

## LEGISLATIVE BILL 128

Approved by the Governor February 10, 1999

Introduced by Tyson, 19; Bromm, 23

AN ACT relating to cities and villages; to amend sections 17-207 and 17-505, Reissue Revised Statutes of Nebraska; to increase the fine a city of the second class or a village may impose for the violation of an ordinance; to eliminate provisions relating to ordinances; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 17-207, Reissue Revised Statutes of Nebraska, is amended to read:

17-207. The board of trustees shall have power to pass ordinances to prevent and remove nuisances; ~~to prevent, restrain, and suppress bawdy houses, gambling houses, and other disorderly houses, to license, regulate, or prohibit billiard halls, pool halls, or bowling alleys within the limits of such village,~~ to restrain and prohibit gambling; to provide for licensing and regulating theatrical and other amusements within such village; ~~to establish night watches, to provide pest houses,~~ to prevent the introduction and spread of contagious diseases; to establish and regulate markets; to erect and repair bridges; to erect, repair, and regulate wharves and the rates of wharfage; to regulate the landing of ~~steamboats, rafts, and other watercraft,~~ to provide for the inspection of ~~lumber, building materials, and provisions~~ to be used or offered for sale in such village; ~~to govern or to be exported therefrom, to require and regulate~~ the planting and protection of shade trees in the streets, ~~and the building of stairways, railways, doorways, awnings, hitching posts and rails, lampposts, awning posts, and all other structures projecting~~ upon or over and adjoining, and all excavations through and under, the sidewalks of such village; and in addition to the special powers herein conferred and granted, to maintain the peace, good government, and welfare of the town or village, and its trade, commerce, and manufactories, and to enforce all ordinances by inflicting penalties upon inhabitants or other persons, for the violation thereof, not exceeding ~~one~~ five hundred dollars for any one offense, recoverable with costs. ~~and together with judgment of imprisonment until the amount of the judgment and costs shall be paid.~~ Nothing in this section shall be construed to apply to bingo, lotteries, lotteries by the sale of pickle cards, or raffles conducted in accordance with the Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, or the State Lottery Act.

Sec. 2. Section 17-505, Reissue Revised Statutes of Nebraska, is amended to read:

17-505. In addition to their special powers, ~~second-class cities of the second class~~ and villages shall have the power to make all such ordinances, bylaws, rules, regulations, and resolutions, not inconsistent with the laws of the state, as may be expedient for maintaining the peace, good government, and welfare of the corporation, and its trade, commerce, and manufactories, and to enforce all ordinances by inflicting fines or penalties for the breach thereof, not exceeding ~~one~~ five hundred dollars for any one offense, recoverable with costs. ~~and in default of payment to provide for confinement in prison or jail, and at hard labor upon the streets or elsewhere for the benefit of the city or village.~~

Sec. 3. Original sections 17-207 and 17-505, Reissue Revised Statutes of Nebraska, are repealed.