

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 799**

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

Read first time January 08, 2020

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to cities of the primary class; to amend  
2 sections 15-103, 15-104, 15-105, 15-106, 15-106.01, 15-106.02,  
3 15-108, 15-110, 15-111, 15-112, 15-113, 15-115, 15-116, 15-117,  
4 15-118, 15-201, 15-201.01, 15-204, 15-205, 15-207, 15-208, 15-209,  
5 15-210, 15-212, 15-215, 15-216, 15-217, 15-218, 15-219, 15-220,  
6 15-221, 15-222, 15-223, 15-224, 15-225, 15-228, 15-229, 15-229.01,  
7 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01, 15-235.03,  
8 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243, 15-244,  
9 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257, 15-258,  
10 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266, 15-268.01,  
11 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307, 15-308,  
12 15-309, 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316, 15-317,  
13 15-322, 15-326, 15-332, 15-401, 15-402, 15-403, 15-406, 15-501,  
14 15-502, 15-701, 15-701.01, 15-701.02, 15-702.01, 15-702.02,  
15 15-702.03, 15-702.04, 15-708, 15-717, 15-720, 15-724, 15-725,  
16 15-726, 15-727, 15-728, 15-729, 15-734, 15-735, 15-751, 15-752,  
17 15-753, 15-754, 15-807, 15-808, 15-809, 15-810, 15-811, 15-812,  
18 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821, 15-822,  
19 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01, 15-845,  
20 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104, 15-1105,  
21 15-1106, 15-1201, 15-1204, 15-1205, and 15-1305, Reissue Revised  
22 Statutes of Nebraska, sections 15-102, 15-202, 15-211, 15-241,

1 15-268, 15-404, 15-709, 15-713, 15-718, 15-905, 15-1017, 15-1202,  
2 and 15-1203, Revised Statutes Cumulative Supplement, 2018, and  
3 section 84-304, Revised Statutes Supplement, 2019; to change  
4 provisions relating to cities of the primary class; to correct and  
5 include references as prescribed; to define extraterritorial zoning  
6 jurisdiction for public health and city planning purposes; to  
7 restate findings relating to offstreet parking; to change and  
8 eliminate certain provisions relating to street railways; to  
9 harmonize provisions; to repeal the original sections; and to  
10 outright repeal sections 15-730, 15-731, 15-732, and 15-733, Reissue  
11 Revised Statutes of Nebraska.

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

1 Section 1. Section 15-102, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3 15-102 Whenever any city of the first class attains ~~shall attain~~ a  
4 population of more than one hundred thousand inhabitants as determined by  
5 the most recent federal decennial census or the most recent revised  
6 certified count by the United States Bureau of the Census, the mayor of  
7 such city shall certify such fact to the Secretary of State, who upon the  
8 filing of such certificate shall by proclamation declare such city to be  
9 a city of the primary class.

10 Sec. 2. Section 15-103, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 15-103 The government of a city of the first class which is declared  
13 to be a city of the primary class pursuant to section 15-102 ~~such city~~  
14 shall continue in authority from the date of such declaration  
15 ~~proclamation~~ until reorganization as a city of the primary class.

16 Sec. 3. Section 15-104, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

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

1 otherwise as appears best for the convenience of the inhabitants of such  
2 city and the public. Such city ~~It~~ may vacate any public road established  
3 through such land when necessary to secure regularity in the general  
4 system of its public ways.

5 Sec. 4. Section 15-105, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 15-105 For purposes of sections 15-104 to 15-106.02, land ~~Land~~  
8 shall be deemed contiguous although a stream, embankments, or a strip or  
9 parcel of land, not more than five hundred feet wide, lies between such  
10 land and the corporate limits.

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

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

27 (2) When such plat is made, acknowledged, and certified, complies  
28 with the requirements of section 15-901, and is approved by the city  
29 planning commission, such plat shall be filed and recorded in the office  
30 of the register of deeds and county assessor of the county in which the  
31 land is located. In lieu of approval by the city planning commission, the

1 city council may designate specific types of plats which may be approved  
2 by the city planning director. No plat shall be recorded in the office of  
3 the register of deeds or have any force or effect unless such plat is  
4 approved by the city planning commission or the city planning director.  
5 The plat shall, after being filed with the register of deeds, be  
6 equivalent to a deed in fee simple absolute to the city, from the owner  
7 ~~proprietor~~, of all streets, all public ways, squares, parks, and commons,  
8 and such portion of the land as is therein set apart for public use or  
9 dedicated to charitable, religious, or educational purposes.

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

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

30 Sec. 6. Section 15-106.01, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           15-106.01 Commencing on April 17, 1982, an addition which has been  
2 approved pursuant to section 15-106 and is adjoining or contiguous to the  
3 corporate boundaries of a the city of the primary class but which  
4 includes land which lies wholly or partially (1) outside of the area  
5 designated and described as being for future urban uses in the  
6 comprehensive plan adopted by the city pursuant to sections 15-1102 and  
7 15-1103 and (2) within a zoning district adopted pursuant to section  
8 15-902 which allows a residential density of not more than one dwelling  
9 per acre shall be included within the corporate limits of the city only  
10 upon the enactment of a city ordinance specifically annexing such  
11 addition.

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

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

23           Sec. 8. Section 15-108, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25           15-108 When any city of the first class is declared shall be  
26 ~~incorporated as a city of the primary class pursuant to section 15-102,~~  
27 all ~~its~~ trusts, rights, and privileges of such city of the first class  
28 shall be transmitted to and be invested in such city of the primary class  
29 ~~latter corporation.~~

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

1           15-110 Precinct lines ~~in that part of the county not under township~~  
2 ~~organization~~ within the corporate limits of a city of the primary class  
3 shall correspond in number with the ward and be coextensive with such  
4 limits, except that therewith; ~~Provided,~~ when a ward is divided into  
5 election districts, the precinct corresponding with such ward shall be  
6 divided to correspond with the election district.

7           Sec. 10. Section 15-111, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

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

25           Shall the city of ..... be consolidated with the city  
26 of ..... ? Or, as the case may be, Shall the village of .....  
27 be consolidated with the city of ..... ? The ballot shall provide in  
28 the usual manner for a Yes and No vote on the question.

29           Sec. 11. Section 15-112, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31           15-112 If at an such election held pursuant to section 15-111 a

1 majority of the vote cast in a city of the second class or village such  
2 ~~municipality~~ shall be in favor of such consolidation, the result shall be  
3 certified to the city council of the city of the primary class. If the  
4 city council of such city of the primary class approves of the  
5 consolidation, an ordinance shall be passed extending the limits of such  
6 city to include all the territory of the city of the second class or  
7 village voting for consolidation, and the city or cities, village or  
8 villages, so consolidated with the city of the primary class shall become  
9 a part thereof.

10 Sec. 12. Section 15-113, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

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

1 of ~~such~~ the city or village so consolidated with or annexed by such city  
2 of the primary class. Any public franchise, license, or privilege granted  
3 to or held by any person or corporation from any of the cities or  
4 villages consolidated with or annexed by such city of the primary class  
5 before such consolidation or annexation shall not by virtue of such  
6 consolidation be extended into, upon, or over the streets, alleys, or  
7 public places of the city of the primary class involved in such  
8 consolidation or annexation.

9 Sec. 13. Section 15-115, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 15-115 All taxes, assessments, fines, licenses, fees, claims, and  
12 demands of every kind assessed or levied against persons or property  
13 within any ~~such~~ city of the second class or village ~~thus~~ consolidated  
14 with or annexed by any ~~such~~ city of the primary class as provided in  
15 sections 15-111 to 15-118, shall be paid to and collected by such city of  
16 the primary class.

17 Sec. 14. Section 15-116, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

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

31 Sec. 15. Section 15-117, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-117 All actions at law or in equity pending in any court in favor  
3 of or against any city of the second class or village ~~thus~~ consolidated  
4 with or annexed by a such city of the primary class as provided in  
5 sections 15-111 to 15-118 at the time such consolidation or annexation  
6 takes effect, shall be prosecuted by or defended by such city of the  
7 primary class ~~as the case may be~~, and all rights of action existing  
8 against any city of the second class or village consolidated with or  
9 annexed by such city of the primary class at the time of such  
10 consolidation or annexation or accruing thereafter on account of any  
11 transaction had with or under any law or ordinance of such city of the  
12 second class or village, may be prosecuted against such city of the  
13 primary class ~~as consolidated~~.

14 Sec. 16. Section 15-118, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

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

28 Sec. 17. Section 15-201, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 15-201 Cities of the primary class shall be bodies corporate and  
31 politic and shall have power:

1 (1) To sue and be sued;

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

6 (3) To purchase real or personal property upon sale for general or  
7 special taxes or assessments and to lease, sell, convey, or exchange such  
8 property so purchased;

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

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

23 (6) To purchase, construct, and otherwise acquire, own, maintain,  
24 and operate public service and public utility property and facilities  
25 within and without the limits of the city and to redeem such property  
26 from prior encumbrance in order to protect or preserve the interest of  
27 the city therein and to exercise such other and further powers as may be  
28 necessary or incident or appropriate to the powers of such city,  
29 including powers granted by the Constitution of Nebraska or exercised by  
30 or pursuant to a home rule charter adopted pursuant thereto. If the  
31 public service or public utility property or facility is located outside

1 the limits of the city but within the zoning jurisdiction of another  
2 political subdivision, the city and the other political subdivision may  
3 by interlocal agreement provide or exchange services, including utility  
4 services, relating to the property or facilities;

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

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

1 proposed district which would be subject to more than fifty percent of  
2 the total of all special assessments to be levied for the purposes  
3 authorized by this subdivision may, by petition, stop formation of such  
4 district. Such written protest shall be submitted to the city council or  
5 city clerk within thirty calendar days after publication of notice  
6 concerning the ordinance in a legal newspaper in or of general  
7 circulation in the city.

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

12 Sec. 18. Section 15-201.01, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 15-201.01 Any extraterritorial zoning jurisdiction or authority  
15 which a city of the primary class may exercise outside of its corporate  
16 limits by authority of state law may be exercised by such city outside of  
17 the county in which such city ~~it~~ is located.

18 Sec. 19. Section 15-202, Revised Statutes Cumulative Supplement,  
19 2018, is amended to read:

20 15-202 A city of the primary class shall have the power to levy  
21 taxes for general revenue purposes on all property within the corporate  
22 limits of the city taxable according to the laws of Nebraska and to levy  
23 an occupation tax on public service property or corporations in such  
24 amounts as may be proper and necessary, in the judgment of the mayor and  
25 city council, for purposes of revenue. All such taxes shall be uniform  
26 with respect to the class upon which they are imposed. The occupation tax  
27 may be based upon a certain percentage of the gross receipts of such  
28 public service corporation or upon such other basis as may be determined  
29 upon by the mayor and city council. After March 27, 2014, any occupation  
30 tax imposed pursuant to this section shall make a reasonable  
31 classification of businesses, users of space, or kinds of transactions

1 for purposes of imposing such tax, except that no occupation tax shall be  
2 imposed on any transaction which is subject to tax under section 53-160,  
3 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008 or  
4 which is exempt from tax under section 77-2704.24. The occupation tax  
5 shall be imposed in the manner provided in section 18-1208, except that  
6 section 18-1208 does not apply to an occupation tax subject to section  
7 86-704.

8 Sec. 20. Section 15-204, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 15-204 A city of the primary class city shall have the power to levy  
11 any other tax or special assessment authorized by law, and to appropriate  
12 money and provide for the payment of the debts and expenses of the city.

13 Sec. 21. Section 15-205, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

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

24 Sec. 22. Section 15-207, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 15-207 A city of the primary class city shall have the power, by  
27 ordinance, to regulate the transportation of articles through the  
28 streets, to prevent injuries to the streets from overloaded vehicles, and  
29 to provide for a vehicle license or tax.

30 Sec. 23. Section 15-208, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           15-208 A city of the primary class city shall have the power to (1)  
2 prevent and remove all encroachments on streets, avenues, alleys, and  
3 other city property, (2) ÷ prevent and punish horseracing, fast driving  
4 or riding in the streets, highways, alleys, bridges, or other places in  
5 the city, (3) regulate and all games, practices, or amusements within the  
6 city therein likely to result in damage to any person or property, (4) ÷  
7 ~~to regulate the riding, driving, or passing along any street of the city,~~  
8 (5) and to regulate, prevent and punish the riding, driving or passing of  
9 ~~horses, mules, oxen, cattle or teams, or any vehicle drawn thereby over,~~  
10 ~~upon or across sidewalks; to regulate and prevent the use of streets,~~  
11 ~~sidewalks, and public grounds for signs, signposts, awnings, telegraph,~~  
12 ~~telephone or other poles, racks, bulletin boards, and the posting of~~  
13 ~~handbills and advertisements, (6) ÷ to regulate traffic and sales upon~~  
14 ~~the streets, (7) ÷ to prohibit and punish cruelty to animals, and (8) ÷~~  
15 ~~to regulate and prevent the moving of buildings through or upon the~~  
16 streets.

17           Sec. 24. Section 15-209, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19           15-209 A primary city of the primary class shall have the power, by  
20 ordinance, to regulate levees, depots, depot grounds, and places for  
21 storing freight and goods, and to provide for and regulate the passing of  
22 railways through the streets and public grounds of the city, reserving  
23 the rights of all persons injured thereby.

24           Sec. 25. Section 15-210, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26           15-210 A primary city of the primary class shall have the power to  
27 (1) acquire, hold, and improve public grounds, parks, playgrounds,  
28 swimming pools, recreation centers, or any other park or recreational use  
29 or facility within or without the limits of the city, (2) to provide for  
30 the protection and preservation and use of such grounds, parks, and other  
31 uses and facilities, (3) to provide for the planting and protection of

1 trees, (4) ~~to~~ erect and construct or aid in the erection and construction  
2 of statues, memorials, works of art, and other structures upon any public  
3 grounds of the city or state or political subdivision thereof, and (5) ~~to~~  
4 receive grants, devises, donations, and bequests of money or property for  
5 the ~~above~~ purposes described in this section, in trust or otherwise.

6 Sec. 26. Section 15-211, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

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

17 Sec. 27. Section 15-212, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

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

31 Sec. 28. Section 15-215, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-215 A primary city of the primary class shall have the power to  
3 regulate, license, or suppress halls, opera houses, churches, places of  
4 amusement, entertainment, or instruction, or other buildings used for the  
5 assembly of citizens. A city of the primary class ~~It~~ may cause such  
6 buildings ~~them~~ to be provided with sufficient and ample means of exit and  
7 entrance, and to be supplied with necessary and appropriate appliances  
8 for the extinguishment of fires and for escape from such places in case  
9 of fire. A city of the primary class ~~It~~ may prevent overcrowding and  
10 regulate the placing of seats, chairs, benches, scenery, curtains,  
11 blinds, screens, or other appliances in such buildings ~~therein~~. A city of  
12 the primary class ~~It~~ may provide that for any violation of any such  
13 regulation a penalty of not to exceed two hundred dollars shall be  
14 imposed, and that upon the conviction of any violation of any ordinance  
15 regulating such places, the license of such place shall be revoked by the  
16 mayor and city council. Whenever the mayor or city council shall by  
17 resolution declare any such place to be unsafe, the license thereof shall  
18 be thereby revoked, ~~;~~ and the city council may provide that in any case  
19 where they have so revoked the license, any owner, proprietor, manager,  
20 lessee, or person, opening, using, or permitting such place to be opened  
21 or used, involving the assembling of more than twelve persons, shall upon  
22 conviction thereof be deemed guilty of a misdemeanor and fined in any sum  
23 not exceeding two hundred dollars.

24 Sec. 29. Section 15-216, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 15-216 A primary city of the primary class shall have the power, by  
27 ordinance, to prescribe the thickness, strength, and manner of  
28 constructing stone, brick, and other buildings, and the number and  
29 construction of means of exit and entrance, and of fire escapes. A city  
30 of the primary class ~~It~~ may require the keeper and proprietor of any  
31 hotel, boarding house, or dormitory to provide and maintain such kind and

1 number of ladders, ropes, balconies, and stairways, and other appliances,  
2 as by ordinance may be prescribed to facilitate the escape of persons  
3 from any such building in case of fire.

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

6 15-217 A city of the primary class shall have the power to regulate,  
7 license, or prohibit the sale of domestic animals, goods, wares, and  
8 merchandise at public auction in the streets, alleys, highways, or any  
9 public grounds within the city, and to regulate or license the  
10 auctioneering of goods, wares, and merchandise. ~~If the applicant is an~~  
11 ~~individual, an application for a license shall include the applicant's~~  
12 ~~social security number.~~

13 Sec. 31. Section 15-218, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

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

22 Sec. 32. Section 15-219, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 15-219 A ~~primary~~ city of the primary class shall have the power to  
25 provide for the erection of all needful pens, pounds, and buildings for  
26 the use of the city, within or without such city limits, to appoint and  
27 compensate keepers thereof, and to establish and enforce rules governing  
28 such pens, pounds, and buildings ~~the same~~.

29 Sec. 33. Section 15-220, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 15-220 A ~~primary~~ city of the primary class shall have the power to

1 regulate, license, or prohibit the running at large of dogs and other  
2 animals and guard against injuries or annoyances from such animals  
3 ~~therefrom~~, and to authorize the destruction of such animals ~~the same~~ when  
4 running at large contrary to the provisions of any ordinance. Any  
5 licensing provision shall comply with subsection (2) of section 54-603  
6 for service animals.

7 Sec. 34. Section 15-221, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 15-221 A ~~primary~~ city of the primary class shall have the power, by  
10 ordinance, to prevent any person from bringing, having, depositing, or  
11 leaving upon or near his or her premises or elsewhere within the city any  
12 dead carcass, or other putrid beef, pork, fish, hides, or skins of any  
13 kind, or any other unwholesome substance, and to compel the removal of  
14 such substances ~~the same~~.

15 Sec. 35. Section 15-222, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

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

31 Sec. 36. Section 15-223, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-223 A ~~primary~~ city of the primary class shall have the power to  
3 fix the rate of ~~tax~~ to be paid for the use of water furnished by the city  
4 or any person or corporation by means of waterworks, and provide by  
5 ordinance that any tax for the use of water furnished by such said city  
6 shall be a lien upon the property where such water ~~the same~~ is furnished.

7 Sec. 37. Section 15-224, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 15-224 A ~~primary~~ city of the primary class shall have the power to  
10 establish, alter, and change the channel of watercourses, and to wall and  
11 cover such watercourses ~~them~~ over, to establish, make, and regulate  
12 public wells, cisterns, aqueducts, and reservoirs of water, and to  
13 provide for the filling of such wells, cisterns, aqueducts, and  
14 reservoirs ~~the same~~.

15 Sec. 38. Section 15-225, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

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

25 Sec. 39. Section 15-228, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-228 The city council shall have the power to create water  
28 districts for the purpose of supplying water for domestic, industrial, or  
29 fire purposes, or for the purpose of enlarging any water mains, now  
30 existing or hereafter constructed. All such districts, to be known as  
31 water districts, shall be created by ordinance and shall designate the

1 property to be benefited. Upon creation of any water district, the city  
2 council shall have the power to construct or cause to be constructed,  
3 either by contract with the lowest responsible bidder or directly by the  
4 city, such water main or mains, or extensions or enlargements, including  
5 all necessary appliances for fire protection, within such districts as  
6 the city council shall determine, and assess the costs thereof against  
7 the property in such district, not exceeding the special benefits  
8 accruing on account thereof. The city council shall have the power and  
9 authority to fix the period of time, not to exceed twenty years, in which  
10 the special assessments against any property for the payment of the cost  
11 of such improvements may be made. The city council shall have the power  
12 and authority to issue bonds in accordance with the provisions of a home  
13 rule charter of the city or of state law.

14 Sec. 40. Section 15-229, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 15-229 A ~~primary city~~ of the primary class shall have the power is  
17 ~~hereby authorized~~ to acquire, either temporarily or permanently, lands,  
18 real or personal property, or any interests therein, or any easements  
19 deemed to be necessary or desirable for any present or future necessary  
20 or authorized public purpose within or without the city by gift,  
21 agreement, purchase, condemnation, or otherwise. In all such cases the  
22 city shall make the person or persons whose property shall be taken or  
23 injured thereby adequate compensation therefor. The procedure to condemn  
24 property shall be exercised in the manner set forth in sections 76-704 to  
25 76-724. A ~~primary city~~ of the primary class shall have authority to enter  
26 upon any property to make surveys, examinations, investigations, and  
27 tests, and to acquire other necessary and relevant data in contemplation  
28 of establishing a location of a necessary or authorized public purpose,  
29 acquiring property therefor, or performing other operations incident to  
30 construction, reconstruction, or maintenance of such public purpose, and  
31 entry upon any property pursuant to this authority shall not be

1 considered to be a legal trespass and no damages shall be recovered on  
2 that account alone. In case of any actual or demonstrable damages to the  
3 premises, the city shall pay the owner of the premises the amount of the  
4 damages. Upon the failure of the landowner and the city to agree upon the  
5 amount of damages, the landowner, in addition to any other available  
6 remedy, may file a petition as provided for in section 76-705. The entry  
7 by the city or its representatives shall be made only after notice of the  
8 entry and its purpose.

9 Sec. 41. Section 15-229.01, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

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

26 Sec. 42. Section 15-229.02, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-229.02 A The city of the primary class may acquire additional  
29 real property by gift, agreement, purchase, exchange, or condemnation if  
30 such additional real property is needed for the purpose of moving and  
31 establishing thereon buildings, structures, or other appurtenances which

1 are situated on real property acquired by the city for a public purpose.  
2 The city may make agreements for the exchange of property, to make  
3 allowances for differences in the value of the properties being  
4 exchanged, and to move or pay the cost of moving buildings, structures,  
5 or other appurtenances.

6 Sec. 43. Section 15-230, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 15-230 A ~~primary~~ city of the primary class may establish, maintain,  
9 and operate public library facilities, purchase books, papers, maps, and  
10 manuscripts therefor, receive donations and bequests of money or property  
11 for such facilities, books, papers, maps, and manuscripts ~~the same~~ in  
12 trust or otherwise, and pass necessary bylaws and regulations for the  
13 protection and government of such facilities, books, papers, maps, and  
14 manuscripts ~~the same~~.

15 Sec. 44. Section 15-231, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

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

25 Sec. 45. Section 15-234, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-234 For any hospital established under section 15-231, there  
28 ~~There~~ shall be established ~~such~~ rules for the government of such hospital  
29 and admission of persons to its privileges as may be deemed expedient. No  
30 religious or sectarian association, organization, or body shall be  
31 permitted to manage or control such hospital.

1           Sec. 46. Section 15-235, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-235 The city council of a city of the primary class may enter  
4 into an agreement with a corporation or association organized for  
5 charitable purposes in such city municipal corporation for the erection  
6 and management of a hospital for the sick and disabled, and have a  
7 permanent interest therein to an extent and upon such terms and  
8 conditions as may be agreed upon between the city council and such  
9 corporation or association. The city council shall provide for the  
10 payment of the amount agreed upon, for any interests in such hospital  
11 ~~therein so required~~, either in one payment or in installments, or so much  
12 from year to year as the parties may stipulate. Such ; ~~Provided, such~~  
13 agreement shall not be made if the city shall have established a hospital  
14 as authorized by section 15-231. No such agreement shall extend more than  
15 one year.

16           Sec. 47. Section 15-235.01, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18           15-235.01 As used in the Hospital Sinking Fund Act sections  
19 ~~15-235.01 to 15-235.05~~, unless the context otherwise requires:

20           (1) Governmental subdivision shall mean any city of the primary  
21 class and also any county in which a city of the primary class is the  
22 county seat thereof; and

23           (2) Hospital shall mean any hospital organized pursuant to section  
24 15-231, or any hospital or hospital facility established by a  
25 governmental subdivision in conjunction with or adjoining a hospital  
26 organized pursuant to section 15-231.

27           Sec. 48. Section 15-235.03, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29           15-235.03 All income, revenue, and profits of the hospital and money  
30 derived from the levy provided for in section 15-235.02 ~~such levy~~, or  
31 from grants, loans, or contributions from the United States, the State of

1 Nebraska, or any agency or instrumentality of such governments ~~either of~~  
2 ~~them~~, shall be held by the treasurer of the governmental subdivision  
3 having jurisdiction over the hospital, and the treasurer shall not  
4 commingle such money with any other money under his or her control. Such  
5 money shall be deposited in a separate bank account or accounts and shall  
6 be withdrawn only by check or draft signed by such ~~said~~ treasurer on  
7 requisition of the chairperson ~~chairman~~ of the hospital board or such  
8 other person as the hospital board may authorize. The chief auditing  
9 officer of the governmental subdivision and his or her legally authorized  
10 representatives are hereby authorized and empowered from time to time to  
11 examine the accounts and books of such hospital board, including its  
12 receipts, disbursements, contracts, leases, sinking funds, and  
13 investments, and any other matters relating to its financial standing.

14 Sec. 49. Section 15-236, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

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

29 Sec. 50. Section 15-237, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 15-237 A primary city of the primary class shall have the power to

1 regulate in the area which is within the corporate limits of the city and  
2 its extraterritorial zoning jurisdiction ~~city or within three miles of~~  
3 ~~the city and outside the zoning jurisdiction of any organized city or~~  
4 ~~village~~ in order to (1) secure the general health, (2) ; ~~to~~ provide rules  
5 for the prevention, abatement, and removal of nuisances, including the  
6 pollution of air and water, and (3) ; ~~to~~ make and prescribe regulations  
7 for the construction, location, and regulation of all slaughterhouses,  
8 stockyards, warehouses, commercial feed lots, stables, or other places  
9 where offensive matter is kept, or is likely to accumulate.

10 Sec. 51. Section 15-238, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

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

31 Sec. 52. Section 15-239, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-239 A ~~primary city~~ of the primary class may purchase, hold, and  
3 pay for, in the manner ~~herein~~ provided in sections 15-239 to 15-243,  
4 lands outside the corporate limits of such city for the purpose of burial  
5 and cemetery grounds, and avenues leading thereto.

6 Sec. 53. Section 15-240, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 15-240 A ~~primary city~~ of the primary class may survey, plot, map,  
9 grade, fence, ornament, and otherwise improve all burial and cemetery  
10 grounds and avenues leading thereto owned by such said city. The city ~~It~~  
11 may construct walks, rear and protect ornamental trees therein, and  
12 provide for paying the expenses thereof.

13 Sec. 54. Section 15-241, Revised Statutes Cumulative Supplement,  
14 2018, is amended to read:

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

23 Sec. 55. Section 15-242, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

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

1           Sec. 56. Section 15-243, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-243 A ~~primary~~ city of the primary class may pass rules and  
4 ordinances imposing penalties and fines, not exceeding one hundred  
5 dollars, regulating, protecting, and governing the cemetery, the owners  
6 of lots therein, visitors thereof, and trespassers therein. The officers  
7 of such city shall have full jurisdiction and power in the enforcement of  
8 such rules and ordinances as though they related to the city itself.

9           Sec. 57. Section 15-244, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

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

1 out of the earnings of electric facilities and properties.

2 Sec. 58. Section 15-247, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-247 A ~~primary~~ city of the primary class may divide the city into  
5 election districts, establish the boundaries thereof, and number the  
6 election districts same.

7 Sec. 59. Section 15-250, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 15-250 A ~~primary~~ city of the primary class may regulate and  
10 prescribe the powers, ~~and~~ duties, and compensation of officers of the  
11 city not otherwise herein provided by law.

12 Sec. 60. Section 15-252, Reissue Revised Statutes of Nebraska, is  
13 amended to read:

14 15-252 A ~~primary~~ city of the primary class may require of any  
15 officer of the city, at any time, a detailed report of the transactions  
16 of his or her office or any matters connected therewith.

17 Sec. 61. Section 15-254, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 15-254 A ~~primary~~ city of the primary class may provide for the  
20 revision of the ordinances of such city from time to time, ~~and~~ for their  
21 publication in pamphlet, ~~or~~ book, or electronic form, with or without the  
22 statutes relative to cities of the primary class.

23 Sec. 62. Section 15-255, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 15-255 A city of the primary class may (1) prohibit riots, routs,  
26 noise, or disorderly assemblies, (2) ~~;~~ prevent use of firearms, rockets,  
27 powder, fireworks, or other dangerous and combustible material, (3) ~~;~~  
28 prohibit carrying of concealed weapons, except the carrying of a  
29 concealed handgun in compliance with the Concealed Handgun Permit Act,  
30 (4) ~~;~~ ~~arrest, punish, fine, or set at work on streets or elsewhere~~  
31 ~~vagrants and persons found without visible means of support or legitimate~~

1 ~~business~~; regulate and prevent the transportation of gunpowder or  
2 combustible articles, tar, pitch, resin, coal oil, benzine, turpentine,  
3 hemp, cotton, nitroglycerine, dynamite, petroleum or its products, or  
4 other explosives or inflammables, ~~(5)~~ ÷ regulate use of lights in  
5 stables, shops, or other places and building of bonfires, ÷ and ~~(6)~~  
6 regulate and prohibit the piling of building material or any excavation  
7 or obstruction of the streets.

8       Sec. 63. Section 15-256, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10       15-256 A ~~primary city of the primary class~~ may punish disturbance of  
11 the peace or good order, clamor, intoxication, drunkenness, fighting,  
12 ~~obscene or profane language~~, or other violations of the public peace by  
13 indecent or disorderly conduct, or blockading any street, sidewalk, way,  
14 or space, or interfering with the passing of people.

15       Sec. 64. Section 15-257, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

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

24       Sec. 65. Section 15-258, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26       15-258 A city of the primary class may restrain, prohibit, and  
27 suppress unlicensed ~~tippling shops~~, billiard tables, bowling alleys,  
28 houses of prostitution, opium ~~and illicit drug joints~~, dens, and other  
29 disorderly houses and practices, games, ~~and gambling houses~~, ~~deseccration~~  
30 ~~of the Sabbath day, commonly called Sunday,~~ and may prohibit all public  
31 amusements, shows, ~~or exhibitions, and may prohibit or ordinary business~~

1 ~~pursuits upon such day~~, all lotteries, all fraudulent devices and  
2 practices for the purposes of obtaining money or property, all shooting  
3 galleries except as provided in the Nebraska Shooting Range Protection  
4 Act, and all kinds of public indecencies, except that nothing in this  
5 section shall be construed to apply to bingo, lotteries, lotteries by the  
6 sale of pickle cards, or raffles conducted in accordance with the  
7 Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska  
8 Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, or  
9 the State Lottery Act.

10 Sec. 66. Section 15-259, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

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

19 Sec. 67. Section 15-261, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 15-261 A ~~primary~~ city of the primary class may regulate railroad  
22 crossings, provide precautions, and prescribe rules for running railway  
23 engines or cars, and their speed, for prevention of accidents at  
24 crossings or on tracks or by fires from railway engines. A city of the  
25 primary class ~~It~~ may regulate the running of buses and require heating  
26 and cleaning thereof. A city of the primary class ~~It~~ may require  
27 reasonable lighting of railway crossings in such manner as the city  
28 council may prescribe. If the owner or operator fails to comply, the city  
29 ~~it~~ may cause such requirement to be complied with ~~the same to be done~~ and  
30 assess the expense of such requirements ~~thereof~~ against such railway  
31 company to be collected as other taxes and to be a lien on the real

1 estate belonging to such company ~~its property~~, or it may enforce  
2 compliance by action of mandamus. The city may enforce such regulations  
3 as are otherwise provided by law and ~~It~~ may require railways to keep  
4 flagmen at all railway street crossings where necessary to protect the  
5 public against injury to person or property, and require the  
6 installation, maintenance, and proper operation of gates, flashing  
7 signals, or other warning devices to insure such safety. A city of the  
8 primary class ~~It~~ may compel railways to conform tracks to grades at any  
9 time established, to keep tracks ~~them~~ level with the street surface, and  
10 ~~it~~ may compel railways to keep streets open, construct and keep in repair  
11 ditches, drains, sewers, and culverts along or under their right-of-way  
12 or tracks, and lay and maintain paving upon their whole right-of-way on  
13 paved streets.

14 Sec. 68. Section 15-262, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 15-262 A ~~primary~~ city of the primary class may provide for and cause  
17 to be taken a census of the city.

18 Sec. 69. Section 15-263, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 15-263 A ~~primary~~ city of the primary class may make all such  
21 ordinances, bylaws, rules, and regulations not inconsistent with the  
22 general laws of the state as may be necessary or expedient, in addition  
23 to the special powers otherwise granted by law, (1) for maintaining the  
24 peace, good government, and welfare of the city, and its trade, commerce,  
25 and manufactories, (2) for preserving order, and securing persons or  
26 property from violence, danger, and destruction, (3) for protecting  
27 public and private property, and (4) for promoting the public health,  
28 safety, convenience, comfort, morals, and general interests and welfare  
29 of the inhabitants of the city, may ~~and to~~ enforce all ordinances by  
30 providing for imprisonment of those convicted of violations thereof ~~at~~  
31 ~~hard labor for a period not to exceed six months and~~ may ~~to~~ impose

1 forfeitures, fines, and penalties not exceeding five hundred dollars for  
2 any one offense, recoverable with costs, and, in the default of the  
3 payment thereof, ~~to provide for confinement in the city prison or county~~  
4 ~~jail, with or without hard labor upon the city streets or elsewhere for~~  
5 ~~the benefit of the city,~~ until the judgment and costs are paid.

6 Sec. 70. Section 15-264, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

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

14 Sec. 71. Section 15-265, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 15-265 The mayor and city council of a city of the primary class  
17 shall have supervision and control of all public ways and public grounds  
18 within the city, and shall require the same to be kept open, in repair,  
19 and free from nuisances.

20 Sec. 72. Section 15-266, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 15-266 The mayor and city council of a city of the primary class  
23 shall have power to regulate and provide for the lighting of streets,  
24 laying down gas, water, and other pipes, and the erection of lampposts,  
25 electric towers, or other apparatus. The mayor and city council They may  
26 regulate the sale and use of gas and electric lights and fix and  
27 determine the price of gas, the charge of electric lights and power, and  
28 the rents of gas meters within the city, and regulate the inspection  
29 thereof. The mayor and city council They may regulate telephone service  
30 and the use of telephones within the city, prohibit or regulate the  
31 erection of ~~telegraph,~~ telephone or electric wire poles or other poles

1 for whatsoever purpose desired or used in the public grounds, streets, or  
2 alleys, and the placing of wires thereon, require the removal from the  
3 public grounds, streets, or alleys of any or all such poles, and require  
4 the removal and placing under ground of any or all telegraph, telephone  
5 or electric wires.

6 Sec. 73. Section 15-268, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

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

23 Sec. 74. Section 15-268.01, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

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

1 land to remove the garbage or refuse therefrom and from the streets,  
2 roads, or alleys abutting thereon.

3 (2) Notice that removal of garbage or refuse is necessary shall be  
4 given to (a)(i) the owner or owners, or (ii) the duly authorized agent,  
5 and (b) the tenant. Such notice shall be provided by personal service or  
6 by certified mail. After providing such notice, the city through its  
7 proper offices shall, in addition to other proper remedies, remove the  
8 garbage or refuse, or cause it to be removed, from such lot, lots, or  
9 land, and streets, roads, or alleys abutting thereon.

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

16 Sec. 75. Section 15-269, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

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

29 Sec. 76. Section 15-270, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 15-270 Any city of the primary class in Nebraska may own, purchase,

1 construct, equip, lease, or operate within such city offstreet motor  
2 vehicle parking facilities for the use of the general public. Any such  
3 city shall have the authority to acquire by grant, contract, purchase, or  
4 through the condemnation of property, as provided in sections 76-704 to  
5 76-724 ~~by law for such acquisition~~, all real or personal property,  
6 including a site or sites on which to construct such facilities,  
7 necessary or convenient in the carrying out of this grant of power.

8 Sec. 77. Section 15-271, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

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

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

30 (4) Any such revenue bonds which may be issued shall not be included  
31 in computing the maximum amount of bonds which the issuing city of the

1 primary class may be authorized to issue under its charter or any statute  
2 of this state. If any city has installed or installs onstreet parking  
3 meters, it may pledge all or any part of the revenue of such parking  
4 meters, not previously pledged, as security for the bonds authorized by  
5 this section.

6 Sec. 78. Section 15-272, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

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

25 Sec. 79. Section 15-273, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-273 ~~A Such~~ city of the primary class is authorized to make all  
28 necessary rules and regulations governing the use, operation, and control  
29 of offstreet motor vehicle parking such facilities constructed or  
30 acquired under sections 15-269 to 15-276. Such city ~~It~~ shall establish  
31 and maintain equitable rates sufficient in amount to pay for the cost of

1 the operation, repair, and upkeep of the facilities to be purchased,  
2 acquired, or leased, and the principal of and interest on any revenue  
3 bonds issued pursuant to ~~the provisions of~~ sections 15-269 to 15-276. The  
4 city may also make any other agreements with the purchasers of the bonds  
5 for the security of the issuing city and the purchasers of such bonds not  
6 in contravention of ~~the provisions of~~ sections 15-269 to 15-276.

7 Sec. 80. Section 15-274, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

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

21 Sec. 81. Section 15-307, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

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

1 thousand dollars over and above his or her debts, liabilities, and  
2 exemptions, conditioned for the faithful discharge of the duties of the  
3 city council members and conditioned further that if the city council  
4 members vote for an expenditure of money or the creation of any liability  
5 in excess of the amount allowed by law, or vote for the transfer of any  
6 sum of money from one fund to another where such transfer is not allowed  
7 by law, such city council members and surety or sureties signing the  
8 bonds shall be liable thereon.

9 Sec. 82. Section 15-308, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

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

16 Sec. 83. Section 15-309, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 15-309 The city council of a city of the primary class shall have  
19 the power by ordinance to fix the salaries of the officers and employees  
20 of the city and provide by ordinance for the forfeiting of the salary of  
21 any officer or employee.

22 Sec. 84. Section 15-309.01, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

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

1           Sec. 85. Section 15-310, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-310 The mayor shall be the chief executive officer of a the city  
4 of the primary class. The executive and administrative power of a city of  
5 the primary class shall be vested in and exercised by the mayor, who  
6 shall also be the ceremonial head of the city government. The mayor shall  
7 enforce the city ordinances and all applicable laws. The mayor He may  
8 administer oaths, may perform all the duties devolving upon a magistrate,  
9 and shall sign commissions and appointments of all officers appointed by  
10 him or her with city the council approval.

11           Sec. 86. Section 15-311, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

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

22           Sec. 87. Section 15-314, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

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

30           Sec. 88. Section 15-315, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           15-315 The mayor of a city of the primary class shall have the power  
2 to remit fines and forfeitures and to grant reprieves and pardons for all  
3 offenses arising under the ordinances of the city.

4           Sec. 89. Section 15-316, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

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

26           Sec. 90. Section 15-317, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28           15-317 The city treasurer of a city of the primary class shall be  
29 required to give a bond or evidence of equivalent insurance of not less  
30 than one hundred fifty thousand dollars or he or she may be required to  
31 give a bond or evidence of equivalent insurance double the sum of money

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

26 Sec. 91. Section 15-322, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-322 The city attorney of a city of the primary class shall be the  
29 legal advisor of the mayor, the city council, and city officers of a city  
30 of the primary class. The city attorney ~~He~~ shall commence, prosecute, and  
31 defend actions on behalf of the city, attend the meetings of the city

1 council, and give opinions, orally or in writing, as required, upon any  
2 matter submitted to him or her by the mayor, the city council, or any  
3 officers of the city. The city attorney He is authorized to prepare,  
4 file, and sign the proper complaint when there is sufficient evidence to  
5 warrant the belief that a person is guilty and can be convicted of a  
6 violation of a city ordinance. The city attorney He shall draft or review  
7 for legal correctness ordinances, contracts, franchises, and other  
8 instruments as may be required, and the city attorney he shall perform  
9 such other duties as may be imposed upon him or her by general law or by  
10 ordinance. The city attorney may appoint a deputy city attorney and one  
11 or more assistant city attorneys, whose duties may be prescribed by  
12 ordinance.

13 Sec. 92. Section 15-326, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

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

25 Sec. 93. Section 15-332, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 15-332 The power to remove from office the mayor or any city council  
28 member ~~councilman~~ or other officer of a city of the primary class for  
29 good and sufficient cause is hereby conferred upon the district court for  
30 the county in which such city is situated, when not otherwise ~~herein~~  
31 provided by law, and whenever any three city council members ~~councilmen~~

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

28       Sec. 94. Section 15-401, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30       15-401 Regular meetings of the city council of a city of the primary  
31 class shall be held at least once each week on such days and at such

1 times as the city council may prescribe in its rules, and special  
2 meetings shall be held whenever called by the mayor or any four members  
3 of the city council. The city council may choose not to meet during any  
4 week in which a federal or state holiday occurs. Four members of the city  
5 council shall constitute a quorum for the transaction of any business,  
6 and four affirmative votes shall be required to pass any measure or to  
7 transact any business unless it is otherwise provided by any home rule  
8 charter of a city of the primary class.

9       Sec. 95. Section 15-402, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

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

24       Sec. 96. Section 15-403, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26       15-403 The style of ordinances of a city of the primary class shall  
27 be: Be it ordained by the city council of the city of ..... . All  
28 ordinances shall be published within fifteen days after passage thereof,  
29 such publication to be sufficient if published in one issue of a legal  
30 ~~daily or weekly~~ newspaper in or of general circulation in the city, or  
31 posted on the official bulletin board of the city at the city hall, or in

1 book, ~~or~~ pamphlet, or electronic form, as may be provided by ordinance,  
2 to be distributed or sold in the city. Ordinances fixing a penalty or  
3 forfeiture for the violation thereof shall not take effect until fifteen  
4 days after passage, and in no case before one week after the publication  
5 thereof in the manner ~~above~~ prescribed in this section, except that ;  
6 ~~Provided~~, in case of riots, infectious or contagious diseases, or other  
7 impending danger or other emergency requiring immediate operation of the  
8 ordinance, such ordinance ~~the same~~ shall take effect immediately upon the  
9 publication thereof as ~~above~~ prescribed in this section. All ordinances,  
10 except as otherwise provided in this section ~~hereinabove~~ ~~prescribed~~,  
11 shall take effect fifteen days after passage.

12 Sec. 97. Section 15-404, Revised Statutes Cumulative Supplement,  
13 2018, is amended to read:

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

27 Sec. 98. Section 15-406, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 15-406 The mayor of a city of the primary class shall from time to  
30 time communicate to the city council such recommendations or information  
31 as in his or her opinion tend to improve the finances, police, health,

1 comfort, and general welfare of the city.

2 Sec. 99. Section 15-501, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-501 When a system of waterworks shall have been adopted in a city  
5 of the primary class and the people shall have voted to borrow money to  
6 aid their construction, the mayor and city council may (1) construct and  
7 maintain such system of waterworks, either within or without the  
8 corporate limits of the city, (2) make all needful rules and regulations  
9 concerning the use of such waterworks, and (3) do all acts necessary for  
10 the construction, completion, and management and control of such  
11 waterworks ~~the same, not inconsistent with law,~~ including the exercise of  
12 the right of eminent domain. The procedure to condemn property shall be  
13 exercised in the manner set forth in sections 76-704 to 76-724.

14 Sec. 100. Section 15-502, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

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

1           Sec. 101. Section 15-701, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-701 The city council of a city of the primary class shall have  
4 the power by ordinance to create, open, widen, or otherwise improve,  
5 vacate, control, name, and rename any street, alley, or public way or  
6 ways, including the sidewalk space within the corporate limits of the  
7 city, except that all damages sustained by the owners of the property  
8 thereon by opening or widening shall be ascertained as provided in the  
9 ~~manner set forth~~ in sections 76-704 to 76-724. Whenever any street,  
10 alley, or public way shall be vacated, such street, alley, or public way  
11 ~~the same~~ shall revert to the owners of the adjacent real estate, one-half  
12 on each side thereof, unless the city reserves title to such street,  
13 alley, or public way ~~thereto~~ in the ordinance vacating such street,  
14 alley, or public way. In the event title is retained by the city, such  
15 property may be sold, conveyed, exchanged, or leased upon such terms and  
16 conditions as shall be deemed in the best interests of the city, as  
17 authorized in its home rule charter. When the city vacates all or any  
18 portion of a street, alley, or public way or ways, the city shall, within  
19 thirty days after the effective date of the vacation, file a certified  
20 copy of the vacating ordinance with the register of deeds for the county  
21 in which the vacated property is located to be indexed against all  
22 affected lots.

23           Sec. 102. Section 15-701.01, Reissue Revised Statutes of Nebraska,  
24 is amended to read:

25           15-701.01 The city council of a city of the primary class shall have  
26 the power to grade partially, or to an established grade, curb, recurb,  
27 gutter, construct sidewalks, or otherwise improve or repair any street or  
28 streets, alley or alleys, public grounds, public way or ways, or parts  
29 thereof, including sidewalk space, at public cost, or by levy of special  
30 assessments ~~benefits~~ on the property specially benefited thereby,  
31 proportionate to the benefits. When the streets, public ways, or public

1 grounds ~~shall~~ have been brought to an established grade, the city council  
2 shall have power to bring sidewalks and sidewalk space therein to a grade  
3 and to construct sidewalks, and shall have power and authority to levy  
4 special assessments against the property specially benefited, not to  
5 exceed the cost of the improvement. Ordinary repairs, not including  
6 repaving or resurfacing or relaying existing pavement or making sidewalk  
7 repairs, shall be at public cost.

8 Sec. 103. Section 15-701.02, Reissue Revised Statutes of Nebraska,  
9 is amended to read:

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

1           Sec. 104. Section 15-702.01, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3           15-702.01 (1) A city of the primary class shall have the power to  
4 designate and establish controlled-access facilities, ~~and~~ may design,  
5 construct, maintain, improve, alter, and vacate such facilities, and may  
6 regulate, restrict, or prohibit access to such facilities so as best to  
7 serve the traffic for which such facilities are intended. Such a city may  
8 provide for the elimination of intersections at grade with existing  
9 roads, streets, highways,    or alleys, if the public interest shall be  
10 served thereby. An existing road, street, alley,    or other traffic  
11 facility may be included within such facilities or such facilities may  
12 include new or additional roads, streets, highways, or alleys ~~the like~~.  
13 In order to carry out the purposes of this section, the city, in addition  
14 to any other powers it may have, may acquire, in private or public  
15 property, such rights of access as are deemed necessary, including,    but  
16 not necessarily limited to,    air, light, view, egress, and ingress. Such  
17 acquisitions may be by gift, devise, purchase, agreement, adverse  
18 possession, prescription, condemnation, or otherwise as provided by law  
19 and may be in fee simple absolute or in any lesser estate or interest.  
20 The city may make provision to mitigate damages caused by such  
21 acquisitions, terms, ~~and~~ conditions regarding the abandonment or reverter  
22 of such acquisitions, and any other provisions or conditions that are  
23 desirable for the needs of the city and the general welfare of the  
24 public.

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

30           Sec. 105. Section 15-702.02, Reissue Revised Statutes of Nebraska,  
31 is amended to read:

1           15-702.02 A city of the primary class shall have the power is  
2 ~~authorized~~ to designate, establish, design, construct, maintain, vacate,  
3 alter, improve, and regulate frontage roads within the boundaries of any  
4 present or hereafter acquired right-of-way and to exercise the same  
5 jurisdiction over such frontage roads as is authorized over controlled-  
6 access facilities. Such frontage roads may be connected to or separated  
7 from the controlled-access facilities at such places as the city shall  
8 determine to be consistent with public safety. Upon the construction of  
9 any frontage road, any right of access between the controlled-access  
10 facility and property abutting or adjacent to such frontage road shall  
11 terminate and ingress to and egress from the frontage road shall be  
12 provided at such places as will afford reasonable and safe connections.

13           Sec. 106. Section 15-702.03, Reissue Revised Statutes of Nebraska,  
14 is amended to read:

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

28           Sec. 107. Section 15-702.04, Reissue Revised Statutes of Nebraska,  
29 is amended to read:

30           15-702.04 In all specifications for materials to be used in paving,  
31 curbing, and guttering of every kind, of access ways, a the city of the

1 primary class shall establish a standard or standards of strength and  
2 quality, to be demonstrated by physical, chemical, or other tests within  
3 the limits of reasonable variations. In every instance the materials  
4 shall be so described in the specifications, either by standard or  
5 quality, to permit genuine competition between contractors so that there  
6 may be two or more bids by individuals or companies in no manner  
7 connected with each other and no material shall be specified which shall  
8 not be subject to such competition.

9       Sec. 108. Section 15-708, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

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

31       Sec. 109. Section 15-709, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 15-709 The city council of a city of the primary class may order the  
3 owner of lots abutting on a street that is to be paved to lay sewer, gas,  
4 and water service pipes to connect mains. If the owner fails to lay such  
5 pipes, after five days' notice by publication in a legal newspaper in or  
6 of general circulation in the city, or in place thereof by personal  
7 service of such notice, as the city council in its discretion may direct,  
8 the city council may cause the sewer, gas, and water service pipes to be  
9 laid as part of the work of the improvement district and assess the cost  
10 thereof on the property of such owner as a special assessment. Such  
11 assessment to pay the cost of the pavement or improvements in the  
12 improvement district shall be collected and enforced as a special  
13 assessment.

14 Sec. 110. Section 15-713, Revised Statutes Cumulative Supplement,  
15 2018, is amended to read:

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

27 Sec. 111. Section 15-717, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 15-717 The city council of a city of the primary class shall have  
30 the power to lay off the city into suitable districts for the purpose of  
31 establishing a system of sewerage and drainage, ÷ to provide such system

1 and regulate the construction, repairs, and use of sewers and drains, and  
2 to provide penalties for any obstruction of, or injury to, any sewers or  
3 drains, and for any violation of the rules and regulations with respect  
4 thereto that may be prescribed by the city council. The city council  
5 shall have the power to create sewer districts by ordinance and designate  
6 the property to be benefited by the construction of sewers in such  
7 districts. The city council shall have the power to construct or cause to  
8 be constructed such sewer or sewers in such district or districts and  
9 assess the cost thereof against the property in such districts, to the  
10 extent of the special benefits.

11 Sec. 112. Section 15-718, Revised Statutes Cumulative Supplement,  
12 2018, is amended to read:

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

22 Sec. 113. Section 15-720, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

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

29 Sec. 114. Section 15-724, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 15-724 The mayor and city council of a city of the primary class may

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

26 Sec. 115. Section 15-725, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-725 Special tax assessments to pay the cost of public local  
29 improvements in a city of the primary class, except special assessments  
30 for sidewalk purposes or as ~~herein~~ otherwise provided by law, shall be  
31 made in the ~~manner~~ following manner: (1) Assessment shall be made on the

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

1 shall be void for any irregularity, defect, error, or informality in  
2 procedure, in levy or equalization thereof.

3 Sec. 116. Section 15-726, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

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

23 Sec. 117. Section 15-727, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

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

1 share may be determined by the city treasurer.

2 Sec. 118. Section 15-728, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-728 When any public improvement in a city of the primary class is  
5 completed according to contract, it shall be the duty of the city  
6 engineer to carefully inspect such improvement ~~the same~~, and if the  
7 improvement is found to be properly done, such city engineer shall accept  
8 the improvement ~~same~~ and forthwith report his or her acceptance thereof  
9 to the city council with recommendation that the improvement ~~same~~ be  
10 approved or disapproved, and the city council may confirm or reject such  
11 acceptance. When the ordinance levying the tax makes such tax ~~the same~~  
12 due as the improvement is completed in front of or along any block or  
13 piece of ground, the city engineer may accept the improvement ~~same~~ in  
14 sections from time to time, if found to be done according to the  
15 contract, reporting his or her acceptance as in other cases.

16 Sec. 119. Section 15-729, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

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

1 ~~repaired, in repair, using for said purpose the same material as the~~  
2 ~~streets upon which the track is laid at the point of repair, or such~~  
3 ~~other material as the mayor and council may require and order upon~~  
4 ~~streets in such city.~~

5       Sec. 120. Section 15-734, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

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

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

22       Sec. 121. Section 15-735, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24       15-735 Special sidewalk assessments assessed as provided in section  
25 15-734 may be collected:

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

28       (2) By foreclosure as in case of county ~~or state~~ taxes against real  
29 estate. In ; ~~Provided, however, in~~ the foreclosure of such special  
30 sidewalk assessments, any number of parties, owners of abutting property  
31 against which property a special sidewalk assessment has been made, may

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

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

31 Sec. 122. Section 15-751, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-751 (1) Any county and any city of the primary class, which is  
3 the county seat of such county ~~thereof~~, shall have the power to join with  
4 each other and with other political or governmental subdivisions,  
5 agencies, or public corporations whether federal, state, or local, or  
6 with any number of combinations thereof, by contract or otherwise in the  
7 joint ownership, operation, or performance of any property, facility,  
8 power, or function, or in agreements containing the provisions that one  
9 or more thereof operate or perform for the other or others. Any such  
10 county and any such city shall also have the power to authorize and  
11 undertake research, formulate plans, draft and seek the enactment of  
12 legislation, take other actions concerning improvement of the  
13 relationships between themselves or between each of them and other  
14 political or governmental subdivisions, agencies, or public corporations,  
15 whether federal, state, or local, for the attainment of voluntary  
16 cooperation agreements, annexations, transfers of functions to or from  
17 such city, or to or from such county, or city-county consolidation or  
18 separation, or any other means of accomplishing changes in governmental  
19 organization in which such city or such county has an interest. Such city  
20 and such county may undertake such efforts alone or in concert with other  
21 political or governmental subdivisions, agencies, or public corporations,  
22 whether federal, state, or local, or with public or private research or  
23 professional organizations. Such city and such county may appropriate and  
24 spend money for such purposes.

25 (2) Any officer or employee, whether elected or appointed, of any  
26 county, may also simultaneously be and serve as an officer or employee of  
27 any such city of the primary class, referred to in subsection (1) of this  
28 section, which is the county seat of the county where such duties are not  
29 incompatible. Any officer or employee, whether elected or appointed, of a  
30 city of the primary class which is the county seat of a county may also  
31 simultaneously be and serve as an officer or employee of the county of

1 which such ~~said~~ city is the county seat where such duties are not  
2 incompatible, except ~~;~~ ~~Provided,~~ that this provision shall not apply to  
3 or cover the county board of such county or the mayor or members of the  
4 city council of such city.

5 Sec. 123. Section 15-752, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

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

13 Sec. 124. Section 15-753, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

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

1           Sec. 125. Section 15-754, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           15-754 The city council of a city of the primary class shall have  
4 the power by ordinance to create public improvement districts for  
5 opening, widening, or enlarging of any street, alley, boulevard, or  
6 public way or the establishing or enlarging of any park or parkway within  
7 the city. Such special improvement district having been created, the city  
8 may acquire ~~require~~, by agreement, purchase, condemnation, or otherwise,  
9 the necessary lands, lots, or grounds to carry out the purposes of the  
10 district. The cost thereof may be, in whole or in part, assessed  
11 proportionate to benefits, on the property specially benefited. The city  
12 council shall have power and authority to fix the period of time for the  
13 payment of the special assessments, and to issue bonds, as authorized by  
14 its ~~the~~ home rule charter.

15           Sec. 126. Section 15-807, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17           15-807 The city council of a city of the primary class shall  
18 constitute the board of equalization for the city, and shall have power  
19 as such board to equalize all taxes and assessments, to correct any  
20 errors in the listing or valuation of property, and to supply any  
21 omissions in the same. A majority of all the members elected to the city  
22 council shall constitute a quorum for the transaction of business  
23 properly before the board, but a less number may adjourn from time to  
24 time and compel the attendance of absent members. When sitting as a board  
25 of equalization on general or special taxes, the city council may adopt  
26 rules and regulations as to the manner of presenting complaints and  
27 applying for relief. The city council ~~It~~ shall not invalidate or  
28 prejudice the proceedings of the board that a majority of the members  
29 thereof after organization as a board do not in fact continue present  
30 during the advertised hours for the sitting of such board, as long as ÷  
31 ~~Provided, however,~~ the city clerk and some member of the board shall be

1 present to receive complaints or applications for relief. No final action  
2 shall be taken with respect to any taxes or assessments by the board  
3 until a majority of the members of the city council sitting as a board of  
4 equalization shall be present and in open session.

5 Sec. 127. Section 15-808, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 15-808 The city council of a city of the primary class sitting as a  
8 board of equalization shall hold a session of not less than three or more  
9 than thirty days annually commencing on the first Tuesday after the third  
10 Monday in June and shall have power:

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

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

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

27 Sec. 128. Section 15-809, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 15-809 The city council of a city of the primary class shall act as  
30 a board to equalize all special assessments, except for sidewalks  
31 affecting single properties, before special taxes for local improvements

1 be finally levied, distributed, and apportioned, and to correct any  
2 errors therein, upon notice as provided in this section ~~herein~~. The board  
3 shall be in session not less than two hours on two successive days, and  
4 until it hears all complaints owners may make to the proposed  
5 distribution and levy of the tax, and shall equalize the tax and correct  
6 errors therein. If by reduction of the amount charged on any property it  
7 is necessary to increase the proposed amount upon other property, the  
8 owner shall be notified in person or at his or her residence, or by five  
9 days' publication in a legal newspaper in or of general circulation in  
10 the city if not a resident, or if changes are many, another distribution  
11 may be submitted by any member or any owner interested, and notice by  
12 five days' publication in a legal newspaper in or of general circulation  
13 in the city be given of a second session for equalization, at which time  
14 the equalization shall be completed.

15 Sec. 129. Section 15-810, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

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

27 Sec. 130. Section 15-811, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 15-811 If for any reason any taxable property in a the city of the  
30 primary class escapes ~~shall escape~~ taxation in any year, it shall be the  
31 duty of the city council when sitting as a board of equalization in any

1 subsequent year to assess such property at a fair valuation for the year  
2 or years for which such property should have been assessed, and to levy  
3 thereon under such assessment a tax at the same rate and upon the same  
4 basis that other taxable property was assessed for the year in which such  
5 property escaped taxation, which tax and levy shall be in addition to all  
6 current or other taxes on the same property.

7 Sec. 131. Section 15-812, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

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

22 Sec. 132. Section 15-813, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 15-813 To each tax list ~~so~~ delivered as provided in section 15-812,  
25 a warrant under the hand of the city clerk of the city of the primary  
26 class shall be annexed, to be substantially in the following form:

27 In the name and by the authority of the State of Nebraska:  
28 To ..... city treasurer of the city of ..... in  
29 Nebraska;

30 You are hereby commanded to collect from each of the persons and  
31 corporations named in the annexed tax list and owners of real estate

1 described therein the taxes set down in such list opposite their  
2 respective names, and the several parcels of land described therein; and  
3 in case any person or corporation upon whom any such tax or sum is  
4 imposed, or who by law is required to pay the same, shall refuse or  
5 neglect to pay the full amount thereof before the first day of March (or  
6 September), 20.... (insert year after levy), you are to levy and collect  
7 the same by distress and sale of the goods and chattels of the person or  
8 corporation so taxed as are by law required to pay such tax.

9 Given under my hand and official seal this ..... day  
10 of ..... A.D. 20.... .

11 .....

12 City Clerk of the City of .....

13 Sec. 133. Section 15-814, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

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

22 Sec. 134. Section 15-816, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

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

30 Sec. 135. Section 15-817, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           15-817 The mayor and city council of a city of the primary class  
2 shall have full power and authority to pass ordinances not inconsistent  
3 with the laws of this state which they may deem necessary to secure a  
4 speedy and thorough collection of all municipal taxes and special  
5 assessments.

6           Sec. 136. Section 15-818, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

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

13           Sec. 137. Section 15-819, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

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

21           Sec. 138. Section 15-821, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

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

1 interest specified in section 45-104.01, as such rate may from time to  
2 time be adjusted by the Legislature, payable annually, from levy until  
3 due; and installments delinquent shall draw interest at the rate  
4 specified in section 45-104.01, as such rate may from time to time be  
5 adjusted by the Legislature, until paid.

6 Sec. 139. Section 15-822, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

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

24 Sec. 140. Section 15-823, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26 15-823 All taxes levied for the purpose of raising money to pay  
27 interest or to create a sinking fund for the payment of the principal of  
28 any funded or bonded debt of a city of the primary class ~~the city~~ shall  
29 be payable in money only, and except as otherwise expressly provided, no  
30 money so obtained shall be used for any other purpose than the payment of  
31 the interest or debt for the payment of which they shall have been

1 raised. Such ; ~~Provided,~~ such sinking fund may, under the direction of  
2 the mayor and city council, be invested in any of the underdue bonds  
3 issued by the city, if the bonds ~~provided they~~ can be secured by the city  
4 treasurer at such rate or premiums as shall be prescribed by ordinance.  
5 Any due or overdue coupon or bond shall be a sufficient warrant or order  
6 for the payment of the coupon or bond same out of any fund specially  
7 created for that purpose, without any further order or allowance by the  
8 mayor or city council.

9       Sec. 141. Section 15-824, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

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

19       Sec. 142. Section 15-834, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

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

28       Sec. 143. Section 15-835, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30       15-835 All money received from any special assessments in a city of  
31 the primary class shall be held by the city treasurer as a special fund

1 to be applied to the payment of the improvement for which the assessment  
2 was made, and such money shall be used for no other purpose. Any ÷  
3 ~~Provided, however, any~~ surplus remaining in any such fund after all  
4 obligations against the same shall have been satisfied, may be  
5 transferred to any other fund by order of the city council.

6 Sec. 144. Section 15-840, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

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

22 Sec. 145. Section 15-841, Reissue Revised Statutes of Nebraska, is  
23 amended to read:

24 15-841 Any taxpayer of ~~a~~ the city of the primary class, after the  
25 allowance in whole or in part of any liquidated or unliquidated claim, or  
26 the claimant, after the disallowance in whole or in part of any such  
27 claim, may appeal therefrom to the district court of the county in which  
28 the city is situated in accordance with the procedures set forth in  
29 sections 15-1201 to 15-1205. In an appeal by a taxpayer in case the  
30 claimant finally recovers judgment for as great a sum exclusive of  
31 interest as was allowed by the city council, such appellant shall pay all

1 costs of such appeal. In an appeal by a claimant in case claimant fails  
2 to recover as great a sum exclusive of interest as was allowed by the  
3 city council, such claimant shall pay all costs. No warrant shall issue  
4 for the payment of any such claim until the appeal is finally determined.  
5 No appeal bond shall be required of the city by any court in case of  
6 appeal by the city, and judgment shall be stayed pending such appeal.

7 Sec. 146. Section 15-842.01, Reissue Revised Statutes of Nebraska,  
8 is amended to read:

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

16 Sec. 147. Section 15-845, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 15-845 The city treasurer of a city of the primary class shall  
19 deposit and at all times keep on deposit for safekeeping in ~~the~~ banks, ~~in~~  
20 ~~the~~ capital stock financial institutions, ~~in the~~ qualifying mutual  
21 financial institutions, or any of such banks or institutions ~~in some of~~  
22 ~~them~~ doing business in such city of approved and responsible standing all  
23 money collected, received, or held by him or her as ~~such~~ city treasurer.  
24 Any such bank, capital stock financial institution, or qualifying mutual  
25 financial institution located in the city may apply for the privilege of  
26 keeping such money or any part thereof upon the following conditions: (1)  
27 All such deposits shall be subject to payment when demanded by the city  
28 treasurer; and (2) such deposits shall be subject to all regulations  
29 imposed by law or adopted by the city for the receiving and holding  
30 thereof. The fact that a stockholder, director, or other officer of such  
31 bank, capital stock financial institution, or qualifying mutual financial

1 institution shall also be serving as mayor, as a member of the city  
2 council, or as any other officer of such city municipality shall not  
3 disqualify such bank, capital stock financial institution, or qualifying  
4 mutual financial institution from acting as a depository for such  
5 municipal funds. Section 77-2366 shall apply to deposits in capital stock  
6 financial institutions. Section 77-2365.01 shall apply to deposits in  
7 qualifying mutual financial institutions.

8 Sec. 148. Section 15-848, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

31 Sec. 149. Section 15-901, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 15-901 (1) Except as provided in section 13-327, the  
3 extraterritorial zoning jurisdiction of a city of the primary class shall  
4 consist of the unincorporated area three miles beyond and adjacent to its  
5 corporate boundaries.

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

1 for public purposes.

2 (3) For purposes of this section, subdivision shall mean the  
3 division of a lot, tract, or parcel of land into two or more lots, sites,  
4 or other divisions of land for the purpose, whether immediate or future,  
5 of ownership or building development, except that the division of land  
6 shall not be considered to be subdivision when the smallest parcel  
7 created is more than ten acres in area.

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

19 Sec. 150. Section 15-902, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

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

1 out the purposes of this section and to regulate, restrict, or prohibit  
2 the erection, construction, reconstruction, alteration, or use of  
3 buildings, structures, or land within the total area zoned or within  
4 districts. All such regulations shall be uniform for each class or kind  
5 of buildings throughout each district, but regulations applicable to one  
6 district may differ from those applicable to other districts. Such zoning  
7 regulations shall be designed to secure safety from fire, flood, and  
8 other dangers and to promote the public health, safety, and general  
9 welfare and shall be made with consideration having been given to the  
10 character of the various parts of the area zoned and their peculiar  
11 suitability for particular uses and types of development and with a view  
12 to conserving property values and encouraging the most appropriate use of  
13 land throughout the area zoned, in accordance with a comprehensive plan.  
14 Such zoning regulations may include reasonable provisions regarding  
15 nonconforming uses and their gradual elimination.

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

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

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

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

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

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

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

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

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

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

28 Sec. 151. Section 15-905, Revised Statutes Cumulative Supplement,  
29 2018, is amended to read:

30 15-905 Every city of the primary class may regulate in the area  
31 which is within the corporate limits of the city or within its

1 ~~extraterritorial zoning jurisdiction three miles of the corporate limits~~  
2 ~~of the city and outside of any organized city or village,~~ except as to  
3 construction on farms for farm purposes, (1) the minimum standards of  
4 construction of buildings, dwellings, and other structures in order to  
5 provide safe and sound condition thereof for the preservation of health,  
6 safety, security, and general welfare, which standards may include  
7 regulations as to electric wiring, heating, plumbing, pipefitting, sewer  
8 connections, ventilation, size of habitable rooms, and the method of  
9 constructing buildings, dwellings, and other structures, and to provide  
10 for inspection thereof and building permits and fees for such permits,  
11 (2) the removal and tearing down of buildings, dwellings, and other  
12 structures in such areas which constitute nuisances because of the  
13 dilapidated, unsafe, or rundown condition or conditions, and (3) except  
14 as to the United States of America, the State of Nebraska, a county, or a  
15 village, in the ~~extraterritorial zoning jurisdiction area outside of the~~  
16 ~~corporate limits~~ of the city of the primary class, the nature, kind, and  
17 manner of constructing streets, alleys, sidewalks, curbing or abridging  
18 curbs, driveway approaches constructed on or to public right-of-way, and  
19 sewage disposal facilities. Any building or construction code implemented  
20 under this section shall be adopted and enforced as provided in section  
21 71-6406.

22       Sec. 152. Section 15-1017, Revised Statutes Cumulative Supplement,  
23 2018, is amended to read:

24       15-1017 (1) A city of the primary class which has a city pension and  
25 retirement plan or fund, or a city fire and police pension plan or fund,  
26 or both, may provide by ordinance as authorized by its home rule charter,  
27 and not prohibited by the Constitution of Nebraska, for the investment of  
28 any plan or fund, and ~~such city~~ it may provide that (a) ~~the~~ such a city  
29 shall place in trust any part of such plan or fund, (b) ~~the city~~ it shall  
30 place in trust any part of any such plan or fund with a corporate trustee  
31 in Nebraska, or (c) ~~the city~~ it shall purchase any part of any such plan

1 from a life insurance company licensed to do business in the State of  
2 Nebraska. The powers conferred by this section shall be independent of  
3 and in addition and supplemental to any other provisions of the laws of  
4 the State of Nebraska with reference to the matters covered hereby, and  
5 this section shall be considered as a complete and independent act and  
6 not as amendatory of or limited by any other provision of the laws of the  
7 State of Nebraska.

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

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

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

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

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

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

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

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

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

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

30 ~~If a plan contains no current active participants, the city clerk~~  
31 ~~may file in place of such report a statement with the Public Employees~~

1 Retirement Board indicating the number of retirees still drawing  
2 benefits, and the sources and amount of funding for such benefits; and

3 (b) ~~If such retirement plan is a defined benefit plan which was open~~  
4 ~~to new members on January 1, 2004, in addition to the reports required by~~  
5 ~~section 13-2402, the city council of a city of the primary class shall~~  
6 ~~cause to be prepared an annual report and shall file the same with the~~  
7 ~~Public Employees Retirement Board and the Nebraska Retirement Systems~~  
8 ~~Committee of the Legislature and submit to the Auditor of Public Accounts~~  
9 ~~a copy of such report. The Auditor of Public Accounts may prepare a~~  
10 ~~review of such report pursuant to section 84-304.02 but is not required~~  
11 ~~to do so. If the city council does not submit a copy of the report to the~~  
12 ~~Auditor of Public Accounts within six months after the end of the plan~~  
13 ~~year, the Auditor of Public Accounts may audit, or cause to be audited,~~  
14 ~~the city. All costs of the audit shall be paid by the city. The report~~  
15 ~~shall consist of a full actuarial analysis of each such retirement plan~~  
16 ~~established pursuant to this section and section 15-1026. The analysis~~  
17 ~~shall be prepared by an independent private organization or public entity~~  
18 ~~employing actuaries who are members in good standing of the American~~  
19 ~~Academy of Actuaries, and which organization or entity has demonstrated~~  
20 ~~expertise to perform this type of analysis and is unrelated to any~~  
21 ~~organization offering investment advice or which provides investment~~  
22 ~~management services to the retirement plan. The report to the Nebraska~~  
23 ~~Retirement Systems Committee shall be submitted electronically.~~

24 (2)(a) ~~(3)(a)~~ Beginning December 31, 2018, and each December 31  
25 thereafter, for a defined benefit plan, the city clerk of a city of the  
26 primary class or his or her designee shall prepare and electronically  
27 file an annual report with the Auditor of Public Accounts and the  
28 Nebraska Retirement Systems Committee of the Legislature. If such  
29 retirement plan is a defined benefit plan which was open to new members  
30 on January 1, 2004, the report shall be in addition to the reports  
31 required by section 13-2402. The report shall be on a form prescribed by

1 the Auditor of Public Accounts and shall include, but not be limited to,  
2 the following information:

3 (i) The levels of benefits of participants in the plan, the number  
4 of members who are eligible for a benefit, the total present value of  
5 such members' benefits, and the funding sources which will pay for such  
6 benefits; and

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

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

20 Sec. 153. Section 15-1101, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 15-1101 In any city of the primary class there shall be created a  
23 planning department, which shall consist of a city planning commission, a  
24 planning director, and such subordinate employees as are required to  
25 administer the planning program as provided in sections 15-1101 to  
26 15-1106 hereinafter set forth. The planning director shall serve as the  
27 secretary of the city planning commission and as the administrative head  
28 of the planning department.

29 Sec. 154. Section 15-1102, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 15-1102 (1) The general plan for the improvement and development of

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

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

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

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

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

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

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

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

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

24           Sec. 155. Section 15-1103, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26           15-1103 The planning director of a city of the primary class shall  
27 be responsible for preparing the comprehensive plan and amendments and  
28 extensions thereto and for submitting such plans and modifications to the  
29 city planning commission for its consideration and action. The planning  
30 commission shall review such plans and modifications and those which the  
31 city council may suggest and, after holding at least one public hearing

1 on each proposed action, shall provide its recommendations to the city  
2 council within a reasonable period of time. The city council shall review  
3 the recommendations of the planning commission and, after at least one  
4 public hearing on each proposed action, shall adopt or reject such plans  
5 as submitted, except that the city council may, by an affirmative vote of  
6 at least five members of the city council, adopt a plan or amendments to  
7 the proposed plan different from that recommended by the planning  
8 commission.

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

19 Sec. 156. Section 15-1104, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

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

1 character and degree of conformity or nonconformity of each proposed  
2 action to the comprehensive plan, and a report in writing thereon shall  
3 be rendered to the city council within thirty days after the date of  
4 receipt of the referral unless a longer period is granted by the city  
5 council. If the planning department fails to render any such report  
6 within the allotted time, the approval of the department may be presumed  
7 by the city council.

8 Sec. 157. Section 15-1105, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

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

1 circulation in the city at least one time at least five days before the  
2 date of hearing. Notice with reference to proposed amendments,  
3 supplements, or modifications of the zoning ordinance shall also be  
4 posted in a conspicuous place on or near the property upon which the  
5 action is pending. Such notice shall be easily visible from the street,  
6 and shall be posted at least five days before the hearing.

7 Sec. 158. Section 15-1106, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

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

26 Sec. 159. Section 15-1201, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 15-1201 Any person or persons, jointly or severally aggrieved by any  
29 final administrative or judicial order or decision of the board of zoning  
30 appeals, the board of equalization, the city council, or any officer, ~~or~~  
31 department, or board of a city of the primary class, shall, except as

1 provided for claims in sections 15-840 to 15-842.01, appeal from such  
2 order or decision to the district court in the manner provided in  
3 sections 15-1201 to 15-1205 herein prescribed.

4 Sec. 160. Section 15-1202, Revised Statutes Cumulative Supplement,  
5 2018, is amended to read:

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

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

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

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

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

27 (3)(a) An appellant may file with the city clerk an affidavit  
28 alleging that the appellant is indigent. The filing of such an affidavit  
29 shall relieve the appellant of the duty to deposit any fee, bond, or  
30 undertaking required by subsection (2) of this section as a condition for  
31 the preparation of the transcript or the perfecting of the appeal by the

1 appellant subject to the determination of the court as provided in  
2 section 15-1204. In conjunction with the filing of the petition for  
3 appeal as provided for in section 15-1204, the appellant shall file a  
4 copy of the affidavit alleging his or her indigency and the district  
5 court shall rule upon the issue of indigency prior to the consideration  
6 of any other matter relating to the appeal as provided in section  
7 15-1204.

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

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

19 Sec. 161. Section 15-1203, Revised Statutes Cumulative Supplement,  
20 2018, is amended to read:

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

28 (2) If the appellant files an affidavit alleging that he or she is  
29 indigent pursuant to section 15-1202, the city clerk shall transmit  
30 within fifteen days to the clerk of the district court a certified and  
31 complete transcript of the proceedings of the city relating to the order

1 or decision appealed. After receipt of the transcript, the clerk of the  
2 district court shall file the appeal.

3 Sec. 162. Section 15-1204, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 15-1204 (1) The party appealing an order or decision as provided in  
6 section 15-1201 shall file a petition within thirty days after the date  
7 the transcript is filed in the district court.

8 (2) Except as provided in subsection (3) of this section,  
9 satisfaction of the requirements of subsections (1) and (2) of section  
10 15-1202 and subsection (1) of this section shall perfect the appeal and  
11 give the district court jurisdiction of the matter appealed.

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

25 Sec. 163. Section 15-1205, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

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

1 Court of Appeals.

2 Sec. 164. Section 15-1305, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 15-1305 Whenever a city of the primary class exercises any city  
5 ~~shall exercise~~ the jurisdiction and authority granted in sections 15-1301  
6 to 15-1307 with respect to Chapter 71, article 15, the city ~~it~~ shall have  
7 the jurisdiction and authority concurrent with and independent of any  
8 existing housing authority for such purposes within the city and its area  
9 of jurisdiction. In ; ~~Provided, that in~~ order to coordinate the actions  
10 of the local housing authority and the community development agency, the  
11 local housing authority shall submit to the city council of such city,  
12 prior to the date it submits its annual budget request to the federal  
13 government, a complete report of its activities during the past calendar  
14 year and a complete description of its proposed actions for the coming  
15 calendar year. Such report shall include the number of units added to or  
16 removed from the authority's programs, the number of families housed by  
17 the authority, the number applying who were not housed and the reasons  
18 for their not being housed, the sources and amounts of all funds spent or  
19 to be spent and the amounts available for use in its housing programs  
20 that have not been used, and the policies of the authority on  
21 eligibility, admissions, occupancy, termination of tenancies, and  
22 grievance procedures. Such report shall be made available to the public  
23 upon the its delivery of the report to the city council, and shall be  
24 subject to public hearing prior to its formal acceptance by the city  
25 council.

26 Sec. 165. Section 84-304, Revised Statutes Supplement, 2019, is  
27 amended to read:

28 84-304 It shall be the duty of the Auditor of Public Accounts:

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

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

4           (3)(a) To examine or cause to be examined, at such time as he or she  
5 shall determine, books, accounts, vouchers, records, and expenditures of  
6 all state officers, state bureaus, state boards, state commissioners, the  
7 state library, societies and associations supported by the state, state  
8 institutions, state colleges, and the University of Nebraska, except when  
9 required to be performed by other officers or persons. Such examinations  
10 shall be done in accordance with generally accepted government auditing  
11 standards for financial audits and attestation engagements set forth in  
12 Government Auditing Standards (2011 Revision), published by the  
13 Comptroller General of the United States, Government Accountability  
14 Office, and except as provided in subdivision (10) of this section,  
15 subdivision (16) of section 50-1205, and section 84-322, shall not  
16 include performance audits, whether conducted pursuant to attestation  
17 engagements or performance audit standards as set forth in Government  
18 Auditing Standards (2011 Revision), published by the Comptroller General  
19 of the United States, Government Accountability Office.

20           (b) Any entity, excluding the state colleges and the University of  
21 Nebraska, that is audited or examined pursuant to subdivision (3)(a) of  
22 this section and that is the subject of a comment and recommendation in a  
23 management letter or report issued by the Auditor of Public Accounts  
24 shall, on or before six months after the issuance of such letter or  
25 report, provide to the Auditor of Public Accounts a detailed written  
26 description of any corrective action taken or to be taken in response to  
27 the comment and recommendation. The Auditor of Public Accounts may  
28 investigate and evaluate the corrective action. The Auditor of Public  
29 Accounts shall then electronically submit a report of any findings of  
30 such investigation and evaluation to the Governor, the appropriate  
31 standing committee of the Legislature, and the Appropriations Committee

1 of the Legislature. The Auditor of Public Accounts shall also ensure that  
2 the report is delivered to the Appropriations Committee for entry into  
3 the record during the committee's budget hearing process;

4 (4)(a) To examine or cause to be examined, at the expense of the  
5 political subdivision, when the Auditor of Public Accounts determines  
6 such examination necessary or when requested by the political  
7 subdivision, the books, accounts, vouchers, records, and expenditures of  
8 any agricultural association formed under Chapter 2, article 20, any  
9 county agricultural society, any joint airport authority formed under the  
10 Joint Airport Authorities Act, any city or county airport authority, any  
11 bridge commission created pursuant to section 39-868, any cemetery  
12 district, any community redevelopment authority or limited community  
13 redevelopment authority established under the Community Development Law,  
14 any development district, any drainage district, any health district, any  
15 local public health department as defined in section 71-1626, any  
16 historical society, any hospital authority or district, any county  
17 hospital, any housing agency as defined in section 71-1575, any  
18 irrigation district, any county or municipal library, any community  
19 mental health center, any railroad transportation safety district, any  
20 rural water district, any township, Wyuka Cemetery, the Educational  
21 Service Unit Coordinating Council, any entity created pursuant to the  
22 Interlocal Cooperation Act, any educational service unit, any village,  
23 any service contractor or subrecipient of state or federal funds, any  
24 political subdivision with the authority to levy a property tax or a  
25 toll, or any entity created pursuant to the Joint Public Agency Act.

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

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

6 (c) Through December 31, 2017, the Auditor of Public Accounts may  
7 conduct audits under this subdivision for purposes of sections 2-3228,  
8 12-101, 13-2402, 14-567, 14-1805.01, 14-2111, ~~15-1017~~, 16-1017, 16-1037,  
9 19-3501, 23-1118, 23-3526, 71-1631.02, and 79-987.

10 (d) Beginning on May 24, 2017, the Auditor of Public Accounts may  
11 conduct audits under this subdivision for purposes of sections 13-2402,  
12 14-567, 14-1805.01, 14-2111, 15-1017, 16-1017, 16-1037, 18-814,  
13 71-1631.02, and 79-987 and shall prescribe the form for the annual  
14 reports required in each of such sections. Such annual reports shall be  
15 published annually on the web site of the Auditor of Public Accounts;

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

30 (6)(a) To examine or cause to be examined the books, accounts,  
31 vouchers, records, and expenditures of a fire protection district. The

1 expense of the examination shall be paid by the political subdivision.

2 (b) Whenever the expenditures of a fire protection district are one  
3 hundred fifty thousand dollars or less per fiscal year, the fire  
4 protection district shall be audited no more than once every five years  
5 except as directed by the board of directors of the fire protection  
6 district or unless the auditor receives a verifiable report from a third  
7 party indicating any irregularities or misconduct of officers or  
8 employees of the fire protection district, any misappropriation or misuse  
9 of public funds or property, or any improper system or method of  
10 bookkeeping or condition of accounts of the fire protection district. In  
11 the absence of such a report, the auditor may waive the five-year audit  
12 requirement upon the submission of a written request by the fire  
13 protection district in a form prescribed by the auditor. The auditor  
14 shall notify the fire protection district in writing of the approval or  
15 denial of a request for waiver of the five-year audit requirement. Upon  
16 approval of the request for waiver of the five-year audit requirement, a  
17 new five-year audit period shall begin.

18 (c) Whenever the expenditures of a fire protection district exceed  
19 one hundred fifty thousand dollars in a fiscal year, the auditor may  
20 waive the audit requirement upon the submission of a written request by  
21 the fire protection district in a form prescribed by the auditor. The  
22 auditor shall notify the fire protection district in writing of the  
23 approval or denial of a request for waiver. Upon approval of the request  
24 for waiver, a new five-year audit period shall begin for the fire  
25 protection district if its expenditures are one hundred fifty thousand  
26 dollars or less per fiscal year in subsequent years;

27 (7) To appoint two or more assistant deputies (a) whose entire time  
28 shall be devoted to the service of the state as directed by the auditor,  
29 (b) who shall be certified public accountants with at least five years'  
30 experience, (c) who shall be selected without regard to party affiliation  
31 or to place of residence at the time of appointment, (d) who shall

1 promptly report to the auditor the fiscal condition shown by each  
2 examination, including any irregularities or misconduct of officers or  
3 employees, any misappropriation or misuse of public funds or property,  
4 and any improper system or method of bookkeeping or condition of  
5 accounts, and it shall be the duty of the auditor to file promptly with  
6 the Governor a duplicate of such report, and (e) who shall qualify by  
7 taking an oath which shall be filed in the office of the Secretary of  
8 State;

9 (8) To conduct audits and related activities for state agencies,  
10 political subdivisions of this state, or grantees of federal funds  
11 disbursed by a receiving agency on a contractual or other basis for  
12 reimbursement to assure proper accounting by all such agencies, political  
13 subdivisions, and grantees for funds appropriated by the Legislature and  
14 federal funds disbursed by any receiving agency. The auditor may contract  
15 with any political subdivision to perform the audit of such political  
16 subdivision required by or provided for in section 23-1608 or 79-1229 or  
17 this section and charge the political subdivision for conducting the  
18 audit. The fees charged by the auditor for conducting audits on a  
19 contractual basis shall be in an amount sufficient to pay the cost of the  
20 audit. The fees remitted to the auditor for such audits and services  
21 shall be deposited in the Auditor of Public Accounts Cash Fund;

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

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

27 (11) Unless otherwise specifically provided, to assess the interest  
28 rate on delinquent payments of any fees for audits and services owing to  
29 the Auditor of Public Accounts at a rate of fourteen percent per annum  
30 from the date of billing unless paid within thirty days after the date of  
31 billing. For an entity created pursuant to the Interlocal Cooperation Act

1 or the Joint Public Agency Act, any participating public agencies shall  
2 be jointly and severally liable for the fees and interest owed if such  
3 entity is defunct or unable to pay.

4       Sec. 166.       Original sections 15-103, 15-104, 15-105, 15-106,  
5 15-106.01, 15-106.02, 15-108, 15-110, 15-111, 15-112, 15-113, 15-115,  
6 15-116, 15-117, 15-118, 15-201, 15-201.01, 15-204, 15-205, 15-207,  
7 15-208, 15-209, 15-210, 15-212, 15-215, 15-216, 15-217, 15-218, 15-219,  
8 15-220, 15-221, 15-222, 15-223, 15-224, 15-225, 15-228, 15-229,  
9 15-229.01, 15-229.02, 15-230, 15-231, 15-234, 15-235, 15-235.01,  
10 15-235.03, 15-236, 15-237, 15-238, 15-239, 15-240, 15-242, 15-243,  
11 15-244, 15-247, 15-250, 15-252, 15-254, 15-255, 15-256, 15-257, 15-258,  
12 15-259, 15-261, 15-262, 15-263, 15-264, 15-265, 15-266, 15-268.01,  
13 15-269, 15-270, 15-271, 15-272, 15-273, 15-274, 15-307, 15-308, 15-309,  
14 15-309.01, 15-310, 15-311, 15-314, 15-315, 15-316, 15-317, 15-322,  
15 15-326, 15-332, 15-401, 15-402, 15-403, 15-406, 15-501, 15-502, 15-701,  
16 15-701.01, 15-701.02, 15-702.01, 15-702.02, 15-702.03, 15-702.04, 15-708,  
17 15-717, 15-720, 15-724, 15-725, 15-726, 15-727, 15-728, 15-729, 15-734,  
18 15-735, 15-751, 15-752, 15-753, 15-754, 15-807, 15-808, 15-809, 15-810,  
19 15-811, 15-812, 15-813, 15-814, 15-816, 15-817, 15-818, 15-819, 15-821,  
20 15-822, 15-823, 15-824, 15-834, 15-835, 15-840, 15-841, 15-842.01,  
21 15-845, 15-848, 15-901, 15-902, 15-1101, 15-1102, 15-1103, 15-1104,  
22 15-1105, 15-1106, 15-1201, 15-1204, 15-1205, and 15-1305, Reissue Revised  
23 Statutes of Nebraska, sections 15-102, 15-202, 15-211, 15-241, 15-268,  
24 15-404, 15-709, 15-713, 15-718, 15-905, 15-1017, 15-1202, and 15-1203,  
25 Revised Statutes Cumulative Supplement, 2018, and section 84-304, Revised  
26 Statutes Supplement, 2019, are repealed.

27       Sec. 167.       The following sections are outright repealed: Sections  
28 15-730, 15-731, 15-732, and 15-733, Reissue Revised Statutes of Nebraska.