate.

(4) Advertisements for bids shall be required for any contract
costing over thirty thousand dollars entered into (a) for enlargement or
general improvements, such as water extensions, sewers, public heating
systems, bridges, work on streets, or any other work or improvement when
the cost of such enlargement or improvement is assessed to the property,
or (b) for the purchase of equipment used in the construction of such
enlargement or general improvements.

(5) A municipal electric utility may enter into a contract for the
enlargement or improvement of the electric system or for the purchase of
equipment used for such enlargement or improvement without advertising
for bids if the price is: (a) Thirty thousand dollars or less; (b) sixty
thousand dollars or less and the municipal electric utility has gross
annual revenue from retail sales in excess of one million dollars; (c)
ninety thousand dollars or less and the municipal electric utility has
gross annual revenue from retail sales in excess of five million dollars;
or (d) one hundred twenty thousand dollars or less and the municipal
electric utility has gross annual revenue from retail sales in excess of
ten million dollars.

(6) The advertisement provided for in subsections (3) and (4) of
this section shall be published at least seven days prior to the bid
closing in a legal newspaper in or of general circulation in the city. In

 case of a public emergency resulting from infectious or contagious
diseases, destructive windstorms, floods, snow, war, or an exigency or
pressing necessity or unforeseen need calling for immediate action or
remedy to prevent a serious loss of, or serious injury or damage to,
life, health, or property, estimates of costs and advertising for bids
may be waived in the emergency ordinance authorized by section 16-405
when adopted by a three-fourths vote of the city council and entered of
record.

 (7) If, after advertising for bids as provided in subsections (3),
(4), and (6) of this section, the city council receives fewer than two
bids on a contract or if the bids received by the city council contain a
price which exceeds the estimated cost, the mayor and the city council
may negotiate a contract in an attempt to complete the proposed
enlargement or general improvements at a cost commensurate with the
estimate given.

 (8) If the materials are of such a nature that, in the opinion of
the manufacturer and with the concurrence of the city council or board of
public works, no cost can be estimated until the materials have been
manufactured or assembled to the specific qualifications of the city, the
city council or board of public works may authorize the manufacture and
assemblage of such materials and may thereafter approve the estimated
cost expenditure when it is provided by the manufacturer.

Sec. 16. Section 16-321.01, Reissue Revised Statutes of Nebraska, is
amended to read:

 16-321.01 Any municipal bidding procedure may be waived by the city
council or board of public works of a city of the first class (1) when
materials or equipment are purchased at the same price and from the same
seller as materials or equipment which have formerly been obtained
pursuant to the state bidding procedure in sections 81-145 to 81-162, (2)
when the contract is negotiated directly with a sheltered workshop
pursuant to section 48-1503, or (3) when required to comply with any federal grant, loan, or program.

Sec. 17. Section 16-322, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-322 The mayor and city council of a city of the first class may, whenever they deem it expedient, employ a special engineer to make or assist in making any particular estimate or survey, and any estimate or survey made by such special engineer shall have the same validity and serve in all respects as though the same had been made by the city engineer.

Sec. 18. Section 16-323, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-323 The chief of police of a city of the first class shall have the immediate superintendence of the police. He or she and the police officers shall have the power and the duty to arrest all offenders against the laws of the state or of the city, by day or by night, in the same manner as a county sheriff and to keep such offenders in the city prison or other place to prevent their escape until a trial or examination may be had before the proper officer. The chief of police and police officers shall have the same power as the county sheriff in relation to all criminal matters arising out of a violation of a city ordinance and all process issued by the county court in connection with a violation of a city ordinance.

Sec. 19. Section 16-324, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-324 The street commissioner of a city of the first class shall be subject to the orders of the mayor and city council by resolution, have general charge, direction, and control of all work in the streets, sidewalks, culverts, and bridges of the city, except matters in charge of the board of public works, and shall perform such other duties as the city council may require.
Sec. 20. Section 16-326, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-326 The salary of any elective officer of any city of the first class shall not be increased or diminished during the term for which he or she was elected, except that when there are officers elected to the city council, or to a board or commission having more than one member and the terms of one or more members commence and end at different times, the compensation of all members of such city council, board, or commission may be increased or diminished at the beginning of the full term of any member thereof. No person who shall have resigned or vacated any office shall be eligible to the same during the time for which he or she was elected when, during the same time, the salary has been increased.

Sec. 21. Section 16-327, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-327 The mayor or city council of a city of the first class shall have power, when he, she, or it deems it necessary, to require any officer of the city to exhibit his or her accounts or other papers and make reports to the city council, in writing, touching any subject or matter it may require pertaining to the office.

Sec. 22. Section 16-401, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-401 Regular meetings of the city council of a city of the first class shall be held at such times as may be fixed by ordinance and special meetings whenever called by the mayor or any four city council members. A majority of all the members elected to the city council shall constitute a quorum for the transaction of any business, except as otherwise required by law, but a less number may adjourn, from time to time, and compel the attendance of absent members. An affirmative vote of not less than one-half of the elected members shall be required for the transaction of any business.

Sec. 23. Section 16-402, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-402 The city council of a city of the first class shall elect one of the city council members as president of the city council, and he or she shall preside at all meetings of the city council in the absence of the mayor. In the absence of the president, the city council members shall elect one of their own body to occupy the place temporarily, who shall be styled acting president of the city council. The president and acting president, when occupying the place of mayor, shall have the same privileges as other members of the city council, and all acts of the president or acting president while so acting shall be as binding upon the city council and upon the city as if done by the mayor.

Sec. 24. Section 16-403, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-403 All ordinances of a city of the first class shall be passed pursuant to such rules and regulations as the city council may provide, and all such ordinances may be proved by the certificate of the city clerk under the seal of the city. When printed or published in book or pamphlet form and purporting to be published by authority of the city, such ordinances shall be read and received in evidence in all courts and places without further proof. The passage, approval, and publication or posting of such ordinance shall be sufficiently proved by a certificate under the seal of the city from the city clerk showing that such ordinance was passed and approved, and when and in what paper the same was published, and when and by whom and where the same was posted. When ordinances are published in book or pamphlet form, purporting to be published by authority of the city council, the same need not be otherwise published and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts without further proof.

Sec. 25. Section 16-404, Revised Statutes Cumulative Supplement,
1 2018, is amended to read:
2
3 16-404 (1) All ordinances and resolutions or orders for the
4 appropriation or payment of money in a city of the first class shall
5 require for their passage or adoption the concurrence of a majority of
6 all members elected to the city council. The mayor may vote on any such
7 matter when his or her vote will provide the additional vote required to
8 create a number of votes equal to a majority of the number of members
9 elected to the city council, and the mayor shall, for the purpose of such
10 vote, be deemed to be a member of the city council.

11 (2) Ordinances of a general or permanent nature in a city of the
12 first class shall be read by title on three different days unless three-
13 fourths of the city council members vote to suspend this requirement,
14 except that in a city having a commission form of government such
15 requirement may be suspended by a three-fifths majority vote. Regardless
16 of the form of government, such requirement shall not be suspended for
17 any ordinance for the annexation of territory or the redrawing of
18 boundaries for city council election districts or wards. In case such
19 requirement is suspended, the ordinances shall be read by title or number
20 and then moved for final passage. Three-fourths of the city council
21 members may require a reading of any such ordinance in full before
22 enactment under either procedure set out in this section, except that in
23 a city having a commission form of government, such reading may be
24 required by a three-fifths majority vote.

25 (3) Ordinances in a city of the first class shall contain no subject
26 which is not clearly expressed in the title, and, except as provided in
27 section 19-915, no ordinance or section thereof shall be revised or
28 amended unless the new ordinance contains the entire ordinance or section
29 as revised or amended and the ordinance or section so amended is
30 repealed, except that:

31 (a) For an ordinance revising all the ordinances of a the city of
32 the first class, the only title necessary shall be An ordinance of the
city of ..........., revising all the ordinances of the city. Under such
title all the ordinances may be revised in sections and chapters or
otherwise, may be corrected, added to, and any part suppressed, and may
be repealed with or without a saving clause as to the whole or any part
without other title; and

(b) For an ordinance used solely to revise ordinances or code
sections or to enact new ordinances or code sections in order to adopt
statutory changes made by the Legislature which are specific and
mandatory and bring the ordinances or code sections into conformance with
state law, the title need only state that the ordinance revises those
ordinances or code sections affected by or enacts ordinances or code
sections generated by legislative changes. Under such title, all such
ordinances or code sections may be revised, repealed, or enacted in
sections and chapters or otherwise by a single ordinance without other
title.

Sec. 26. Section 16-405, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-405 The style of ordinances of a city of the first class shall
be: "Be it ordained by the mayor and city council of the city
of ...............," and all ordinances of a general nature shall,
within fifteen days after they are passed, be published in a legal
newspaper in or of general circulation within the city, or in pamphlet
form, to be distributed or sold, as may be provided by ordinance. Every
ordinance fixing a penalty or forfeiture for its violation shall, before
the ordinance takes effect, be published for at least one week in the
manner prescribed in this section. In cases of riots, infectious
diseases, or other impending danger, or any other emergency requiring its
immediate operation, such ordinance shall take effect upon the
proclamation of the mayor immediately upon its first publication as
provided in this section.

Sec. 27. Section 16-406, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-406 The city council of a city of the first class or any committee of the members thereof shall have power to compel the attendance of witnesses for the investigation of matters that may come before them. The president or acting president of the city council, or chairperson of such committee for the time being, may administer such requisite oaths. Such city council or committee shall have the same authority to compel the giving of testimony as is conferred on courts of justice.

Sec. 28. Section 16-501, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-501 No contract shall be made by the city council in a city of the first class or any committee or member thereof and no expense shall be incurred by any of the officers or departments of the city, whether the object of the expenditure shall have been ordered by the city council or not, unless an appropriation shall have been previously made concerning such expense, except as otherwise expressly provided by law.

Sec. 29. Section 16-502, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-502 No officer shall receive any pay or perquisites from a city of the first class other than his or her salary, as provided by ordinance and the law relating to cities of the first class, and the city council shall not pay or appropriate any money or any valuable thing to any person not an officer for the performance of any act, service, or duty, the doing or performance of which shall come within the proper scope of the duties of any officer of such city, unless the money or valuable thing is specifically appropriated and ordered by a vote of three-fourths of all the members elected to the city council.

Sec. 30. Section 16-503, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-503 On the passage or adoption of every resolution or order to
enter into a contract, or accepting of work done under contract, by the
mayor or city council of a city of the first class, the yeas and nays
shall be called and entered upon the record. To pass or adopt any bylaw
or ordinance or any such resolution or order, a concurrence of a majority
of the whole number of the members elected to the city council shall be
required. The mayor may vote on any such matter when his or her vote will
provide the additional vote required to create a number of votes equal to
a majority of the number of members elected to the city council, and the
mayor shall, for the purpose of such vote, be deemed to be a member of
the city council. The requirements of a roll call or viva voce vote shall
be satisfied by a city which utilizes an electronic voting device which
allows the yeas and nays of each city council member to be readily seen
by the public.

Sec. 31. Section 16-606, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-606 The city council of a city of the first class may assess and
levy the whole expense and damage incurred in the creation of any street,
avenue, or alley upon the real property fronting upon the same and other
property nearby that may be benefited thereby in proportions according to
benefits. Such assessments and levy shall be made by resolution, at a
regular meeting of the city council, and notice of the time of such
meeting and that such assessments will be made thereat shall be published
in a legal newspaper in or of general circulation within the city ten
days before such meeting. Such special taxes shall be due and payable to
the city treasurer in thirty days after the assessment and levy. At the
time of the next certification to the county clerk for general revenue
purposes, such special assessment and levy, so far as not then paid,
shall be certified to the county clerk and be put upon the tax list and
be collected as other real estate taxes are collected, and paid over to
the city treasurer to reimburse the city. Such special taxes shall be a
liens on the property upon which assessed and levied from the assessment,
and shall bear interest at a rate not to exceed the rate of interest
specified in section 45-104.01, as such rate may from time to time be
adjusted by the Legislature, from the time due until paid. The
proceedings for widening streets shall be the same as herein provided for
creating new streets, and shall apply to the widening of streets, alleys,
and avenues.

Sec. 32. Section 16-609, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-609 The city council of a city of the first class shall have
power to open, control, name, rename, extend, widen, narrow, vacate,
grade, curb, gutter, park, and pave or otherwise to improve and control
and keep in good repair and condition, in any manner it may deem proper,
any street, avenue, or alley, or public park or square, or part of
either, within the limits of the city or within its extraterritorial
zoning jurisdiction, and it may grade partially or to the established
grade, or park or otherwise improve any width or part of any such street,
avenue, or alley. When the city vacates all or any portion of a street,
avenue, or alley, or public park or square, or part of either, the city
shall, within thirty days after the effective date of the vacation, file
a certified copy of the vacating ordinance with the register of deeds for
the county in which the vacated property is located to be indexed against
all affected lots.

Sec. 33. Section 16-610, Reissue Revised Statutes of Nebraska, is
amended to read:

16-610 The mayor and city council of a city of the first class shall have
the care, supervision and control of all public highways, bridges,
streets, alleys, public squares and commons, and shall cause the same to
be kept open and in repair and free from nuisances.

Sec. 34. Section 16-611, Reissue Revised Statutes of Nebraska, is
amended to read:

16-611 (1) Upon the vacation of any street or alley by a the city of
(2) When a portion of a street or alley is vacated only on one side of the center thereof, the title to such property shall vest in the owner of the abutting property and become part of such property unless the city reserves title in the ordinance vacating a portion of such street or alley. If title is retained by the city, such property may be sold, conveyed, exchanged, or leased upon such terms and conditions as shall be deemed in the best interests of the city.

(3) When the city vacates all or any portion of a street or alley, the city shall, within thirty days after the effective date of the vacation, file a certified copy of the vacating ordinance with the register of deeds for the county in which the vacated property is located to be indexed against all affected lots.

(4) The title to property vacated pursuant to this section shall be subject to the following:

(a) There is reserved to the city the right to maintain, operate, repair, and renew public utilities existing at the time title to the property is vacated there; and

(b) There is reserved to the city, any public utilities, and any cable television systems the right to maintain, repair, renew, and operate water mains, gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines, and other similar services and equipment and appurtenances, including lateral connections or branch lines, above, on, or below the surface of the ground that are existing as valid easements at the time title to the property is vacated for the purposes of serving the general public or the
abutting properties and to enter upon the premises to accomplish such purposes at any and all reasonable times.

Sec. 35. Section 16-614, Reissue Revised Statutes of Nebraska, is amended to read:

16-614 The mayor and city council of a city of the first class may provide for regulating and requiring the numbering of houses along public streets or avenues.

Sec. 36. Section 16-615, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-615 (1) The mayor and city council of a city of the first class may establish the grade of any street, avenue, or alley in the city or within a county industrial area as defined in section 13-1111 contiguous to such city. When the grade of any street, avenue, or alley has been established, the grade of all or any part shall not be changed unless the city clerk has sent notice of the proposed change in grade to the owners of the lots or land abutting upon the street, avenue, or alley or part of a street, avenue, or alley where such change of grade is to be made. The notice shall be sent to the addresses of the owners as they appear in the office of the register of deeds upon the date of the mailing of the notice. The notice shall be sent by regular United States mail, postage prepaid, postmarked at least twenty-one days before the date upon which the city council takes final action on approval of the ordinance authorizing the change in grade. The notice shall inform the owner of the nature of the proposed change, that final action by the city council is pending, and of the location where additional information on the project may be obtained. Following the adoption of an ordinance changing the grade of all or any part of a street, avenue, or alley, no change in grade shall be made until the damages to property owners which may be caused by such change of grade are determined as provided in sections 76-704 to 76-724.

(2) For the purpose of paying the damages, if any, so awarded, the
mayor and city council may borrow money from any available fund in the amount necessary, which amount, upon the collection of such amount by special assessment, shall be transferred from such special fund to the fund from which it has been borrowed. No street, avenue, or alley shall be worked to such grade or change of grade until the damages so assessed shall be tendered to such property owners or their agents. Before the mayor and city council enter into any contract to grade any such street, avenue, or alley, the damages, if any, sustained by the property owners, shall be ascertained by condemnation proceedings. For the purpose of paying the damages awarded and the costs of the condemnation proceedings, the mayor and city council may levy a special assessment upon the lots and lands abutting upon such street, avenue, or alley, or part thereof, so graded, as adjudged by the mayor and city council to be especially benefited in proportion to such benefits. Such assessment shall be collected as other special assessments.

Sec. 37. Section 16-618, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-618 Any improvement district created pursuant to section 16-617 shall include only portions of different streets, or portions of alleys, or portions of each, which abut or adjoin so that such district, when created, makes up one continuous or extended street or more, except that the district may include a cul de sac, any street, alley, or portion thereof which is closed at one end or which connects with only one other existing street, alley, or portion thereof. Any improvement district may include portions of different streets, or portions of different alleys, or portions of each, if they abut or connect with each other, or if the several portions abut on pavement or gravel already laid, or any other of improvements already laid.

Sec. 38. Section 16-621, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-621 In advertising for bids for paving, repaving, graveling, or
macadamizing, the mayor and city council of a city of the first class may provide for bids on different materials and types of construction, and shall in addition provide for asking bids on any material or materials that may be suggested by petition of owners of the record title representing twenty-five percent of the abutting property owners in an improvement district, if such petition is filed with the city clerk before advertisement for bids is ordered. On opening of bids for paving or repaving in any such district, the mayor and city council shall postpone action thereon for a period of not less than ten days. During such period of postponement, the owners of the record title representing a majority of the abutting property owners in a district may file with the city clerk a petition for the use of a particular material for paving for which a bid has been received, in which event a bid on that material shall be accepted and the work shall be done with that material. The regulations as to advertising for bids and opening of bids and postponing of action thereon and the right of selection of materials shall not apply in case of graveling. In case such owners fail to designate the material they desire used in such paving or repaving, or macadamizing, in the manner and within the time provided in this section, the mayor and city council shall determine the material to be used. The mayor and city council may reject all bids and readvertise if, in their judgment, the public interest requires.

Sec. 39. Section 16-624, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-624 Whenever the owners of lots or lands abutting upon any street, avenue, or alley within a the city of the first class, representing three-fourths of the front footage thereon, so that an improvement district when created will make up one continuous or extended thoroughfare or more, shall petition the mayor and city council to make improvement of such street, avenue, or alley without cost to the city, and to assess the entire cost of any such improvements in any such
street, avenue, or alley, including intersections of streets or avenues and spaces opposite alleys, against the private property within such improvement district or districts, it shall be the duty of the mayor and city council to create the proper improvement district or districts, which shall be consecutively numbered, and to improve the same and to proceed in the same manner and form as provided for in other improvement districts. The mayor and city council shall have power to levy the entire cost of such improvements of any such street, avenue, or alley, including intersections of streets or avenues and spaces opposite alleys, against the private property within such district, and to issue Street Improvement Bonds of District No. ..... to pay for such improvements in the same manner and form as provided for in other improvement bonds. Such bonds shall be issued to cover the entire cost of so improving such streets or avenues, intersections of the same, and spaces opposite alleys. If the assessments provided for, or any part thereof, shall fail, or for any reason shall be invalid, the mayor and city council may make other and further assessments upon such lots or lands as may be required to collect from the same the cost of any improvements properly chargeable thereto, as provided in this section. The mayor and city council shall have the discretion to deny the formation of the proposed district when the area to be improved has not previously been improved with a water system, sewer system, and grading of streets. If the mayor and city council should deny a requested improvement district formation, they shall state their grounds for such denial in a written letter to interested parties.

Sec. 40. Section 16-626, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-626 In a city of the first class, for all improvements of the intersections and areas formed by the crossing of streets, avenues, or alleys, and one-half of the streets adjacent to real estate owned by the United States, the State of Nebraska, or the city, the assessment
shall be made upon all the taxable property of the city, and for the payment of such improvements, the mayor and city council are hereby authorized to issue improvement bonds of the city in such denominations as they deem proper, to be called Intersection Improvement Bonds, payable in not to exceed twenty years from date of the bonds and to bear interest payable annually or semiannually. Such bonds shall not be issued in excess of the cost of such improvements. For the purpose of making partial payments as the work progresses in making the improvements of streets, avenues, alleys, or intersections and areas formed by the crossing of streets, avenues, or alleys, or one-half of the streets adjacent to real estate owned by the United States, the State of Nebraska, or the city, warrants may be issued by the mayor and city council upon certificates of the engineer in charge showing the amount of the work completed and materials necessarily purchased and delivered for the orderly and proper continuation of the project, in a sum not exceeding ninety-five percent of the cost thereof, and upon completion and acceptance of the work issue a final warrant for the balance of the amount due the contractor, which warrants shall be redeemed and paid upon the sale of bonds authorized by law. The city shall pay to the contractor interest at the rate of eight percent per annum on the amounts due on partial and final payments beginning forty-five days after the certification of the amounts due by the engineer in charge and approval by the city council, and running until the date that the warrant is tendered to the contractor. Nothing in this section shall be construed as authorizing the mayor and city council to make improvements of any intersections or areas formed by the crossing of streets, avenues, or alleys, unless in connection with one or more blocks of any of aforesaid kinds or forms of street improvement of which the improvement of such intersection or areas shall form a part.

Sec. 41. Section 16-627, Revised Statutes Cumulative Supplement, 2018, is amended to read:
16-627 The cost and expense of improving, constructing, or repairing streets, avenues, alleys, and sidewalks, at their intersections as provided in section 16-626, may be included in the special tax levied for the construction or improvement of any one street, avenue, alley, or sidewalk, as may be deemed best by the city council.

Sec. 42. Section 16-629, Reissue Revised Statutes of Nebraska, is amended to read:

16-629 In a city of the first class, curbing and guttering shall not be required or ordered to be laid on any street, avenue or alley not ordered to be paved, repaved, graveled or macadamized, except on a petition of the owners of two-thirds of the front footage of property abutting along the line of that portion of the street, avenue or alley which is to be curbed or guttered.

When such petition is presented, a curbing and guttering district shall be formed, which district shall be governed by the provisions of section 16-630. Any bonds issued on account of such district shall be known as Bonds of Curbing and Guttering District No. ......... .

Sec. 43. Section 16-630, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-630 If curbing, or curbing and guttering, is done upon any street, avenue, or alley in any improvement district in a city of the first class in which paving or other such improvement has been ordered, and the mayor and city council shall deem it expedient to do so, the mayor and city council may, for the purpose of paying the cost of such curbing, or curbing and guttering, cause to be issued bonds of the city, to be called Curbing and Guttering Bonds of Improvement District No. ......., payable in not exceeding ten years from date, bearing interest, payable annually or semiannually, with interest coupons attached. In all cases the mayor and city council shall assess at one time as a special assessment the total cost of such curbing, or curbing and guttering, upon the property abutting or adjacent to the portion of
the street, avenue, or alley so improved, according to the special
benefits. Such special assessments shall become delinquent the same as
the special assessments for paving, repaving, graveling, or macadamizing
purposes, draw the same rate of interest, be subject to the same
penalties, and may be paid in the same manner, as special assessments for
such purpose. The special assessment shall constitute a sinking fund for
the payment of such bonds and interest, and the bonds shall not be sold
for less than their par value.

Sec. 44. Section 16-631, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-631 If an improvement district has been established in a city of
the first class, an improvement thereon constructed, and curbing, or
curbing and guttering, is therewith constructed and it becomes necessary
to issue and sell street improvement bonds to pay for the cost of
construction of the improvement and the curbing, or curbing and
guttering, the mayor and city council may, at their discretion, include
the cost of curbing, or curbing and guttering, with the cost of other
improvements in the improvement district, and issue bonds for the
combined cost of the improvement and curbing, or curbing and guttering,
in any of the districts, naming the bonds Street Improvement Bonds of
District No. ........ . The amount of money necessary for the payment of
such bonds shall be levied upon and collected from abutting and adjacent
property and property specially benefited as a special assessment.

Sec. 45. Section 16-632, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-632 In order to defray the costs and expenses of improvements in
any improvement district in a city of the first class, the mayor and city
council shall have power and authority to levy and collect special taxes
and assessments upon the lots and pieces of ground adjacent to or
abutting upon the street, avenue, alley, or sidewalk, thus in whole or in
part improved or repaired or which may be specially benefited by such
improvements. The provisions in this section shall not apply to ordinary repairs of streets or alleys, and the cost of such repairs shall be paid out of the road fund. The mayor and city council are authorized to draw warrants against such fund not to exceed eighty-five percent of the amount levied as soon as levy shall be made by the county board.

Sec. 46. Section 16-637, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-637 Any party feeling aggrieved by any special tax or assessment, or proceeding for improvements in a city of the first class, may pay such special taxes assessed and levied upon his, her, or its property, or such installments thereof as may be due at any time before the special tax or assessment shall become delinquent, under protest, and with notice in writing to the city treasurer that he, she, or it intends to sue to recover the special tax or assessment, which notice shall particularly state the alleged grievance and the ground for the grievance. Such party shall have the right to bring a civil action within sixty days to recover so much of the special tax or assessment paid as he, she, or it shows to be illegal, inequitable, and unjust, the costs to follow the judgment or to be apportioned by the court, as may seem proper, which remedy shall be exclusive. The city treasurer shall promptly report all such notices to the city council for such action as may be proper. No court shall entertain any complaint that the party was authorized to make and did not make to the city council, sitting as a board of equalization, nor any complaint not specified in such notice fully enough to advise the city of the exact nature thereof, nor any complaint that does not go to the groundwork, equity, and justness of such tax. The burden of proof to show such tax or part thereof invalid, inequitable, and unjust shall rest upon the party who brings the suit.

Sec. 47. Section 16-645, Reissue Revised Statutes of Nebraska, is amended to read:

16-645 In a city of the first class, all cases of damages arising
from the creation or widening of new streets, avenues, or alleys, from
the appropriation of property for sewers, parks, parkways, public
squares, public heating plants, power plants, gas works, electric light
plants, waterworks, or market places, and from change of grade in
streets, avenues, or alleys, the damages sustained shall be ascertained
and determined as provided in sections 76-704 to 76-724, except as to
property specifically excluded by section 76-703 and as to which sections
19-701 to 19-707 or the Municipal Natural Gas System Condemnation Act is
applicable.

Sec. 48. Section 16-646, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-646 In every case of the levy of special taxes by a city of the
first class, the special taxes shall be a lien on the property on which
levied from date of levy and shall be due and payable to the city
treasurer thirty days after such levy when not otherwise provided. At the
time of the next certification for general revenue purposes to the county
clerk, if not previously paid, the special taxes, except paving, repaving, graveling, macadamizing, and curbing or curbing and guttering
shall be certified to the county clerk, placed upon the tax list, collected as other real estate taxes are collected, and paid over to the
city treasurer. Paving, repaving, graveling, macadamizing, and curbing, or curbing and guttering taxes may be so certified and collected by the
county treasurer at the option of such city.

Sec. 49. Section 16-647, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-647 In every case of the levy of special taxes by a city of the
first class, it shall be sufficient in any case to describe the lot or
piece of ground as it is platted and recorded although the lot or piece
of ground belongs to several persons. If any lot or piece of ground
belongs to different persons, the owner of any part thereof may pay his
or her portion of the tax on such lot or piece of ground, and his or her
proper share may be determined by the city treasurer.

Sec. 50. Section 16-648, Reissue Revised Statutes of Nebraska, is amended to read:

16-648 All money received from special assessments by a city of the first class may be applied to pay for the improvement for which assessed, or applied to reimburse the fund of the city from which the cost of the improvement may have been made.

Sec. 51. Section 16-649, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-649 All improvements of any streets, avenues, or alleys in a city of the first class for which, or any part thereof, a special tax shall be levied, shall be done by contract with the lowest responsible bidder to be determined by the city council.

Sec. 52. Section 16-650, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-650 When any improvement in a city of the first class is completed according to contract, it shall be the duty of the city engineer to carefully inspect the improvement and if the improvement is found to be properly done, such engineer shall accept the improvement and report his or her acceptance to the board of public works or mayor, who shall report the same to the city council with recommendation that the same be approved or disapproved. The city council may confirm or reject such acceptance. When the ordinance levying the tax makes the same due as the improvement is completed in front of or along any block or piece of ground, the city engineer may accept the same in sections from time to time, if found to be done according to the contract, reporting his or her acceptance as in other cases.

Sec. 53. Section 16-651, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-651 Whenever the owners of lots and lands abutting upon any street or alley, or part thereof, within a city of the first class,
representing two-thirds of the feet front abutting upon such part of street or alley desired to be graded, shall petition the city council to grade such street or alley, or part thereof, without cost to the city, the mayor and city council shall order the grading done and assess the costs thereof against the property abutting upon such street or alley or such part thereof so graded. For this purpose the mayor and city council shall create suitable grading districts, which shall be consecutively numbered.

Sec. 54. Section 16-652, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-652 The cost of grading the streets and alleys within a grading district in a city of the first class shall be assessed upon the lots and lands specially benefited thereby in such district in proportion to such benefits, to be determined by the mayor and city council under section 16-615, as a special assessment. The special assessment for grading purposes shall be levied at one time and shall become delinquent as follows: One-fifth of the total amount shall become delinquent in fifty days after such levy; one-fifth in one year; one-fifth in two years; one-fifth in three years; and one-fifth in four years. Each of the installments, except the first, shall draw interest at a rate not to exceed the rate of interest specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, from the time of the levy until the installment becomes delinquent. If the installment becomes delinquent, interest at the rate specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, shall be paid thereon, as in the case of other special assessments. The cost of grading the intersections of streets and spaces opposite alleys in any such district shall be paid by the city out of the general fund of such city.

Sec. 55. Section 16-653, Revised Statutes Cumulative Supplement, 2018, is amended to read:
16-653 For the purpose of paying the costs of grading the streets and alleys in a grading district in a city of the first class, exclusive of the intersection of streets and spaces opposite alleys therein, the mayor and city council shall have power, and may, by ordinance, cause to be issued bonds of the city, to be called District Grading Bonds of District No. ...., payable in not exceeding five years from date and to bear interest, payable annually or semiannually, with interest coupons attached, and that as nearly as possible an equal amount of the bonds shall be made to mature each year, and in such case shall also provide that such special taxes and assessments shall constitute a sinking fund for the payment of such bonds and interest. The entire cost of grading any such street or alley properly chargeable to any lots or lands within any such grading district, according to feet front thereof, may be paid by the owner of such lots or lands within fifty days from the levy of such special taxes or assessments. Upon payment, such lot or land shall be exempt from any lien or charge therefor.

Sec. 56. Section 16-654, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-654 Whenever the owner of lots and lands abutting upon any street or avenue, alley, or lane, or part thereof in a city of the first class, representing three-fourths of the feet front abutting upon any such street, avenue, alley, or lane, or part thereof, shall petition the mayor and city council to grade the street, avenue, alley, or lane, including the intersections of streets, avenues, or lanes and spaces opposite alleys and lanes, without cost to the city, and to assess the entire cost of grading such street, avenue, alley, or lane or part thereof, including the intersections of streets, avenues, or lanes and spaces opposite alleys or lanes, against the lots and lands abutting upon such street, avenue, alley, or lane, or part thereof, so graded, thereupon the mayor and city council shall create grading districts, make assessments, issue bonds, and proceed in the same manner as in cases of grading provided in
sections 16-651 and 16-653. Bonds shall be issued to cover the entire
cost of grading both the streets, avenues, or alleys, and the
intersections of streets or avenues and spaces opposite alleys.

Sec. 57. Section 16-661, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-661 The mayor and city council of a city of the first class may
construct and repair, or cause and compel the construction and repair, of
sidewalks in such city of such material and in such manner as they may
deem necessary.

Sec. 58. Section 16-662, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-662 In case the owner or owners of any lot, lots, or lands
abutting on any street or avenue, or part thereof in a city of the first
class, shall fail to construct or repair any sidewalk in front of his,
her, or their lot, lots, or lands within the time and in the manner as
directed and requested by the mayor and city council, after having
received due notice to do so, they shall be liable for all damages or
injury occasioned by reason of the defective or dangerous condition of
any sidewalk, and the mayor and city council shall have power to cause
such sidewalk to be constructed or repaired and assess the cost thereof
against such property.

Sec. 59. Section 16-663, Reissue Revised Statutes of Nebraska, is
amended to read:

16-663 The mayor and city council of a city of the first class shall
have power to provide for keeping the sidewalks clean and free from
obstructions and accumulations of snow, ice, mud, and slush, and may
provide for the assessment and collection of taxes on real estate and for
the sale and conveyance thereof to pay expenses of keeping the sidewalks
adjacent to such real estate clean and free from obstructions and
accumulations of snow, ice, mud, and slush, and the mayor and city
council shall also have power to provide that the violation of the
ordinance relative thereto shall give rise to a cause of action for damages in favor of any person who is injured by the failure or neglect of the owner and occupant of the real estate to comply with the ordinance in question.

Sec. 60. Section 16-664, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-664 The mayor and city council of a city of the first class may provide for the laying of permanent sidewalks. Upon the petition of any property owner who desires to build such a permanent sidewalk, the mayor and city council may order the sidewalk to be built, the cost of the sidewalk until paid shall be a perpetual lien upon the real estate along which the property owner desires such sidewalk to be constructed, and the city council may assess and levy the costs of the sidewalk against such real estate as a special assessment. The total cost of the building of the permanent sidewalk shall be levied at one time upon the property along which such permanent sidewalk is to be built, and become delinquent as follows: One-seventh of the total cost shall become delinquent in ten days after such levy; one-seventh in one year; one-seventh in two years; one-seventh in three years; one-seventh in four years; one-seventh in five years; and one-seventh in six years. Each of such installments, except the first, shall draw interest at a rate of not exceeding the rate of interest specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, from the time of the levy, until the installment becomes delinquent. If the installment becomes delinquent, interest at the rate specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, shall be paid thereon as in the case of other special assessments. The city council shall pay for the building of such permanent sidewalk out of the general fund. The mayor and city council may pass an ordinance to carry into effect this section.

Sec. 61. Section 16-665, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-665 The mayor and city council of a city of the first class may provide for the laying of permanent sidewalks and of temporary plank sidewalks upon the natural surface of the ground without regard to the grade, on streets not permanently improved, and provide for the assessment of the cost therein on the property in front of which such sidewalks shall be laid.

Sec. 62. Section 16-671.01, Reissue Revised Statutes of Nebraska, is amended to read:

16-671.01 For the purpose of making partial payments as the work progresses, warrants may be issued by the mayor and city council of a city of the first class upon certificates of the engineer in charge showing the amount of work completed and materials necessarily purchased and delivered for the orderly and proper continuation of the project in a total amount not to exceed ninety-five percent of the cost thereof and upon the completion and acceptance of the work issue a final warrant for the balance of the amount due the contractor. The city shall pay to the contractor interest at the rate of eight percent per annum on the amounts due on partial and final payments beginning forty-five days after the certification of the amounts due by the engineer in charge and approval of the governing body, and running until the date that the warrant is tendered to the contractor. The warrants shall be redeemed and paid out of the proceeds received from the special assessments levied under the provisions of section 16-669, or out of the proceeds of the bonds or warrants issued under the provisions of sections 16-670 and 16-671. The warrants shall draw such interest as shall be provided in the warrants from the date of registration until paid.

Sec. 63. Section 16-672, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-672 Special assessments may be levied by the mayor and city council of a city of the first class for the purpose of paying the cost
of constructing sewers, drainage, or water systems or mains within the
city. Such assessment shall be levied on the real estate lying and being
within the sewerage, drainage, or water service district in which such
improvements may be situated to the extent of benefits to such property
by reason of such improvement. The benefits to such property shall be
determined by the city council sitting as a board of equalization, after
notice to property owners is provided as in other cases of special
assessment. If the city council, sitting as such board of equalization,
shall find such benefits to be equal and uniform, such levy may be
according to the front foot of the lots or real estate within such
sewerage district, according to such other rule as the city council
sitting as such board of equalization may adopt for the distribution or
adjustment of such cost upon the lots or real estate in such district
benefited by such improvement. All assessments made for sewerage,
drainage, or water purposes shall be collected as special assessments and
shall be subject to the same penalty as other special assessments. If
sewers, drainage, or water systems or mains are constructed and any
assessments to cover the costs thereof shall be declared void, or doubts
exist as to the validity of such assessment, the mayor and city council,
for the purpose of paying the cost of such improvement, may make a
reassessment of such costs on lots and real estate lying and being within
the district in which such improvements may be situated, to the extent of
the benefits to such property by reason of such improvements. Such
reassessment shall be made substantially in the manner provided for
making original special assessments as provided in this section. Any sums
which may have been paid toward such improvement upon any lots or real
estate included in such assessment shall be applied under the direction
of the city council to the credit of the persons and property on account
of which the sums were paid. If the credits exceed the sum reassessed
against such persons and property, the city council shall cause such
excess, with lawful interest, to be refunded to the party who made
payment thereof. The sums so reassessed and not paid under a prior special assessment shall be collected and enforced in the same manner and be subject to the same penalty as other special assessments.

Sec. 64. Section 16-672.07, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-672.07 The hearing on the proposed assessments as provided in section 16-672.06 shall be held by the mayor and city council sitting as a board of adjustment and equalization, at the time and place specified in such notice which shall not be less than twenty days nor more than thirty days after the date of the first publication, unless adjourned. Such session may be adjourned, with provisions for proper notice of such adjournment. At such meeting, the proposed assessment shall be adjusted and equalized with reference to benefits resulting from the improvement and shall not exceed such benefits. If any special assessment is payable in installments, each installment shall draw interest payable annually or semiannually from the date of levy until due. Any delinquent installments shall draw interest at the rate specified in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, from the date of delinquency until paid.

Sec. 65. Section 16-674, Reissue Revised Statutes of Nebraska, is amended to read:

16-674 The mayor and city council of a city of the first class shall have power to purchase or provide for, establish, construct, extend, enlarge, maintain, operate, and regulate for the city any such waterworks, gas works, power plant, including an electrical distribution facility, electric or other light works, or heating plant, or to condemn and appropriate, for the use of the city, waterworks, gas works, power plant, including an electrical distribution facility, electric or other light works, or heating plant. The procedure to condemn property shall be exercised in the manner set forth in sections 76-704 to 76-724, except as to property specifically excluded by section 76-703 and as to which
sections 19-701 to 19-707 or the Municipal Natural Gas System
Condemnation Act is applicable. For purposes of this section, an
electrical distribution facility shall be located within the retail
service area of such city as approved by and on file with the Nebraska
Power Review Board, pursuant to Chapter 70, article 10.
Sec. 66. Section 16-675, Reissue Revised Statutes of Nebraska, is
amended to read:

16-675 The mayor and city council of a city of the first class may
levy a tax, not exceeding seven cents on each one hundred dollars upon
the taxable value of all the taxable property in such city, for the
purpose of paying the cost of lighting the streets, lanes, alleys, and
other public places or property of the city, for the purpose of
furnishing water, heat, or power for the city, or for the purpose of
buying, establishing, extending, or maintaining such waterworks, gas,
electric, or other light works, or heating or power plant, not exceeding
three and five-tenths cents on each one hundred dollars upon the taxable
value of all the taxable property in such city for any one of the
respective purposes.
Sec. 67. Section 16-679, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-679 The mayor and city council of a city of the first class shall
have power (1) to require every individual or private corporation
operating such works or plants, subject to reasonable rules and
regulations, to furnish any person applying therefor, along the line of
its pipes, mains, wires, or other conduits, with gas, water, power,
light, or heat, and to supply such city with water for fire protection,
and with gas, water, power, light, or heat, for other necessary public or
private purposes, (2) to regulate and fix the rents or rates of water,
power, gas, electric light, or heat, and (3) to regulate and fix the
charges for water meters, power meters, gas meters, electric light, or
heat meters, or other device or means necessary for determining the
consumption of water, power, gas, electric light, or heat. These powers
shall not be abridged by ordinance, resolution, or contract.

Sec. 68. Section 16-680, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-680 The mayor and city council of a city of the first class shall
have power to borrow money and pledge the property and credit of the city
upon its negotiable bonds or otherwise in an amount not exceeding in the
aggregate four hundred thousand dollars for the purpose of constructing
or aiding in the construction of a system of sewerage. The city may
borrow money and pledge the property and credit of the city upon its
negotiable bonds or otherwise in any amount, not exceeding in the
aggregate seven hundred fifty thousand dollars, for the purpose of
constructing culverts and drains for the purpose of deepening, widening,
straightening, walling, filling, covering, altering, or changing the
channel of any watercourse or any natural or artificial surface waterway
or any creek, branch, ravine, ditch, draw, basin, or part thereof flowing
or extending through or being within the limits of the city and for the
purpose of constructing artificial channels or covered drains sufficient
to carry the water theretofore flowing in such watercourse and divert it
from the natural channel and conduct the water through such artificial
channel or covered drain and fill the old channel. The city may borrow
money and pledge the property and credit of the city upon its negotiable
bonds or otherwise in an amount not exceeding in the aggregate two
hundred fifty thousand dollars for the purpose of constructing,
maintaining, and operating a system of waterworks for the city. No such
bonds shall be issued by the city council until the question of issuing
the bonds has been submitted to the electors of the city at an election
called and held for that purpose, notice of which shall be given by
publication in a legal newspaper in or of general circulation in the city
at least thirty days before the date of the election, and a majority of
the electors voting upon the proposition have voted in favor of issuing
such bonds. When any such bonds have been issued by the city, the city
may levy annually upon all taxable property of the city such tax as may
be necessary for a sinking fund for the payment of the accruing interest
upon the bonds and the principal thereof at maturity. The city may
provide for the office of sewer commissioner or water commissioner and
prescribe the duties and powers of such offices.

Sec. 69. Section 16-691, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-691 The mayor and city council of a city of the first class may
by ordinance confer upon the board of public works the active direction
and supervision of the city's system of waterworks, power plant, or
sewerage, heating, or lighting plant and the erection and construction of
such system or plant. The board may provide that such duties be performed
by such employee or employees as it may direct. The city council shall
approve the budget of each proprietary function as provided in the
Municipal Proprietary Function Act. The board shall make reports to the
mayor and city council as often as the mayor and city council may
require. In like manner the mayor and city council may confer upon such
board the active direction and supervision of the system of streets and
alleys.

The mayor and city council may, by ordinance, authorize and empower
the board of public works to employ necessary laborers and clerks, to
purchase material for the operation and maintenance of the systems, and
to draw its orders on the several funds in the hands of the city
treasurer to the credit of the various systems in payment of salaries,
labor, and material. The mayor and city council shall establish the
dollar amount for all extensions and projects above which the board of
public works must obtain the approval of the mayor and city council
before expending funds. The mayor and city council may, by ordinance,
authorize and empower the board of public works to cooperate and
participate in a plan of insurance designed and intended for the benefit
of the employees of any public utility operated by the city. For that purpose the board of public works may make contributions to pay premiums or dues under such plan, authorize deductions from salaries of employees, and take such other steps as may be necessary to effectuate such plan of insurance. All orders for the disbursement of funds shall be signed by the chairperson and secretary of the board or by any two members of the board who have previously been designated for that purpose by a resolution duly adopted by such board and shall be paid by the city treasurer, except that payroll checks only may be signed by any one member of the board who has previously been designated for that purpose by a resolution duly adopted by the board. Facsimile signatures of board members may be used to sign such orders and checks.

Sec. 70. Section 16-691.01, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-691.01 Any surplus funds remaining in the hands of the city treasurer of a city of the first class, to the credit of such various funds, may be invested by the board of public works, with the approval of the mayor and city council, in accordance with the provisions of sections 16-712, 16-713, and 16-715, in interest-bearing securities of the State of Nebraska or any political subdivision thereof, in certificates of deposit of banks which are members of the Federal Deposit Insurance Corporation, or in interest-bearing securities of the United States upon an order for that purpose drawn by the board of public works upon the city treasurer. Such securities may be purchased, sold, or hypothecated by the board of public works with the approval of the mayor and city council, at their fair market value, and the interest earned by such securities shall be credited to the account of the utility from which the funds paid for the securities were originally drawn. In cities which have not conferred upon any board of public works the active direction and supervision of the city's system of waterworks, power plant, sewerage, and heating or lighting plant, the powers and duties conferred upon the
board of public works as to the purchase, sale, and hypothecation of such securities shall be exercised by the city treasurer. Securities so purchased shall be held by the city treasurer who shall provide adequate bond for their safekeeping. When sold, the treasurer shall deliver such securities to the purchaser and collect the sale price.

Sec. 71. Section 16-692, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-692 No member of the city council or the mayor of a city of the first class shall be eligible to the office of water commissioner during the term for which he or she shall be elected.

Sec. 72. Section 16-693, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-693 When any bonds shall have been issued by a city of the first class for the purpose of constructing or aiding in the construction of a system of waterworks, power plant, sewerage, heating, lighting, or drainage, there shall thereafter be levied annually upon all taxable property of such city a tax not exceeding seven cents on each one hundred dollars for every twenty thousand dollars of bonds so issued, which shall be known as the waterworks tax, power tax, sewerage tax, heat tax, light tax, or drainage tax, as the case may be, and shall be payable only in money. The proceeds of such tax, together with all income received by the city from the payment and collection of water, power, heat, or light, rent, taxes, and rates of assessments, shall first be applied to the payment of the current expenses of waterworks, power plant, heating, or lighting, to improvements, extensions, and additions thereto, and interest on money borrowed and bonds issued for their construction. The surplus, if any, shall be retained for a sinking fund for the payment of such loan or bonds at maturity.

Sec. 73. Section 16-697, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-697 (1) For the purpose of (a) providing funds for amusements and
recreation, (b) providing funds for laying out, purchasing, improving, and beautifying parks and public grounds, and (c) providing for the payment of the salaries and wages of employees of the board of park commissioners or the board of park and recreation commissioners, the mayor and city council of a city of the first class shall, each year at the time of making the levy for general city purposes, make a levy upon the taxable value of all the taxable property in such city. Such levy shall be collected and paid into the city treasury and shall constitute the park fund or park and recreation fund as the case may be.

(2) All accounts against the park fund or park and recreation fund of such city, provided for by subsection (1) of this section, for salaries and wages of the employees and all other expenses of such parks or recreational facilities shall be audited and allowed by the park or park and recreation commissioners. All warrants thereon shall be drawn only by the chairperson of the commissioners. Warrants so drawn shall be paid by the city treasurer out of such fund.

(3) The park or park and recreation commissioners of such city, as the case may be, shall enter into any contracts of any nature involving an expenditure in accordance with the policies of the city council.

(4) The chairperson of the board of park or park and recreation commissioners shall, on January 1 and July 1 of each year, file with the city clerk an itemized statement of all the expenditures of the board.

Sec. 74. Section 16-699, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-699 No charge or assessment of any kind shall be made or levied on any vehicle or on the owner of any vehicle bringing produce or provisions to any market place in the city of the first class, or standing in or occupying a place in any of the market places of the city, or in the street contiguous to such market places on market days. The mayor and city council shall have full power to prescribe the kind and description of articles which may be sold and the stand or place to be
occupied by the vendors and may authorize the immediate seizure and
arrest and removal from the markets of any person violating the
regulations as established by ordinance, together with any article of
produce in his or her possession, and the immediate seizure and
destruction of tainted or unsound meat, provisions, or other articles of
food.

Sec. 75. Section 16-6,100, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-6,100 The mayor and city council of a city of the first class
shall have the power to borrow money and pledge the property and credit
of the city upon its negotiable bonds or otherwise for the purpose of
acquiring, by purchasing or constructing, including site acquisition, or
aiding in the acquiring of a city hall, jail, auditorium, buildings for
the fire department, and other public buildings, including the
acquisition of buildings authorized to be acquired by Chapter 72, article
14, and including acquisition of buildings to be leased in whole or in
part by the city to any other political or governmental subdivision of
the State of Nebraska authorized by law to lease such buildings. No such
bonds shall be issued until after the same have been authorized by a
majority vote of the electors of the city voting on the proposition of
their issuance at an election called for the submission of such
proposition and of which election notice of the time and place thereof
shall have been given by publication in a legal newspaper in or of
general circulation in the city three successive weeks prior thereto. If
the building to be acquired is to be used by the State of Nebraska or its
agency or agencies under a lease authorized by Chapter 72, article 14, or
the building is to be leased by any other political or governmental
subdivision of the State of Nebraska or other governmental agencies and
if the combined area of the building to be leased by the state or its
agency or agencies and the political or governmental subdivision of the
State of Nebraska is more than fifty percent of the area of the building
and if the cost of acquisition does not exceed two million dollars, no such vote of the electors will be required.

Sec. 76. Section 16-702, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-702 (1) Subject to the limits in section 77-3442, the mayor and city council of a city of the first class shall have power to levy and collect taxes for all municipal purposes on the taxable property within the corporate limits of the city. All city taxes, except special assessments otherwise provided for, shall become due on the first day of December of each year.

(2) At the time provided for by law, the city council shall cause to be certified to the county clerk the amount of tax to be levied for purposes of the adopted budget statement on the taxable property within the city for the year then ensuing, as shown by the assessment roll for such year, including all special assessments and taxes assessed as provided by law. The county clerk shall place the same on the proper tax list to be collected in the manner provided by law for the collection of county taxes in the county where such city is situated.

(3) In all sales for delinquent taxes for municipal purposes, if there are other delinquent taxes due from the same person or lien on the same property, the sales shall be for all the delinquent taxes. Such sales and all sales made under and by virtue of this section or the provisions of law referred to in this section shall be of the same validity and, in all respects, shall be deemed and treated as though such sale had been made for the delinquent county taxes exclusively.

(4) The maximum amount of tax which may be certified, assessed, and collected for purposes of the adopted budget statement shall not require a tax levy in excess of eighty-seven and five-tenths cents on each one hundred dollars upon the taxable value of the taxable property within such city. Any special assessments, special taxes, amounts assessed as taxes, and such sums as may be authorized by law to be levied for the
payment of outstanding bonds and debts may be made by the city council in
addition to the levy of eighty-seven and five-tenths cents on each one
hundred dollars upon the taxable value of the taxable property within
such city. The city council may certify a further amount of tax to be
levied which shall not require a tax levy in excess of seven cents on
each one hundred dollars upon the taxable value of the taxable property
within such city for the purpose of establishing the sinking fund or
sinking funds authorized by sections 19-1301 to 19-1304, and in addition
thereto, when required by section 18-501, a further levy of ten and five-
tenths cents on each one hundred dollars upon the taxable value of the
taxable property within such city may be imposed.

(5) Nothing in this section shall be construed to authorize an
increase in the amounts of levies for any specific municipal purpose or
purposes elsewhere limited by law, whether limited in specific sums or by
tax levies.

Sec. 77. Section 16-706, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-706 The mayor and city council of a city of the first class shall
not have power to appropriate, issue, or draw any order or warrant on the
city treasurer for money, unless the order or warrant has been
appropriated or ordered by ordinance or the claim for the payment of
which such order or warrant is issued has been allowed according to
sections 16-726 to 16-729, and a fund has been provided in the adopted
budget statement out of which such claim is payable. Any transfer or
diversion of the money or credits from any of the funds to another fund
or to a purpose other and different from that for which proposed, except
as provided in section 16-721, shall render any city council member
voting therefor or any officer of the city participating therein guilty
of a misdemeanor, and any person shall, upon conviction thereof, be fined
twenty-five dollars for each offense, together with costs of prosecution.
Should any judgment be obtained against the city, the mayor and finance
committee, with the sanction of the city council, may borrow a sufficient amount to pay the judgments, for a period of time not to extend beyond the close of the next fiscal year, which sum and interest thereon shall, in like manner, be added to the amount authorized to be raised in the general tax levy of the next year and embraced therein.

Sec. 78. Section 16-707, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-707 The mayor and city council of a city of the first class shall meet as a board of equalization each year at such times as they shall determine to be necessary, giving notice of any such sitting at least ten days prior thereto by publication in a legal newspaper in or of general circulation in the city. When so assembled they shall have power to equalize all special assessments, not herein otherwise provided for, and to supply any omissions in the assessments and at such meeting the assessments shall be finally levied by them. A majority of all the members elected to the city council shall constitute a quorum for the transaction of any business properly brought before them, but a less number may adjourn from time to time and compel the attendance of absent members. When sitting as a board of equalization on special taxes, the city council may adopt such reasonable rules as to the manner of presenting complaints and applying for remedies and relief as shall seem just. It shall not invalidate or prejudice the proceedings of the board that a majority of the members thereof do not, after organization by a majority, continue present during the advertised hours of sitting so long as the city clerk or some member of the board shall be present to receive complaints and applications and give information. No final action shall be taken by the board except by a majority of all the members elected to the city council comprising the same, and in open session. All the special taxes herein authorized shall be levied and assessed on all lots, parts of lots, lands, and real estate to the extent of the special benefit to such lots, parts of lots, lands, and real estate, by reason of
such improvement, such benefits to be determined by the city council
sitting as a board of equalization, or as otherwise herein provided,
after publication and notice to property owners herein provided. In cases
where the city council sitting as a board of equalization shall find such
benefits to be equal and uniform, such assessments may be according to
the feet frontage and may be prorated and scaled back from the line of
such improvement according to such rules as the board of equalization may
consider fair and equitable and all such assessments and findings of
benefits shall not be subject to review in any equitable or legal action
except for fraud, injustice, or mistake.

Sec. 79. Section 16-712, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-712 The city treasurer of a city of the first class shall
deposit, and at all times keep on deposit, for safekeeping, in banks,
capital stock financial institutions, or qualifying mutual financial
institutions of approved and responsible standing, all money collected,
received, or held by him or her as city treasurer. Such deposits shall be
subject to all regulations imposed by law or adopted by the city council
for the receiving and holding thereof. The fact that a stockholder,
director, or other officer of such bank, capital stock financial
institution, or qualifying mutual financial institution shall also be
serving as mayor, as a member of the city council, as a member of a board
of public works, or as any other officer of such city shall not
disqualify such bank, capital stock financial institution, or qualifying
mutual financial institution from acting as a depository for such city
funds. Section 77-2366 shall apply to deposits in capital stock financial
institutions. Section 77-2365.01 shall apply to deposits in qualifying
mutual financial institutions.

Sec. 80. Section 16-713, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-713 The city treasurer of a city of the first class may, upon
resolution of the mayor and city council authorizing the action, purchase
certificates of deposit from and make time deposits in banks, capital
stock financial institutions, or qualifying mutual financial institutions
selected as depositories of city funds under the provisions of sections
16-712, 16-714, and 16-715. The certificates of deposit purchased and
time deposits made shall bear interest and shall be secured as set forth
in sections 16-714 and 16-715, except that the penal sum of such bond or
the sum of such security shall be reduced in the amount of the time
deposit or certificate of deposit insured or guaranteed by the Federal
Deposit Insurance Corporation. Section 77-2366 shall apply to deposits in
capital stock financial institutions. Section 77-2365.01 shall apply to
deposits in qualifying mutual financial institutions.

Sec. 81. Section 16-714, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-714 For the security of the fund so deposited, the city treasurer
of a city of the first class shall require each depository to give bond
for the safekeeping and payment of such deposits and the accretions
thereof, which bond shall run to the city and be approved by the mayor.
Such bond shall be conditioned that such a depository shall, at the end
of every quarter, render to the city treasurer a statement in duplicate,
showing the several daily balances, the amount of money of the city held
by it during the quarter, the amount of the accretion thereto, and how
credited. The bond shall also be conditioned that the depository shall
generally do and perform whatever may be required by the provisions of
sections 16-712 to 16-715 and faithfully discharge the trust reposed in
such depository. Such bond shall be as nearly as practicable in the form
provided in section 77-2304. No person in any way connected with any
depository as an officer or stockholder shall be accepted as a surety on
any bond given by the depository of which he or she is an officer or
stockholder. Such bond shall be deposited with the city clerk. Section
77-2366 shall apply to deposits in capital stock financial institutions.
Section 77-2365.01 shall apply to deposits in qualifying mutual financial institutions.

Sec. 82. Section 16-716, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-716 The city treasurer of a city of the first class shall not have on deposit in any bank, capital stock financial institution, or qualifying mutual financial institution at any time more than the amount insured or guaranteed by the Federal Deposit Insurance Corporation plus the maximum amount of the bond given by the bank, capital stock financial institution, or qualifying mutual financial institution if the bank, capital stock financial institution, or qualifying mutual financial institution gives a surety bond, nor in any bank, capital stock financial institution, or qualifying mutual financial institution giving a personal bond, more than the amount insured or guaranteed by the Federal Deposit Insurance Corporation plus one-half of the amount of the bond of such bank, capital stock financial institution, or qualifying mutual financial institution, and the amount so on deposit any time with any such bank, capital stock financial institution, or qualifying mutual financial institution shall not in either case exceed the amount insured or guaranteed by the Federal Deposit Insurance Corporation plus the paid-up capital stock and surplus of such bank, capital stock financial institution, or qualifying mutual financial institution.

The city treasurer shall not be liable for any loss sustained by reason of the failure of any such bonded depository whose bond has been duly approved by the mayor as provided in section 16-714 or which has, in lieu of a surety bond, given security as provided in section 16-715.

Sec. 83. Section 16-717, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-717 The city treasurer of a city of the first class shall receive all money belonging to the city, and the city clerk and city treasurer shall keep their books and accounts in such a manner as the mayor and
city council shall prescribe. The city treasurer shall keep a daily cash
book, which shall be footed and balanced daily, and such books and
accounts shall always be subject to inspection of the mayor, members of
the city council, and such other persons as they may designate.

Sec. 84. Section 16-718, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-718 Upon allowance of a claim by the city council of a city of
the first class, the order for the payment thereof shall specify the
particular fund out of which it is payable as specified in the adopted
budget statement, and no order or warrant shall be drawn in excess of
eighty-five percent of the current levy for the purpose for which it is
drawn unless there shall be sufficient money in the treasury to the
credit of the proper fund for its payment, and no claim shall be audited
or allowed except an order or warrant for the payment thereof may legally
be drawn. All warrants drawn upon the treasury must be signed by the
mayor and countersigned by the city clerk and shall state the particular
fund to which the same is chargeable, the person to whom payable, and for
what particular object. No money shall be otherwise paid than upon such
warrant so drawn. Such warrants may be delivered immediately when so
drawn.

Sec. 85. Section 16-719, Revised Statutes Cumulative Supplement,
2018, is amended to read:

16-719 The city treasurer of a city of the first class shall keep
all money in his or her hands belonging to the city separate and distinct
from his or her own money. He or she is expressly prohibited from using,
either directly or indirectly, the city money or warrants in his or her
custody and keeping for his or her own use and benefit or that of any
other person. Any violation of this section shall subject him or her to
immediate removal from office by the city council, and the council may
declare such office vacant. The mayor shall appoint a successor, who
shall be confirmed by the city council, to hold office for the remainder
Sec. 86. Section 16-720, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-720 The city treasurer of a city of the first class shall report to the mayor and city council annually, and more often if required, at such times as may be prescribed by ordinance, giving a full and detailed account of the receipts and expenditures during the preceding fiscal year, and the state of the treasury. He or she shall also keep a register of all warrants redeemed and paid during the year, describing such warrants, their date, amount, number, time of payment, the fund from which paid, and the person to whom paid. All such warrants shall be examined by the finance committee at the time of making such annual report.

Sec. 87. Section 16-722, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-722 The mayor and city council of a city of the first class shall cause to be published semiannually a statement of the receipts of the city and an itemized account of the expenditures of the city.

Sec. 88. Section 16-723, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-723 All taxes levied for the purpose of raising money to pay the interest or to create a sinking fund for the payment of the principal of any funded or bonded debt of a city of the first class shall be payable in money only. Except as otherwise expressly provided, no money so obtained shall be used for any other purpose than the payment of the interest or debt for the payment of which it shall have been raised. Such sinking fund may, under the direction of the mayor and city council, be invested in any of the unmatured bonds issued by the city, if provided they can be procured by the city treasurer at such rate or premium as shall be prescribed by ordinance. Any due or overdue bond or coupon shall be a sufficient warrant or order for the payment of the same by the city.
treasurer out of any fund especially created for that purpose without any further order or allowance by the mayor or city council.

Sec. 89. Section 16-727, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-727 When the claim of any person against a the city of the first class, except a tort claim as defined in section 13-903, is disallowed in whole or in part by the city council, such person may appeal from the decision of the city council to the district court of the same county by causing a written notice to be served on the city clerk within twenty days after making such decision and executing a bond to such city, with good and sufficient sureties to be approved by the city clerk, conditioned for the faithful prosecution of such appeal and the payment of all costs that may be adjudged against the appellant.

Sec. 90. Section 16-728, Revised Statutes Cumulative Supplement, 2018, is amended to read:

16-728 Any taxpayer may appeal from the allowance of any claim against a the city of the first class, except a tort claim as defined in section 13-903, by serving a written notice upon the city clerk within ten days from such allowance and giving bond as provided in section 16-727. When the city council, by ordinance, provides for the publication of the list of the claims allowed, giving the amounts allowed and the names of the persons to whom allowed, in a legal newspaper in or of general circulation in such city, such appeal may be taken by a taxpayer by serving a notice thereof within such time after such publication as may be fixed by such ordinance, and giving bond for such appeal within ten days after such allowance.

Sec. 91. Section 16-808, Reissue Revised Statutes of Nebraska, is amended to read:

16-808 Property now used or hereafter acquired for offstreet motor vehicle parking by a private operator within a city of the first class shall not be subject to condemnation.