

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 800

Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14;
Blood, 3; Briese, 41; Hansen, M., 26; Hunt, 8; Lowe, 37.

Read first time January 06, 2022

Committee:

1 A BILL FOR AN ACT relating to cities of the metropolitan class; to amend
2 sections 14-102.01, 14-102.02, 14-104, 14-106, 14-107, 14-108,
3 14-110, 14-111, 14-112, 14-113, 14-115, 14-116, 14-118, 14-120,
4 14-121, 14-122, 14-123, 14-124, 14-125, 14-136, 14-201, 14-201.03,
5 14-202, 14-204, 14-205, 14-206, 14-207, 14-210, 14-211, 14-212,
6 14-213, 14-214, 14-215, 14-216, 14-217.02, 14-218, 14-219, 14-220,
7 14-221, 14-224, 14-225, 14-226, 14-227, 14-228, 14-229, 14-230,
8 14-360, 14-361, 14-362, 14-365, 14-365.01, 14-365.02, 14-365.03,
9 14-365.04, 14-365.05, 14-365.06, 14-365.07, 14-365.08, 14-365.09,
10 14-365.10, 14-365.11, 14-365.12, 14-365.13, 14-366, 14-367, 14-372,
11 14-373, 14-373.01, 14-373.02, 14-374, 14-375, 14-376, 14-383,
12 14-384, 14-385, 14-386, 14-387, 14-388, 14-389, 14-390, 14-391,
13 14-393, 14-394, 14-395, 14-396, 14-397, 14-399, 14-3,100, 14-3,101,
14 14-3,105, 14-3,108, 14-3,109, 14-3,111, 14-3,112, 14-3,113,
15 14-3,114, 14-3,115, 14-3,116, 14-3,117, 14-3,118, 14-3,119,
16 14-3,120, 14-3,121, 14-3,122, 14-3,123, 14-3,124, 14-3,125,
17 14-3,126, 14-3,128, 14-401, 14-402, 14-404, 14-405, 14-406, 14-408,
18 14-409, 14-410, 14-411, 14-412, 14-413, 14-414, 14-416, 14-417,
19 14-418, 14-501, 14-501.01, 14-503, 14-504, 14-505, 14-506, 14-507,
20 14-508, 14-509, 14-510, 14-511, 14-512, 14-513, 14-514, 14-515,
21 14-516, 14-517, 14-518, 14-519, 14-520, 14-521, 14-522, 14-523,
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1 14-532, 14-533, 14-534, 14-535, 14-536, 14-538, 14-539, 14-540,
2 14-541, 14-542, 14-543, 14-544, 14-545, 14-546, 14-547, 14-548,
3 14-549, 14-550, 14-556, 14-557, 14-558, 14-559, 14-560, 14-562,
4 14-563, 14-564, 14-565, 14-566, 14-568, 14-601, 14-602, 14-603,
5 14-604, 14-605, 14-606, 14-609, 14-702, 14-704, 14-709, 14-804,
6 14-805, 14-806, 14-807, 14-808, 14-809, 14-810, 14-811, 14-812,
7 14-813, 14-814, 14-816, 14-817, 14-818, 14-1201, 14-1202, 14-1203,
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14 14-1251, 14-1252, 14-1702, 14-1703, 14-1704, 14-1705, 14-1706,
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16 14-1714, 14-1715, 14-1716, 14-1717, 14-1718, 14-1719, 14-1721,
17 14-1722, 14-1723, 14-1724, 14-1725, 14-1726, 14-1727, 14-1728,
18 14-1729, 14-1730, 14-1731, 14-1732, 14-1734, 14-1735, 14-1737,
19 14-1738, 14-1739, 14-2001, 14-2002, 14-2003, and 14-2004, Reissue
20 Revised Statutes of Nebraska, sections 14-101, 14-101.01, 14-102,
21 14-103, 14-105, 14-109, 14-117, 14-363, 14-364, 14-392, 14-398,
22 14-3,102, 14-3,103, 14-3,106, 14-3,107, 14-403, 14-415, 14-419,
23 14-420, 14-502, 14-553, 14-567, 14-607, 14-1733, 19-414, and 19-415,
24 Revised Statutes Cumulative Supplement, 2020, and sections 14-137
25 and 77-3523, Revised Statutes Supplement, 2021; to change provisions
26 relating to city officers, elections, powers, duties, public
27 improvements, subdividing and platting, consolidation of cities and
28 villages, ordinances, planning and zoning, fiscal management, city
29 departments, claims and awards, bridges, parking facilities, and
30 landmark heritage preservation districts; to eliminate provisions
31 relating to municipal coal yards, boards of public welfare,

1 superintendency of departments and taxes and assessments; to
2 harmonize provisions; to repeal the original sections; and to
3 outright repeal sections 14-114, 14-126, 14-223, and 14-554, Reissue
4 Revised Statutes of Nebraska.

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

1 Section 1. Section 14-101, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 14-101 All cities in this state which have attained a population of
4 three hundred thousand inhabitants or more as determined by the most
5 recent federal decennial census or the most recent revised certified
6 count by the United States Bureau of the Census shall be cities of the
7 metropolitan class and governed by sections 14-101 to 14-2004 ~~this act.~~
8 ~~Whenever the words this act occur in sections 14-101 to 14-138, 14-201 to~~
9 ~~14-229, 14-360 to 14-376, 14-501 to 14-556, 14-601 to 14-609, 14-702 to~~
10 ~~14-704, and 14-804 to 14-816, they shall be construed as referring~~
11 ~~exclusively to those sections.~~ The population of a city of the
12 metropolitan class shall consist of the people residing within the
13 territorial boundaries of such city and the residents of any territory
14 duly and properly annexed to such city. Each city of the metropolitan
15 class shall be a body corporate and politic and shall have power (1) to
16 sue and be sued, (2) to purchase, lease, lease with option to buy,
17 acquire by gift or devise, and hold real and personal property within or
18 without the limits of the city for the use of the city, and real estate
19 sold for taxes, (3) to sell, exchange, lease, and convey any real or
20 personal property estate owned by the city, in such manner and upon such
21 terms as may be in ~~to~~ the best interests of the city, except that real
22 estate acquired for state armory sites shall be conveyed strictly in the
23 manner provided in sections 18-1001 to 18-1006, (4) to make all contracts
24 and do all other acts in relation to the property and concerns of the
25 city necessary for ~~to~~ the exercise of its corporate or administrative
26 powers, and (5) to exercise such other and further powers as may be
27 conferred by law. The powers ~~hereby~~ granted under this section shall be
28 exercised by the mayor and city council of such city except when
29 otherwise specifically ~~speciallly~~ provided.

30 Sec. 2. Section 14-101.01, Revised Statutes Cumulative Supplement,
31 2020, is amended to read:

1 14-101.01 Whenever any city of the primary class shall attain a
2 population of three hundred thousand inhabitants or more as determined by
3 the most recent federal decennial census or the most recent revised
4 certified count by the United States Bureau of the Census, the mayor of
5 such city shall certify such fact to the Secretary of State, who upon the
6 filing of such certificate shall by proclamation declare such city to be
7 a city of the metropolitan class.

8 Sec. 3. Section 14-102, Revised Statutes Cumulative Supplement,
9 2020, is amended to read:

10 14-102 In addition to the powers granted in section 14-101, cities
11 of the metropolitan class shall have power by ordinance:

12 ~~Taxes, special assessments.~~

13 (1) To levy any tax or special assessment authorized by law;

14 ~~Corporate seal.~~

15 (2) To provide a corporate seal for the use of the city, and also
16 any official seal for the use of any officer, board, or agent of the
17 city, whose duties require an official seal to be used. Such corporate
18 seal shall be used in the execution of municipal bonds, warrants,
19 conveyances, and other instruments and proceedings as required by law;

20 ~~Regulation of public health.~~

21 (3) To provide all needful rules and regulations for the protection
22 and preservation of health within the city, including providing ; ~~and for~~
23 ~~this purpose they may provide~~ for the enforcement of the use of water
24 from public water supplies when the use of water from other sources shall
25 be deemed unsafe;

26 ~~Appropriations for debts and expenses.~~

27 (4) To appropriate money and provide for the payment of debts and
28 expenses of the city;

29 ~~Protection of strangers and travelers.~~

30 (5) To adopt all such measures as ~~they~~ may be deemed deem necessary
31 for the accommodation and protection of strangers and the traveling

1 public in person and property;

2 ~~Concealed weapons, firearms, fireworks, explosives.~~

3 (6) To punish and prevent the carrying of concealed weapons, except
4 the carrying of a concealed handgun in compliance with the Concealed
5 Handgun Permit Act, and the discharge of firearms, fireworks, or
6 explosives of any description within the city, other than the discharge
7 of firearms at a shooting range pursuant to the Nebraska Shooting Range
8 Protection Act;

9 ~~Sale of foodstuffs.~~

10 (7) To regulate the inspection and sale of meats, flour, poultry,
11 fish, milk, vegetables, and all other provisions or articles of food
12 exposed or offered for sale in the city;

13 ~~Official bonds.~~

14 (8) To require all elected or appointed officers ~~or servants elected~~
15 ~~or appointed~~ to give bond and security for the faithful performance of
16 their duties, except that ; ~~but~~ no officer shall become bonded and
17 secured security upon the official bond of another or upon any bond
18 executed to the city;

19 ~~Official reports of city officers.~~

20 (9) To require from any officer of the city at any time a report, in
21 detail, of the transactions of his or her office or any matter connected
22 with such office therewith;

23 ~~Cruelty to children and animals.~~

24 (10) To provide for the prevention of cruelty to children and
25 animals;

26 ~~Dogs; taxes and restrictions.~~

27 (11) To regulate, license, or prohibit the running at large of dogs
28 and other animals within the city as well as in areas within the
29 extraterritorial zoning jurisdiction ~~three miles of the corporate limits~~
30 of the city; τ to guard against injuries or annoyance from such dogs and
31 other animals; τ and to authorize the destruction of such the dogs and

1 other animals when running at large contrary to the provisions of any
2 ordinance. Any licensing provision shall comply with subsection (2) of
3 section 54-603 for service animals;

4 ~~Cleaning sidewalks.~~

5 (12) To provide for keeping sidewalks clean and free from
6 obstructions and accumulations; ~~τ~~ to provide for the assessment and
7 collection of taxes on real estate and for the sale and conveyance
8 thereof; ~~τ~~ and to pay the expenses of keeping the sidewalk adjacent to
9 such real estate clean and free from obstructions and accumulations as
10 ~~herein provided by law;~~

11 ~~Planting and trimming of trees; protection of birds.~~

12 (13) To provide for the planting and protection of shade or
13 ornamental and useful trees upon the streets or boulevards; ~~τ~~ to assess
14 the cost of such trees thereof to the extent of benefits upon the
15 abutting property as a special assessment; ~~τ~~ ~~and~~ to provide for the
16 protection of birds and animals and their nests; to provide for the
17 trimming of trees located upon the streets and boulevards or when the
18 branches of trees overhang the streets and boulevards when in the
19 judgment of the mayor and city council such trimming is made necessary to
20 properly light such street or boulevard or to furnish proper police
21 protection; ~~τ~~ and to assess the cost of such trimming thereof upon the
22 abutting property as a special assessment;

23 ~~Naming and numbering streets and houses.~~

24 (14) To provide for, regulate, and require the numbering or
25 renumbering of houses along public streets or avenues; and to care for
26 and control and to name and rename streets, avenues, parks, and squares
27 within the city;

28 ~~Weeds.~~

29 (15) To require weeds and worthless vegetation growing upon any lot
30 or piece of ground within the city or its extraterritorial ~~three-mile~~
31 zoning jurisdiction to be cut and destroyed so as to abate any nuisance

1 occasioned by such vegetation; ~~thereby,~~ to prohibit and control the
2 throwing, depositing, or accumulation of litter on any lot or piece of
3 ground within the city or its extraterritorial three-mile zoning
4 jurisdiction; ~~and~~ to require the removal of such litter thereof so as to
5 abate any nuisance occasioned thereby. ~~If ,~~ ~~and if~~ the owner fails to cut
6 and destroy weeds and worthless vegetation or remove litter, or both,
7 after notice as required by ordinance, the city may ~~to~~ assess the cost of
8 such destruction or removal thereof upon the lots or lands as a special
9 assessment. The required notice ~~required to be given~~ may be by
10 publication in the official newspaper of the city and may be directed in
11 general terms to the owners of lots and lands affected without naming
12 such owners;

13 ~~Animals running at large.~~

14 (16) To prohibit and regulate the running at large or the herding or
15 driving of domestic animals, such as hogs, cattle, horses, sheep, goats,
16 fowls, or animals of any kind or description within the corporate limits;
17 to ~~and~~ provide for the impounding of all animals running at large,
18 herded, or driven contrary to such prohibition and regulations; and to
19 provide for the forfeiture and sale of animals impounded to pay the
20 expense of taking up, caring for, and selling such impounded animals,
21 including the cost of advertising and fees of officers;

22 ~~Use of streets.~~

23 (17) To regulate the transportation of articles through the streets
24 and ~~,~~ to prevent injuries to the streets from overloaded vehicles, ~~and to~~
25 ~~regulate the width of wagon tires and tires of other vehicles~~;

26 ~~Playing on streets and sidewalks.~~

27 (18) To prevent or regulate ~~the rolling of hoops, playing of ball,~~
28 ~~flying of kites, the riding of bicycles or tricycles, or any other~~
29 amusement or practice having a tendency to annoy persons passing in the
30 streets or on the sidewalks ~~or to frighten teams or horses~~; and to
31 regulate the use of vehicles propelled by steam, gas, electricity, or

1 other motive power, operated on the streets of the city;

2 ~~Combustibles and explosives.~~

3 (19) To regulate or prohibit the transportation and keeping of
4 gunpowder, oils, and other combustible and explosive articles;

5 ~~Public sale of chattels on streets.~~

6 (20) To regulate, license, or prohibit the sale of domestic animals
7 or of goods, wares, and merchandise at public auction on the streets,
8 alleys, highways, or any public ground within the city;

9 ~~Signs and obstruction in streets.~~

10 (21) To regulate and prevent the use of streets, sidewalks, and
11 public grounds for signs, posts, awnings, awning posts, scales, or other
12 like purposes; and to regulate and prohibit the exhibition or carrying or
13 conveying of banners, placards, advertisements, or the distribution or
14 posting of advertisements or handbills in the streets or public grounds
15 or upon the sidewalks;

16 ~~Disorderly conduct.~~

17 (22) To provide for the punishment of persons disturbing the peace
18 ~~and good order of the city~~ by ~~clamor and~~ noise, intoxication,
19 drunkenness, or fighting, ~~or using obscene or profane language in the~~
20 ~~streets or other public places~~ or otherwise violating the public peace by
21 indecent or disorderly conduct or by lewd and lascivious behavior;

22 ~~Vagrants and tramps.~~

23 (23) To provide for the punishment of vagrants, tramps, ~~common~~
24 street beggars, ~~common~~ prostitutes, ~~habitual~~ disturbers of the peace,
25 pickpockets, gamblers, burglars, thieves, ~~or~~ persons who practice any
26 game, trick, or device with intent to swindle, ~~persons who abuse their~~
27 ~~families, and suspicious persons who can give no reasonable account of~~
28 ~~themselves;~~ and to punish trespassers upon private property;

29 ~~Disorderly houses, gambling, offenses against public morals.~~

30 (24) To prohibit, restrain, and suppress ~~tippling shops,~~ houses of
31 prostitution, opium joints, gambling houses, prize fighting, dog

1 fighting, cock fighting, and other disorderly houses and practices, all
2 games and gambling ~~and desecration of the Sabbath, commonly called~~
3 ~~Sunday~~, and all kinds of indecencies; to regulate and license or prohibit
4 the keeping and use of billiard tables, bowling ~~ten pins or ball~~ alleys,
5 shooting galleries except as provided in the Nebraska Shooting Range
6 Protection Act, and other similar places of amusement; and to prohibit
7 and suppress all lotteries and gift enterprises of all kinds under
8 whatsoever name carried on, except that nothing in this subdivision shall
9 be construed to apply to bingo, lotteries, lotteries by the sale of
10 pickle cards, or raffles conducted in accordance with the Nebraska Bingo
11 Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card
12 Lottery Act, the Nebraska Small Lottery and Raffle Act, or the State
13 Lottery Act;

14 ~~Police regulation in general.~~

15 (25) To make and enforce all police regulations for the good
16 government, general welfare, health, safety, and security of the city and
17 the citizens of the city ~~thereof~~ in addition to the police powers
18 expressly granted by law ~~herein~~; and in the exercise of the police power,
19 to pass all needful and proper ordinances and impose fines, forfeitures,
20 and penalties, ~~and imprisonment at hard labor~~ for the violation of any
21 ordinance; ~~and~~ to provide for the recovery, collection, and enforcement
22 of such fines ~~thereof~~; and in default of payment to provide for
23 confinement in the city or county prison, ~~workhouse~~, or other place of
24 confinement ~~with or without hard labor~~ as may be provided by ordinance;

25 ~~Fast driving on streets.~~

26 (26) To prevent ~~horseracing and immoderate driving or riding on the~~
27 ~~street and to compel persons to fasten their horses or other animals~~
28 ~~attached to vehicles while standing in the streets;~~

29 ~~Libraries, art galleries, and museums.~~

30 (27) To establish and maintain public libraries, ~~reading rooms~~, art
31 galleries, and museums and to provide the necessary grounds or buildings

1 ~~for such libraries, galleries, and museums therefor~~; to purchase books,
2 papers, maps, manuscripts, works of art, and objects of natural or of
3 scientific curiosity, ~~and instruction for such libraries, galleries, and~~
4 ~~museums therefor~~; to receive donations and bequests of money or property
5 for ~~such libraries, galleries, and museums the same~~ in trust or
6 otherwise; and to pass necessary bylaws and regulations for the
7 protection and government of ~~such libraries, art galleries, and museums~~
8 ~~the same~~;

9 ~~Hospitals, workhouses, jails, firehouses, etc.; garbage disposal.~~

10 (28) To erect, designate, establish, maintain, and regulate
11 ~~hospitals or workhouses~~, houses of correction, jails, station houses,
12 fire engine houses, asphalt repair plants, and other necessary buildings;
13 ~~and~~ to erect, designate, establish, maintain, and regulate plants for the
14 removal, disposal, or recycling of garbage and refuse or to make
15 contracts for garbage and refuse removal, disposal, or recycling, or all
16 of the same; ~~and~~ to charge equitable fees for such removal, disposal,
17 or recycling, or all of the same, except as ~~hereinafter~~ provided by law.
18 The fees collected pursuant to this subdivision shall be credited to a
19 single fund to be used exclusively by the city for the removal, disposal,
20 or recycling of garbage and refuse, or all of the same, including any
21 costs incurred for collecting the fee. Before any contract for such
22 removal, disposal, or recycling is let, the city council shall make
23 specifications for such contract ~~therefor~~, bids shall be advertised for
24 as now provided by law, and the contract shall be let to the lowest and
25 best bidder, who shall furnish bond to the city conditioned upon his or
26 her carrying out the terms of the contract, the bond to be approved by
27 the city council. Nothing in this section, and no contract or regulation
28 made by the city council, shall be so construed as to prohibit any
29 person, firm, or corporation engaged in any business in which garbage or
30 refuse accumulates as a byproduct from selling, recycling, or otherwise
31 disposing of his, her, or its garbage or refuse or hauling such garbage

1 or refuse through the streets and alleys under such uniform and
2 reasonable regulations as the city council may by ordinance prescribe for
3 the removal and hauling of garbage or refuse;

4 ~~Market places.~~

5 (29) To erect and establish market houses and market places and to
6 provide for the erection of all other useful and necessary buildings for
7 the use of the city and for the protection and safety of all property
8 owned by the city. Such ~~;~~ ~~and such~~ market houses, ~~and~~ market places, ~~and~~
9 buildings ~~aforesaid~~ may be located on any street, alley, or public ground
10 or on land purchased for such purpose;

11 ~~Cemeteries, registers of births and deaths.~~

12 (30) To prohibit the establishment of additional cemeteries within
13 the limits of the city; ~~;~~ ~~to~~ regulate the registration of births and
14 deaths; ~~;~~ ~~to~~ direct the keeping and returning of bills of mortality; ~~;~~
15 and to impose penalties on physicians, sextons, and others for any
16 default in the premises;

17 ~~Plumbing, etc., inspection.~~

18 (31) To provide for the inspection of steam boilers, electric light
19 appliances, pipefittings, and plumbings; ~~;~~ ~~to~~ regulate their erection and
20 construction; ~~;~~ ~~to~~ appoint inspectors; ~~;~~ ~~and~~ to declare their powers and
21 duties, except as ~~herein~~ otherwise provided by law;

22 ~~Fire limits and fire protection.~~

23 (32) To enact a fire code ~~prescribe fire limits~~ and regulate the
24 erection of all buildings and other structures within the corporate
25 limits; to provide for the removal of any buildings or structures or
26 additions to buildings or structures ~~thereto~~ erected contrary to such
27 code or regulations, to provide for the removal of dangerous buildings,
28 ~~and to provide that wooden buildings shall not be erected or placed or~~
29 ~~repaired in the fire limits; but no such code or regulation ordinance~~
30 shall ~~not~~ be suspended or modified by resolution, ~~nor~~ shall exceptions be
31 made by ordinance or resolution in favor of any person, firm, or

1 corporation or concerning any particular lot or building; to direct that
2 ~~when all and any building has within such fire limits, when the same~~
3 ~~shall have~~ been damaged by fire, decay, or otherwise, to the extent of
4 fifty percent of the value of a similar new building above the
5 foundation, shall be torn down or removed; ~~and~~ to prescribe the manner of
6 ascertaining such damages and to assess the cost of removal of any
7 building erected or existing contrary to such code or regulations or
8 ~~provisions,~~ against the lot or real estate upon which such building or
9 structure is located or shall be erected, or to collect such costs from
10 the owner of any such building or structure; and to enforce the such
11 collection of such costs by civil action in any court of competent
12 jurisdiction;

13 ~~Building regulations.~~

14 (33) To regulate the construction, use, and maintenance of party
15 walls, to prescribe and regulate the thickness, strength, and manner of
16 constructing stone, brick, wood, or other buildings and the size and
17 shape of brick and other material placed in such buildings; ~~therein,~~ to
18 prescribe and regulate the construction and arrangement of fire escapes
19 and the placing of iron and metallic shutters and doors in or on such
20 fire escapes; ~~therein and thereon,~~ and to provide for the inspection of
21 ~~elevators and hoist-way openings to avoid accidents;~~ to prescribe,
22 regulate, and provide for the inspection of all plumbing, pipefitting, or
23 sewer connections in all houses or buildings now or hereafter erected; to
24 regulate the size, number, and manner of construction of halls, doors,
25 stairways, seats, aisles, and passageways of theaters, ~~tenement houses,~~
26 ~~audience rooms,~~ and all buildings of a public character, whether now
27 built or hereafter to be built, so that there may be convenient, safe,
28 and speedy exit in case of fire; to prevent the dangerous construction
29 and condition of chimneys, fireplaces, hearths, stoves, stovepipes,
30 ovens, boilers, and heating appliances used in or about any building ~~or a~~
31 ~~manufactory~~ and to cause such appliances ~~the same~~ to be removed or placed

1 in safe condition when they are considered dangerous; ~~to regulate and~~
2 ~~prevent the carrying on of manufactures dangerous in causing and~~
3 ~~promoting fires;~~ to prevent the deposit of ashes in unsafe places and to
4 cause such buildings and enclosures as may be in a dangerous state to be
5 put in a safe condition; to prevent the disposing of and delivery or use
6 in any building or other structure, ~~of soft, shelly, or imperfectly~~
7 ~~burned brick or other~~ unsuitable building material within the city limits
8 and provide for the inspection of building materials ~~the same~~; to provide
9 for the abatement of dense volumes of smoke; to regulate the construction
10 of areaways, stairways, and vaults and to regulate partition fences; and
11 to enforce proper heating and ventilation of buildings used for schools,
12 ~~workhouses, or shops of every class in which labor is employed or other~~
13 buildings where large numbers of persons are liable to congregate;

14 ~~Warehouses and street railways.~~

15 (34) To regulate levees, depots and depot grounds, and places for
16 storing freight and goods and to provide for and regulate the laying of
17 tracks and the passage of ~~steam or other~~ railways through the streets,
18 alleys, and public grounds of the city;

19 ~~Lighting railroad property.~~

20 (35) To require the lighting of any railway within the city, ~~the~~
21 ~~cars of which are propelled by steam,~~ and to fix and determine the
22 number, size, and style of ~~lampposts, burners, lamps, and all other~~
23 fixtures and apparatus necessary for such lighting and the points of
24 location for such lampposts. If ; and in case any company owning or
25 operating such railways shall fail to comply with such requirements, the
26 city council may cause such lighting ~~the same~~ to be done and may assess
27 the expense of such lighting ~~thereof~~ against such company. Such expense ~~;~~
28 ~~and the same~~ shall constitute a lien upon any real estate belonging to
29 such company and lying within such city and may be collected in the same
30 manner as taxes for general purposes;

31 ~~City publicity.~~

1 (36) To provide for necessary publicity and to appropriate money for
2 the purpose of advertising the resources and advantages of the city;

3 ~~Offstreet parking.~~

4 (37) To erect, establish, and maintain offstreet parking areas on
5 publicly owned property located beneath any elevated segment of the
6 National System of Interstate and Defense Highways or portion thereof, or
7 public property title to which is in the city on May 12, 1971, or
8 property owned by the city and used in conjunction with and incidental to
9 city-operated facilities; ~~and~~ and to regulate parking on such property
10 ~~thereon~~ by time limitation devices ~~devises~~ or by lease;

11 ~~Public passenger transportation systems.~~

12 (38) To acquire, by the exercise of the power of eminent domain or
13 otherwise, lease, purchase, construct, own, maintain, operate, or
14 contract for the operation of public passenger transportation systems,
15 excluding taxicabs, transportation network companies and railroad
16 systems, including all property and facilities required for such systems
17 ~~therefor~~, within and without the limits of the city; ~~and~~ and to redeem such
18 property from prior encumbrance in order to protect or preserve the
19 interest of the city in such property; ~~therein~~, to exercise all powers
20 granted by the Constitution of Nebraska and laws of the State of Nebraska
21 or exercised by or pursuant to a home rule charter adopted pursuant
22 thereto, including, but not limited to, receiving and accepting from the
23 government of the United States or any agency thereof, from the State of
24 Nebraska or any subdivision thereof, and from any person or corporation
25 donations, ~~devises~~, gifts, bequests, loans, or grants for or in aid of
26 the acquisition, operation, and maintenance of such public passenger
27 transportation systems; ~~and~~ and to administer, hold, use, and apply such
28 donations, devises, gifts, bequests, loans, or grants ~~the same~~ for the
29 purposes for which such donations, ~~devises~~, gifts, bequests, loans, or
30 grants may have been made; ~~and~~ and to negotiate with employees and enter into
31 contracts of employment; ~~and~~ and to employ by contract or otherwise individuals

1 singularly or collectively; ~~τ~~ to enter into agreements authorized under
2 the Interlocal Cooperation Act or the Joint Public Agency Act; ~~τ~~ to
3 contract with an operating and management company for the purpose of
4 operating, servicing, and maintaining any public passenger transportation
5 systems ~~the any city of the metropolitan class~~ shall acquire; ~~τ~~ and to
6 exercise such other and further powers as may be necessary, incident, or
7 appropriate to the powers of ~~the such~~ city; and

8 ~~Regulation of air quality.~~

9 (39) In addition to powers conferred elsewhere in the laws of the
10 state ~~and notwithstanding any other law of the state~~, to implement and
11 enforce an air pollution control program within the corporate limits of
12 the city under subdivision (23) of section 81-1504 or subsection (1) of
13 section 81-1528, which program shall be consistent with the federal Clean
14 Air Act, as amended, 42 U.S.C. 7401 et seq. Such powers shall include
15 without limitation those involving injunctive relief, civil penalties,
16 criminal fines, and burden of proof. Nothing in this section shall
17 preclude the control of air pollution by resolution, ordinance, or
18 regulation not in actual conflict with ~~the~~ state air pollution control
19 regulations.

20 Sec. 4. Section 14-102.01, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-102.01 A city of the metropolitan class may enact any ~~make all~~
23 ~~such~~ ordinances, bylaws, rules, regulations, and resolutions not
24 inconsistent with the general laws of the state, as may be necessary or
25 expedient, in addition to specific ~~the special~~ powers otherwise granted
26 by law, for maintaining the peace, good government, and welfare of the
27 city and for preserving order, securing persons or property from
28 violence, danger, and destruction, for protecting public and private
29 property, for promoting the public health, safety, convenience, comfort,
30 ~~morals,~~ and general interests, and welfare of the inhabitants of the
31 city.

1 Sec. 5. Section 14-102.02, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-102.02 All powers and duties connected with and incident to the
4 appointment, removal, government, and discipline of the officers and
5 members of the fire department and police department ~~departments~~ of any
6 city of the metropolitan class ~~city~~ in the State of Nebraska, under such
7 rules and regulations as may be adopted by the city council, shall be
8 vested in and exercised by the city ~~said~~ council. Rules and regulations
9 for the guidance of the officers and members ~~men~~ of such ~~said~~
10 departments, and for the appointment, promotion, removal, trial, or
11 discipline of such ~~said~~ officers, ~~men~~ and members ~~matrons~~, shall be such
12 as the city council shall consider proper and necessary.

13 Sec. 6. Section 14-103, Revised Statutes Cumulative Supplement,
14 2020, is amended to read:

15 14-103 The city council of a city of the metropolitan class shall
16 have power to define, regulate, suppress, and prevent nuisances. The city
17 council may create a board of health in cases of a general epidemic or
18 may cooperate with the boards of health provided by the laws of this
19 state. The city council may provide rules and regulations for the care,
20 treatment, regulation, and prevention of all contagious and infectious
21 diseases, for the regulation of all hospitals, dispensaries, and places
22 for the treatment of the sick, for the sale of dangerous drugs, for the
23 regulation of cemeteries, and for the burial of the dead. The
24 jurisdiction of the city council in enforcing such ~~the foregoing~~
25 regulations shall extend over such city and within its extraterritorial
26 ~~three-mile~~ zoning jurisdiction.

27 Sec. 7. Section 14-104, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-104 The city council of a city of the metropolitan class shall
30 have power to construct any bridge declared by ordinance necessary and
31 proper for the passage of railway trains, street cars, motor vehicles

1 ~~trains, teams~~ and pedestrians across any stream either adjacent to or
2 wholly within ~~the any city of the metropolitan class~~ at any point on such
3 stream or within two miles from the corporate limits of ~~the such~~ city,
4 with such conditions and regulations concerning the use of such bridge as
5 may be deemed proper. The city council ~~It~~ shall have the power to license
6 and regulate the keeping of toll bridges within or terminating within the
7 city for the passage of persons, ~~teams,~~ and property over any river
8 passing wholly or in part within or running by and adjoining the
9 corporate limits of ~~the any such city;~~ to fix and determine the rates
10 of toll over any such bridge, or over the part of such bridge thereof
11 within the city; and to authorize the owner or owners of any such bridge
12 to charge and collect the rates of toll so fixed and determined, from all
13 persons passing over or using such bridge ~~the same~~.

14 Sec. 8. Section 14-105, Revised Statutes Cumulative Supplement,
15 2020, is amended to read:

16 14-105 The city council of a city of the metropolitan class may
17 require any and all lots or pieces of ground within the city to be
18 drained, filled, or graded, and upon the failure of the owners of such
19 lots or pieces of ground to comply with such requirements, after thirty
20 days' notice in writing, the city council may cause the lots or pieces of
21 ground to be drained, filled, or graded, and the cost and expense of such
22 work thereof shall be levied upon the property so filled, drained, or
23 graded and shall be equalized, assessed, and collected as a special
24 assessment.

25 Sec. 9. Section 14-106, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-106 The city council of a city of the metropolitan class shall
28 have the power to regulate and provide for the lighting of streets,
29 laying down gas and other pipes, and erection of lampposts, electric
30 towers or other apparatus; to regulate the sale and use of gas and
31 electric lights; to ~~and~~ fix and determine from time to time the price

1 of gas, the charge of electric lights and power, and the rents of gas
2 meters within the city, when not furnished by public authority, and
3 regulate the inspection of such gas meters thereof; to prohibit or
4 regulate the erection of telegraph, telephone, or electric wire poles or
5 other poles for whatsoever purpose desired or used in the public grounds,
6 streets, or alleys, and the placing of wires on such poles thereon; and
7 to require the removal from the public grounds, streets, or alleys, of
8 any or all such poles; and to require the removal and placing under
9 ground of any or all telegraph, telephone, or electric wires.

10 Sec. 10. Section 14-107, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-107 The city council of a city of the metropolitan class may
13 erect, construct, purchase, maintain and operate subways or conduits,
14 waterworks, gas works, electric light and power plants; ~~and~~ provide and
15 equip aerial landing fields; ~~and may~~ determine, fix and charge rentals
16 for subways and conduits; and fix rates to be charged by such
17 enterprises, except as otherwise provided by ~~general~~ law. The city ~~As to~~
18 ~~all the activities authorized in this section,~~ the council may adopt and
19 promulgate and enforce all needful and proper rules and regulations ~~and~~
20 ~~enforce the same,~~ in connection with the operation of any such
21 enterprises.

22 Sec. 11. Section 14-108, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-108 The city council of a city of the metropolitan class shall
25 have power by ordinance to contract with any competent party for the
26 supplying and furnishing of electric light, electric heat or power, or
27 other similar service for the use of the city on its streets and public
28 places. Any such The ordinance shall specify ~~contain specifically~~ the
29 rates, terms, and conditions upon which such service ~~the same may and~~
30 shall be supplied and furnished during the period named in the ordinance
31 ~~of~~ contract. Any such contract exceeding the term of forty years shall be

1 void.

2 Sec. 12. Section 14-109, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 14-109 (1)(a) The city council of a city of the metropolitan class
5 shall have power to tax for revenue, license, and regulate any person
6 within the limits of the city by ordinance except as otherwise provided
7 in this section. Such tax may include both a tax for revenue and license.
8 The city council may raise revenue by levying and collecting a tax on any
9 occupation or business within the limits of the city. After March 27,
10 2014, any occupation tax imposed pursuant to this section shall make a
11 reasonable classification of businesses, users of space, or kinds of
12 transactions for purposes of imposing such tax, except that no occupation
13 tax shall be imposed on any transaction which is subject to tax under
14 section 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602,
15 or 77-4008 or which is exempt from tax under section 77-2704.24. The
16 occupation tax shall be imposed in the manner provided in section
17 18-1208, except that section 18-1208 does not apply to an occupation tax
18 subject to section 86-704. All such taxes shall be uniform in respect to
19 the class upon which they are imposed. All scientific and literary
20 lectures and entertainments shall be exempt from taxation, as well as
21 concerts and all other musical entertainments given exclusively by the
22 citizens of the city. It shall be the duty of the city clerk to deliver
23 to the city treasurer a ~~the certified~~ copy of the ordinance levying such
24 tax, ~~and the city clerk shall append thereto a warrant requiring the city~~
25 ~~treasurer to collect such tax.~~

26 (b) For purposes of this subsection, limits of the city does not
27 include the extraterritorial zoning jurisdiction of such city.

28 (2)(a) Except as otherwise provided in subdivision (c) of this
29 subsection, the city council shall also have the power to require any
30 individual whose primary residence or person who owns a place of business
31 which is within the limits of the city and that owns and operates a motor

1 vehicle within such limits to annually register such motor vehicle in
2 such manner as may be provided and to require such person to pay an
3 annual motor vehicle fee therefor and to require the payment of such fee
4 upon the change of ownership of such vehicle. All such fees which may be
5 provided for under this subsection shall be credited to a separate fund
6 of the city, thereby created, to be used exclusively for constructing,
7 repairing, maintaining, or improving streets, roads, alleys, public ways,
8 or parts of such streets, roads, alleys, or ways thereof or for the
9 amortization of bonded indebtedness when created for such purposes.

10 (b) No motor vehicle fee shall be required under this subsection if
11 (i) a vehicle is used or stored but temporarily in such city for a period
12 of six months or less in a twelve-month period, (ii) an individual does
13 not have a primary residence or a person does not own a place of business
14 within the limits of the city and does not own and operate a motor
15 vehicle within the limits of the city, or (iii) an individual is a full-
16 time student attending a postsecondary institution within the limits of
17 the city and the motor vehicle's situs under the Motor Vehicle
18 Certificate of Title Act is different from the place at which he or she
19 is attending such institution.

20 (c) After December 31, 2012, no motor vehicle fee shall be required
21 of any individual whose primary residence is within the extraterritorial
22 zoning jurisdiction of such city or any person who owns a place of
23 business within such ~~the extraterritorial zoning jurisdiction of such~~
24 ~~city~~.

25 (d) For purposes of this subsection, limits of the city includes the
26 extraterritorial zoning jurisdiction of such city.

27 (3) For purposes of this section, person includes bodies corporate,
28 societies, communities, the public generally, individuals, partnerships,
29 limited liability companies, joint-stock companies, cooperatives, and
30 associations. Person does not include any federal, state, or local
31 government or any political subdivision thereof.

1 Sec. 13. Section 14-110, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-110 If the manner of exercising any power conferred upon the city
4 council of a city of the metropolitan class is not prescribed, the city
5 council may provide by ordinance for the exercise of such power therefor.

6 Sec. 14. Section 14-111, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-111 The city council of a city of the metropolitan class shall
9 have the care, management and control of the city and ~~τ~~ its property and
10 finances, and shall have power to pass, amend, or repeal any and all
11 ordinances necessary or proper to execute or carry into effect any of the
12 provisions of sections 14-101 to 14-2004 ~~this act~~, or any of the powers
13 ~~herein~~ granted in such sections, except as otherwise provided by law
14 ~~herein~~.

15 Sec. 15. Section 14-112, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 14-112 In each city of the metropolitan class, the city shall have
18 power by ordinance to erect, establish, and maintain public comfort
19 stations. Such ~~It may locate such public comfort stations~~ may be located
20 on any street, alley, public grounds, or on any lands acquired for such
21 purpose.

22 Sec. 16. Section 14-113, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-113 In each city of the metropolitan class, the city council
25 shall have power by ordinance to erect, establish, and maintain an armory
26 in such said city, and may rent or lease such armory to the State of
27 Nebraska for the purpose of housing the National Guard and State Guard of
28 the state, or any unit thereof, under such terms and conditions as the
29 city council ~~it~~ may deem proper.

30 Sec. 17. Section 14-115, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-115 (1)(a) No owner of real estate within the corporate limits
2 of ~~a such city of the metropolitan class~~ shall be permitted to subdivide
3 the real estate into blocks and lots, or parcels, without first having
4 obtained from the city engineer a plat or plan for the avenues, streets,
5 and alleys to be laid out within or across such real estate ~~the same~~ and,
6 when applicable, having complied with sections 39-1311 to 39-1311.05.

7 (b) A copy of such plat must be filed in the office of the city
8 clerk for at least two weeks before such plat can be approved. Public
9 notice must be given for two weeks of the filing of the plat. ~~τ~~

10 (2) The city council shall have the power to:

11 (a) ~~Order~~ and such plat, ~~if ordered by the council,~~ shall be made so
12 that such avenues, streets, and alleys so far as practicable, shall
13 correspond in width, name, and direction and are ~~be~~ continuous of the
14 avenues, streets, and alleys in the city contiguous to or near the real
15 estate to be subdivided; ~~τ~~

16 (b) ~~Compel~~ ~~The council shall have power to compel~~ the owner of such
17 real estate, in subdividing such real estate ~~the same~~, to lay out and
18 dedicate to the public the avenues, streets, and alleys, to be within or
19 across such real estate in accordance with the plat; ~~τ~~

20 (c) ~~Prohibit~~ ~~It shall further have the power to prohibit~~ the selling
21 or offering for sale of any lots or parts of such real estate not
22 subdivided and platted pursuant to this section; ~~and as herein required.~~

23 (d) ~~Establish~~ ~~It shall also have power to establish~~ the grade of all
24 such streets and alleys and to require such streets and alleys ~~the same~~
25 to be graded to such established grade before selling or offering for
26 sale any of the lots or parts of the real estate.

27 (3) Any and all additions to be made to the city shall be made so
28 far as such additions relate ~~the same relates~~ to the avenues, streets,
29 and alleys in such additions ~~therein~~, under and in accordance with this
30 section ~~the foregoing provisions.~~

31 (4)(a) Whenever the owners of all the lots and lands, except streets

1 and alleys, embraced and included in any existing plat or subdivision
2 shall desire to vacate the plat or subdivision for the purpose of
3 replatting the land embraced in the plat or subdivision, and shall
4 present a petition praying for such vacation to the city council, and
5 submit with such petition ~~therewith for the approval of the city council~~
6 a proposed replat of such lots and lands ~~the same~~, which shall in all
7 things be in conformity with the requirements of this section, the city
8 council may, by concurrent resolution, declare the existing plat and the
9 streets and alleys in such plat ~~therein~~ vacated and approve the proposed
10 replat.

11 (b) Upon such approval, ~~Thereupon~~ the existing plat or subdivision
12 shall be vacated and the land comprised within the streets and alleys so
13 vacated shall revert to, and the title to such streets and alleys ~~thereto~~
14 vest in, the owners of the abutting property and become a part of such
15 property, each owner taking title to the centerline of the vacated street
16 or alley adjacent to his or her property. When a portion of a street or
17 alley is vacated only on one side of the center of such street or alley
18 ~~thereof~~, the title to such land shall vest in the owner of the abutting
19 property and become a part of such property.

20 (c) It shall require a two-thirds vote of all the members of the
21 city council to adopt such resolution.

22 (5) Upon the vacation of any plat as provided in this section
23 ~~aforesaid~~, it shall be the duty of the owners petitioning for such
24 vacation ~~same~~ to cause to be recorded in the office of the register of
25 deeds and county assessor of the county a duly certified copy of the
26 petition, the action of the city council on such petition ~~therein~~, and
27 the resolution vacating the plat.

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

30 14-116 (1) No owner of any real estate located in an area which is
31 within the extraterritorial zoning jurisdiction ~~three miles of the~~

1 ~~corporate limits~~ of any city of the metropolitan class, when such real
2 estate is located in any county in which such a city ~~of the metropolitan~~
3 ~~class~~ is located, and is outside of any other organized city or village,
4 shall be permitted to subdivide, plat, or lay out the real estate in
5 building lots and streets or other portions of such real estate ~~the same~~
6 intended to be dedicated for public use or for the use of the purchasers
7 or owners of lots fronting on thereon or adjacent to such real estate
8 ~~thereto~~ without first having obtained the approval ~~thereof~~ by the city
9 council of such city and, when applicable, having complied with sections
10 39-1311 to 39-1311.05. No plat of such real estate shall be recorded in
11 the office of the register of deeds or have any force or effect unless
12 such plat ~~the same~~ shall have been first approved by the city council of
13 such city.

14 (2) The Such city shall have the authority within its
15 extraterritorial zoning jurisdiction ~~such area~~ to:

16 (a) Regulate ~~regulate~~ the subdivision of land for the purpose,
17 whether immediate or future, of transfer of ownership or building
18 development;

19 (b) Prescribe ~~to prescribe~~ standards for laying out subdivisions in
20 harmony with a comprehensive plan;

21 (c) Require ~~to require~~ the installation of improvements by the owner
22 or by the creation of public improvement districts, ~~÷~~ by requiring a good
23 and sufficient bond guaranteeing installation of such improvement, ~~÷~~ or by
24 requiring the execution of a contract with the city insuring the
25 installation of such improvements; and

26 (d) Require ~~to require~~ the dedication of land for adequate streets,
27 drainage ways, and easements for sewers and utilities.

28 (3) All such requirements for improvements shall operate uniformly
29 throughout the extraterritorial zoning area ~~of jurisdiction~~ of such city.

30 (4) For purposes of this section, subdivision shall mean the
31 division of a lot, tract, or parcel of land into two or more lots,

1 blocks, or other divisions of lands for the purpose, whether immediate or
2 future, of ownership or building developments except that the division of
3 land shall not be considered to be subdivision when the smallest parcel
4 created is more than ten acres in size.

5 (5) ~~The city council of any such city~~ may withhold approval of a
6 plat until the appropriate department of the city has certified that the
7 improvements required by ordinance have been satisfactorily installed, ~~or~~
8 until a sufficient bond guaranteeing installation of the improvements has
9 been posted with the city, ~~or~~ until public improvement districts have
10 been created, ~~or~~ until a contract has been executed insuring the
11 installation of such improvements.

12 Sec. 19. Section 14-117, Revised Statutes Cumulative Supplement,
13 2020, is amended to read:

14 14-117 The corporate limits of any city of the metropolitan class
15 shall be fixed and determined by ordinance by the city council. The city
16 council of any city of the metropolitan class may at any time extend the
17 corporate limits of such city over any contiguous or adjacent lands,
18 lots, tracts, streets, or highways, such distance as may be deemed proper
19 in any direction, and may include, annex, merge, or consolidate with such
20 city of the metropolitan class, by such extension of its limits, any
21 adjoining city of the first class having a population of less than ten
22 thousand inhabitants as determined by the most recent federal decennial
23 census or the most recent revised certified count by the United States
24 Bureau of the Census or any adjoining city of the second class or
25 village. Any other laws and limitations defining the boundaries of cities
26 or villages or the increase of area or extension of limits of such
27 boundaries ~~thereof~~ shall not apply to lots, lands, cities, or villages
28 annexed, consolidated, or merged under this section.

29 Sec. 20. Section 14-118, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-118 (1) Whenever any city of the metropolitan class shall extend

1 its boundaries so as to annex or merge with it any city or village, the
2 laws, ordinances, powers, and government of such city of the metropolitan
3 class city shall extend over the territory embraced within such annexed
4 or merged city or village ~~so annexed or merged with the metropolitan city~~
5 from and after the date of annexation or merger. The date of annexation
6 or merger shall be set forth in the ordinance providing for such
7 annexation or merger. ~~the same, and after~~

8 (2) After such said date, the city of the metropolitan class city
9 shall:

10 (a) Succeed ~~succeed~~ to all the property and property rights of every
11 kind, contracts, obligations, and choses in action of every kind held by
12 or belonging to the annexed or merged city or village; and

13 (b) ~~Be annexed or merged with it, and the metropolitan city shall be~~
14 liable for and recognize, assume, and carry out all valid contracts,
15 obligations, and licenses of the annexed or merged any city or village ~~so~~
16 ~~annexed or merged with the metropolitan city.~~

17 (3) Any city or village ~~so merged or annexed~~ or merged with the city
18 of the metropolitan class city shall be deemed fully compensated by
19 virtue of such annexation or merger and assumption of its obligations and
20 contracts, for all its properties and property rights of every kind so
21 acquired.

22 (4) ~~Any as aforesaid by the metropolitan city; Provided, however,~~
23 ~~that any~~ public franchise, license, or privilege granted to or held by
24 any person or corporation from any of the cities or villages annexed or
25 merged with any city of the metropolitan class city, before such
26 annexation or merger, shall not, by virtue of such annexation or merger,
27 be extended into, upon or over the streets, alleys, or public places of
28 the city of the metropolitan class city involved in such annexation or
29 ~~consolidation and merger.~~

30 Sec. 21. Section 14-120, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-120 All taxes, assessments, fines, license fees, claims and
2 demands of every kind, due or to become due or owing to any city or
3 village ~~thus~~ annexed or merged with any city of the metropolitan class as
4 provided in sections 14-117 to 14-125 ~~city~~, shall be paid to and
5 collected by the city of the metropolitan class ~~city~~.

6 Sec. 22. Section 14-121, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-121 All taxes or special assessments which any city or village ~~so~~
9 annexed or merged with a city of the metropolitan class as provided in
10 sections 14-117 to 14-125 was authorized to levy or assess, but which are
11 not levied or assessed at the time of such annexation or merger for any
12 kind of public improvements made by such city or village ~~it~~ or in process
13 of construction or contracted for, may be levied or assessed by such city
14 of the metropolitan class. ~~The city of the city as consolidated. Such~~
15 metropolitan class ~~city~~ shall have the power to reassess all special
16 assessments or taxes levied or assessed by such city or village thus
17 consolidated with such city ~~it~~ in all cases where any city or village was
18 authorized to make reassessments or relieves of such taxes or
19 assessments.

20 Sec. 23. Section 14-122, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-122 Where, at the time of any ~~such~~ annexation or merger as
23 provided in sections 14-117 to 14-125, the municipal license year, for
24 any kind of license, of any city or village annexed or merged with a city
25 of the metropolitan class as provided in such sections ~~so consolidated~~
26 ~~with the metropolitan city~~ extends beyond or overlaps the municipal
27 license year of the city of the metropolitan class ~~city~~, then the proper
28 authorities of the city of the metropolitan class ~~may city~~ ~~are hereby~~
29 ~~authorized to~~ issue to the lawful holder of any yearly license issued by
30 any such city or village annexed or merged with the city of the
31 metropolitan class ~~city~~, or to any new applicants applying for license to

1 continue the business at the place covered by such expiring city or
2 village license, a new license under such conditions as may be provided
3 in the laws or ordinances governing the city of the metropolitan class
4 city for the remainder of the city of the metropolitan class city license
5 year, extending from the expiration of such city or village license up to
6 the end of the city of the metropolitan class city license year, and
7 charging and collecting for such license therefor only such portion of
8 the yearly amount fixed for ~~any~~ such license by the laws or ordinances
9 governing the city of the metropolitan class city as will represent
10 proportionately the time for which the new license shall be granted.

11 Sec. 24. Section 14-123, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-123 All actions in law or in equity pending in any court in favor
14 of or against any city or village ~~thus~~ annexed or merged with a city of
15 the metropolitan class as provided in sections 14-117 to 14-125 city at
16 the time such annexation or merger takes effect, shall be prosecuted by
17 or defended by such city of the metropolitan class city. All rights of
18 action existing against any city or village consolidated with such city
19 of the metropolitan class city at the time of such consolidation, or
20 accruing thereafter on account of any transaction had with or under any
21 law or ordinance of such city or village, may be prosecuted against such
22 city of the metropolitan class city as existing after annexation or
23 merger.

24 Sec. 25. Section 14-124, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-124 All officers of any city or village ~~so~~ annexed or merged with
27 a city of the metropolitan class city, having books, papers, bonds,
28 funds, effects, ~~or~~ property of any kind in their hands or under their
29 control belonging to any such city or village shall, upon the taking
30 effect of such consolidation, deliver such books, papers, bonds, funds,
31 effects, or property ~~the same~~ to the respective officers of the city of

1 ~~the metropolitan class city as may be by law or ordinance or resolution~~
2 ~~of such metropolitan city entitled or authorized to receive such books,~~
3 ~~papers, bonds, funds, effects, or property the same.~~ Upon such annexation
4 and merger taking effect, the terms and tenure of all offices and
5 officers of any city or village so consolidated with the city of the
6 metropolitan class city shall terminate and entirely cease except as
7 ~~herein~~ otherwise provided by law.

8 Sec. 26. Section 14-125, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-125 Any rights, power, or authority acquired, granted, or
11 received, or possessed by any person, city, or village through
12 consolidation effectuated under the terms of Chapter 212 of the Session
13 Laws of Nebraska for 1915, are hereby granted and continued.

14 Sec. 27. Section 14-136, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-136 The city council of a city of the metropolitan class, or any
17 committee of the members of the city council thereof, shall have the
18 power to compel the attendance of witnesses for the investigation of
19 matters that may come before them. ~~The , and the~~ presiding officer of the
20 city council, or the chairperson chairman of such committee ~~for the time~~
21 ~~being~~, may administer the requisite oaths, and the city such council or
22 committee shall have the same authority to compel the giving of testimony
23 as is conferred on courts of justice.

24 Sec. 28. Section 14-137, Revised Statutes Supplement, 2021, is
25 amended to read:

26 14-137 The style enacting clause of ~~all~~ ordinances of ~~in~~ a city of
27 the metropolitan class shall be as follows: Be it ordained by the city
28 council of the city of All ordinances of the city shall be
29 passed pursuant to such rules and regulations as the city council may
30 prescribe. Upon the passage of all ordinances the yeas and nays shall be
31 recorded in the minutes entered upon the record of the city council, and

1 a majority of the votes of all the members of the city council shall be
2 necessary for ~~to~~ their passage. No ordinance shall be passed within a
3 week after its introduction, except the general appropriation ordinances
4 for salaries and wages. Ordinances of a general or permanent nature shall
5 be read by title on three different days unless three-fourths of the city
6 council vote to suspend this requirement, except that such requirement
7 shall not be suspended (1) for any ordinance for the annexation of
8 territory or the redrawing of boundaries for city council election
9 districts or wards or (2) as otherwise provided by law.

10 Sec. 29. Section 14-201, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-201 In each ~~any~~ city of the metropolitan class, seven city
13 council members shall be elected to the city council as provided in
14 section 32-536. The general city election for the election of elective
15 officers of cities of the metropolitan class shall be held on the first
16 Tuesday after the second Monday in May 1993 and every four years
17 thereafter. The terms of office of such city council members shall
18 commence on the fourth Monday after such election.

19 Sec. 30. Section 14-201.03, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-201.03 The election commissioner in any county in which is
22 situated a city of the metropolitan class shall divide the city into
23 seven city council districts of compact and contiguous territory. Such
24 districts shall be numbered consecutively from one to seven. One city
25 council member shall be elected from each district. The city council
26 shall be responsible for redrawing the city council district boundaries
27 pursuant to section 32-553.

28 Sec. 31. Section 14-202, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-202 The city council of a city of the metropolitan class is
31 authorized to call, by ordinance, special elections and to submit at such

1 ~~elections thereat~~ such questions and propositions as may be authorized by
2 ~~law this act~~ to be submitted to the electors at a special election.
3 Unless otherwise specifically directed, it shall be sufficient to give,
4 in the manner required by law, thirty days' notice of the time and place
5 of holding such special election. Unless otherwise ~~specifically specially~~
6 designated, a majority vote of the electors voting on any proposition
7 shall be regarded sufficient to approve or carry ~~such proposition the~~
8 ~~same~~. The vote ~~at such special election thereat~~ shall be canvassed by the
9 authority or officer authorized to canvass the vote at the general city
10 election and the result ~~of such election thereof~~ certified or declared
11 and certificate of election, if required, shall be issued.

12 Sec. 32. Section 14-204, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-204 (1) A candidate for city council member of a city of the
15 metropolitan class shall be a registered voter and a resident of the
16 district from which he or she seeks election and shall have been a
17 resident in the city and district or any area annexed by the city for six
18 ~~months one year~~. The primary election for nomination of city council
19 members shall be held on the first Tuesday of April preceding the date of
20 the general city election.

21 (2) Any person desiring to become a candidate for city council
22 member shall file a candidate filing form pursuant to sections 32-606 and
23 32-607.

24 Sec. 33. Section 14-205, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-205 Notwithstanding any more general law respecting primary
27 elections in force in this state, the official ballot to be prepared and
28 used at the primary election under section 14-204 shall be in
29 substantially the form provided in this section. The names of all
30 candidates shall be placed upon the ballot without any party designation.

31 Candidate for Nomination for City Council Member from City Council

1 District No., of the City of, at the
2 Primary Election

3 Vote for only one:

4 ~~(Names of candidates)~~.....

5 (Names of candidates)

6 In all other respects the general character of the ballot to be used
7 shall be the same as authorized by the Election Act.

8 In printing, the names shall not be arranged alphabetically but
9 shall be rotated according to the following plan: The form shall be set
10 up by the printer, with the names in the order in which they are placed
11 upon the sample ballot prepared by the officer authorized to conduct the
12 general city election. In printing the ballots for the various election
13 districts or precincts, the position of the names shall be changed for
14 each election district, and in making the change of position the printer
15 shall take the line of type containing the name at the head of the form
16 and place it at the bottom, shoving up the column so that the name that
17 was second before the change shall be the first after the change. The
18 primary election shall be conducted pursuant to the Election Act except
19 as provided in section 14-204 and unless otherwise provided in the home
20 rule charter or city code.

21 Sec. 34. Section 14-206, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-206 The two candidates receiving the highest number of votes in
24 each city council district at the primary election under section 14-204
25 shall be the candidates and the only candidates whose names shall be
26 placed upon the official ballot for city council members in such city
27 council district at the general city election in such city.

28 Sec. 35. Section 14-207, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-207 At the general city election at which city council members
31 are to be elected, the ballot shall be prepared in substantially the same

1 form as provided in section 14-205, and the person receiving the highest
2 number of votes in each of the city council districts shall be the city
3 council member elected. The general city election shall be conducted
4 pursuant to the Election Act unless otherwise provided in the home rule
5 charter or city code.

6 Sec. 36. Section 14-210, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-210 (1) The right to enact ordinances for any city of the
9 metropolitan class city is hereby granted to the qualified electors of
10 such city, but such grant is made upon the following conditions and in
11 addition to the right ~~herein~~ granted to the city council to legislate as
12 provided in this section. ÷

13 (2)(a) Whenever qualified electors of any such city of the
14 metropolitan class equal in number to fifteen percent of the vote cast at
15 the last preceding city election petition the city council to enact a
16 proposed ordinance, it shall be the duty of the city council to either
17 enact such ordinance without amendment within thirty days or submit such
18 ordinance ~~the same~~ to a vote of the people at the next election held
19 within such city regardless of whether such election be a city, county,
20 or state election.

21 (b) Whenever such proposed ordinance is petitioned for by qualified
22 electors equal in number to twenty-five percent of the votes cast at the
23 last preceding city election and such petition requests that a special
24 election be called to submit the proposed ordinance to a vote of the
25 people in the event that the city council shall fail to enact such
26 ordinance ~~the same, it shall be the duty of the city council shall to~~
27 either enact such ordinance without amendment within thirty days or
28 submit such ordinance to a vote of the people at a special election
29 called by the city council for that purpose. The date of such election
30 shall not be less than fifty days nor more than seventy days after the
31 filing of the petition for the proposed ordinance.

1 (3) The petition herein provided for in this section shall be in the
2 general form and as to signatures and verification as provided in section
3 14-212 and ~~r~~ shall be filed with the city clerk, and if there be no city
4 clerk, then with such other officer having charge of the records of the
5 city council. Said officer shall immediately ascertain the percent of the
6 voters signing such petition and transmit his findings, together with
7 such petition, to the council. Upon the filing of a petition, the city
8 clerk and the county clerk or election commissioner of the county in
9 which the city is located may by mutual agreement provide that the county
10 clerk or election commissioner shall ascertain whether the petition is
11 signed by the requisite number of voters. When the verifying official has
12 ascertained the percent of the voters signing such petition, such
13 official shall transmit his or her findings, together with such petition,
14 to the city council.

15 (4) In the event the city council shall fail to enact such
16 ordinance, the city council shall submit such ordinance the same to a
17 vote of the people of such city as herein provided in this section. The
18 mayor shall notify issue a proclamation notifying the electors of such
19 election at least fifteen days prior to such election, and the city
20 council shall cause to have published a notice of the election, and a
21 copy of such proposed ordinance in a legal newspaper in or once in each
22 of the daily newspapers of general circulation in the city, and, if there
23 be no daily newspaper published within such city, then once in each
24 weekly newspaper of general circulation in such city, such publication to
25 be not more than twenty nor less than five days prior to such election
26 before the submission of the proposed ordinance to the electors.

27 (5) All proposed ordinances shall have a title which shall state in
28 a general way the purpose and intent of such ordinance.

29 (6) The ballots used when voting upon such proposed ordinance shall
30 contain the following: For the ordinance (set forth the title thereof)
31 and Against the ordinance (set forth the title thereof).

1 (7) If a majority of the electors voting on the proposed ordinance
2 shall vote in favor of the question thereof such ordinance shall
3 ~~thereupon~~ become a valid and binding ordinance of the city. An ordinance
4 ~~so~~ adopted as provided in this section shall not be altered or modified
5 by the city council within one year after such the adoption ~~thereof~~ by
6 ~~the people~~.

7 (8) Any number of proposed ordinances may be voted upon at the same
8 election in accordance with the provisions of this section except that ;
9 ~~Provided~~, the same measure, either in form or essential substance, shall
10 not be submitted more often than once every ~~in~~ two years.

11 Sec. 37. Section 14-211, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-211 (1)(a) No ordinance passed by the city any such council of a
14 city of the metropolitan class, except when otherwise required by the
15 general laws of the state, ~~or~~ by other provisions of sections 14-201 to
16 14-229, or as provided in subdivision (1)(b) of this section ~~except~~
17 ~~ordinances appropriating money to pay the salary of officers and~~
18 ~~employees of the city, emergency ordinances for the immediate~~
19 ~~preservation of the public peace, health or safety, and which contain a~~
20 ~~statement of such emergency,~~ shall go into effect before fifteen days
21 from the time of its final passage.

22 (b) An ordinance passed by the city council of a city of the
23 metropolitan class may take effect sooner than fifteen days from the time
24 of its final passage if the ordinance is:

25 (i) For the appropriation of money to pay the salary of officers or
26 employees of the city; or

27 (ii) An emergency ordinance that is for the preservation of the
28 public peace, health, or safety and that contains a statement of such
29 emergency.

30 (2)(a) If during such said fifteen days a petition, signed and
31 ~~verified,~~ as hereinbefore provided in this section , by electors of the

1 city equal in number to at least fifteen percent of the highest number of
2 votes cast for any city council member ~~of such councilmen~~ at the last
3 preceding general city election, protesting against the passage of such
4 ordinance, shall be presented to the city ~~such~~ council, then such
5 ordinance shall ~~thereupon~~ be suspended from going into operation, and it
6 shall be the duty of the city council to reconsider such ordinance.

7 (b) If such ordinance is not ~~the same~~ ~~be not~~ ~~entirely~~ repealed by
8 the city council, then the city council shall proceed to submit to the
9 voters such ordinance at a special election to be called for such ~~that~~
10 purpose or at a general city election, and such ordinance shall not go
11 into effect or become operative unless a majority of the qualified
12 electors voting on such ordinance ~~the same~~ shall vote in favor of the
13 question thereof.

14 (3) Such petition shall be in all respects in accordance with the
15 provisions of section 14-212 relating to signatures, verification,
16 inspection, and certification.

17 Sec. 38. Section 14-212, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-212 All petitions provided for in sections 14-204, 14-210, and
20 14-211 shall be signed by none but legal voters of the city and each
21 petition shall contain, in addition to the names of the petitioners, the
22 street and house number where the petitioner resides. The signatures to
23 such petition need not all be appended in a single sheet ~~to one paper~~,
24 and at least one of the signatories of each sheet ~~paper~~ shall make oath
25 before some officer, competent to administer oaths, that the statements
26 made in any such petition are true ~~as he or she verily believes~~, and that
27 the signatories were, at the time of signing such petition, legal voters
28 of the city ~~as he or she verily believes~~. He or she shall also state in
29 the affidavit the number of signatories upon the petition, or part of
30 such petition ~~thereof~~, sworn to or affirmed by him or her, at the time he
31 or she makes such affidavit.

1 Sec. 39. Section 14-213, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-213 (1) The executive and administrative powers, authorities,
4 and duties in a city of the metropolitan class ~~such cities~~ shall be
5 distributed among the following departments:

6 (a) Finance;

7 (b) Fire;

8 (c) Human Resources;

9 (d) Human Rights and Relations;

10 (e) Law;

11 (f) Parks, Recreation, and Public Property;

12 (g) Planning;

13 (h) Police; and

14 (i) Public Works.

15 ~~as follows: (1) Department of public affairs, (2) department of~~
16 ~~accounts and finances, (3) department of police, sanitation and public~~
17 ~~safety, (4) department of fire protection and water supply, (5)~~
18 ~~department of street cleaning and maintenance, (6) department of public~~
19 ~~improvements, and (7) department of parks and public property.~~

20 (2) The city council shall determine the powers and duties to be
21 exercised and performed by such departments, and assign such powers and
22 duties accordingly ~~them to, the appropriate departments. The city council~~
23 ~~It~~ may prescribe the powers and duties of all officers and employees of
24 the city, and may assign particular officers or employees to more than
25 one of the city departments. The city council ~~It~~ may require any officer
26 or employee to perform duties in two or more of the departments, and may
27 make such other rules and regulations as may be necessary or proper for
28 the efficient and economical management of the business affairs of the
29 city.

30 Sec. 40. Section 14-214, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-214 The city council of a city of the metropolitan class shall
2 possess and exercise, by itself or through such methods as the city
3 council ~~it~~ may provide, all executive, legislative, or judicial powers of
4 the city, except as otherwise expressly provided by general law or
5 sections 14-101 to 14-2004. The city council ~~this act~~. It shall have the
6 power to elect or appoint any officer and define such officer's ~~his~~
7 duties, or any employee deemed ~~it may deem~~ necessary, and any such
8 officer or employee elected or appointed by the city council may be
9 removed by the city council ~~it~~ at any time, except as otherwise provided
10 by law ~~in this act~~.

11 Sec. 41. Section 14-215, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-215 The city council of a city of the metropolitan class shall
14 have power to:

15 (1) Create ~~create~~ any office or board deemed ~~it deems~~ necessary;

16 (2) Discontinue ~~, and shall have power to discontinue~~ any employment
17 or abolish any office at any time when, in the judgment of the city
18 council, such employment or office is no longer necessary; ~~-~~

19 (3) Fix ~~It shall have power to fix~~ the salary and compensation of
20 all city officers and employees where such salary or compensation is not
21 fixed or established by law; ~~and this act~~.

22 (4) Create ~~It may create~~ a board of three or more members and confer
23 upon such board powers not required to be exercised by the city council
24 itself. The city council ~~, and~~ may require such other officers to serve
25 upon any such board and perform the services required of it, with or
26 without any compensation or additional compensation for such services or
27 additional services.

28 Sec. 42. Section 14-216, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-216 The regular meetings of the city council of a city of the
31 metropolitan class shall be held once each week upon such day and hour as

1 the city council may designate. Special meetings of the city council may
2 be called from time to time by the mayor or three city ~~two~~ council
3 members, giving notice in such manner as may be fixed or determined by
4 ordinance or resolution. A majority of such city council shall constitute
5 a quorum for the transaction of any business, but it shall require a
6 majority vote of the whole city council ~~in any such city~~ to pass any
7 measure or transact any business. The vote of five members of the city
8 council shall be required to override any veto by the mayor.

9 Sec. 43. Section 14-217.02, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 14-217.02 Vacancies in the office of mayor or city council in a city
12 of the metropolitan class shall be filled as provided in section 32-568.
13 Salaries of the mayor and members of the city council shall be determined
14 by ordinance ~~local law~~.

15 Sec. 44. Section 14-218, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 14-218 The mayor of a city of the metropolitan class shall, in a
18 general way, constantly investigate all public affairs concerning the
19 interest of the city, and shall investigate and ascertain in a general
20 way the efficiency and manner in which all departments of the city
21 government are being conducted. The mayor ~~He~~ shall recommend to the city
22 council all such matters as in the mayor's ~~his~~ judgment should receive
23 the investigation, consideration, or action of the city council ~~that~~
24 ~~body~~.

25 Sec. 45. Section 14-219, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-219 The mayor of a city of the metropolitan class shall be the
28 chief executive officer and conservator of the peace throughout the city.
29 The mayor ~~He~~ shall have such jurisdiction as may be vested in such office
30 ~~him~~ by ordinance over all places within the extraterritorial zoning
31 jurisdiction ~~three miles of the corporate limits~~ of the city, for the

1 enforcement of any health and quarantine ordinance or ~~the~~ regulations
2 thereof.

3 Sec. 46. Section 14-220, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-220 The mayor of a city of the metropolitan class shall have the
6 superintending control of all officers and affairs of the city except
7 when otherwise specially provided by law. The mayor He may, when deemed
8 ~~he deems it~~ necessary, require any officer of the city to exhibit such
9 officer's ~~his~~ accounts or any other papers and to make report to the city
10 council, in writing, touching any subject or matter the mayor he may
11 require pertaining to such ~~his~~ office. The mayor He shall, from time to
12 time, communicate to the city council such information and recommend such
13 measures as, in the mayor's ~~his~~ opinion, may tend to the improvement of
14 the finances, police, health, security, ornament, comfort, and general
15 prosperity of the city. The mayor He shall be active and vigilant in
16 enforcing all laws and ordinances of the city and shall cause all
17 subordinate officers to be dealt with promptly in any neglect or
18 violation of duty. The mayor He shall give written notice to the city
19 clerk of the mayor's ~~his~~ intended absence from the city.

20 Sec. 47. Section 14-221, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-221 It shall be the duty of the mayor of a city of the
23 metropolitan class to:

24 (1) Enforce ~~enforce~~ the laws of the state and the ordinances of the
25 city;

26 (2) Order ~~to order~~, direct, and enforce, through the officers of the
27 police department, the arrest and prosecution of persons violating such
28 laws and ordinances; and

29 (3) Cooperate ~~to cooperate~~ with and assist the county sheriff ~~of the~~
30 ~~county~~ in suppressing riots and mobs, and in the arrest and prosecution
31 of persons charged with crimes ~~and misdemeanors~~.

1 Sec. 48. Section 14-224, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-224 The mayor and city council members and all other officers,
4 agents, and employees of a the city of the metropolitan class are
5 prohibited from soliciting or receiving, directly or indirectly, for any
6 purpose whatsoever, any contribution of money or supplies of whatsoever
7 kind, or any valuable or special privilege at the hands of any city
8 contractor, or his or her agents, or from any franchised municipal
9 corporation. Such ~~for any purpose whatsoever, and such~~ conduct shall
10 constitute malfeasance in office. No officer, appointee, agent, or
11 employee shall directly or indirectly solicit or receive any gift or
12 contribution of money or supplies, or any valuable service, from any
13 appointee, agent, or employee of such city, for the benefit of the person
14 asking for such gift or contribution or for the benefit of another. A ~~Any~~
15 violation of this section is ~~provision shall constitute~~ a Class III
16 misdemeanor.

17 Sec. 49. Section 14-225, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-225 No officer or agent of a the city of the metropolitan class
20 shall solicit, directly or indirectly, the political support of any
21 contractor, municipal franchised corporation, or railway company, or the
22 officials or agents of such companies, for any municipal election or for
23 any other election ~~or primary election~~ held in the city ~~in pursuance of~~
24 ~~law.~~ No ~~Nor shall~~ any franchised corporation or railway company, through
25 its agents or officials, or by any other means, shall furnish or
26 appropriate any money, directly or indirectly, to promote the success or
27 defeat of any person ~~whomsoever,~~ in any election ~~or primary election~~ held
28 in such city, or to promote or prevent the appointment or confirmation of
29 any appointive officer of such city. A violation of any of this section
30 ~~these provisions~~ on the part of any officer or agent of the city shall be
31 deemed malfeasance in office, and upon conviction of such violation

1 ~~thereof~~ such officer shall be removed from office by the order of the
2 court, and fined in any sum not to exceed five hundred dollars. A
3 violation of this section ~~any of these provisions~~ on the part of any
4 franchised corporation through its officials or agents, upon conviction
5 by any court of competent jurisdiction, shall subject such corporation to
6 forfeiture of its franchise and the imposition of a fine of not exceeding
7 five hundred dollars upon every officer or agent of such company who
8 shall have been proved guilty of such violation.

9 Sec. 50. Section 14-226, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 14-226 (1) An ~~If any~~ officer or agent of a ~~the~~ city of the
12 metropolitan class shall not:

13 (a) Make ~~make~~ a demand for money or other consideration of a
14 franchised corporation or public contractor, or such corporation's or
15 contractor's ~~their~~ agents, with a threat to introduce or support a
16 measure, or vote for ~~any specific~~, or propose a resolution or ordinance,
17 adverse to their interests, if such demand be not complied with; ~~or~~

18 (b) Offer ~~if such officer or agent shall offer~~ to prepare or
19 introduce or support a resolution or ordinance favorable to such company
20 or contractor for a valuable consideration. ~~or~~

21 (2) A violation of this section ~~such action~~ shall be deemed a
22 malfeasance in office, and upon conviction such offender shall be fined
23 in any sum not exceeding five hundred dollars, and such officer shall be
24 removed from office by direction of the court.

25 Sec. 51. Section 14-227, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-227 (1) Unless otherwise provided by law, when an officer or
28 agent of a city of the metropolitan class collects a fine, penalty, or
29 forfeiture imposed for a violation of city ordinance or for a misdemeanor
30 violation of state law committed within the city, such officer or agent
31 shall remit such fine, penalty, or forfeiture to the city treasurer no

1 later than thirty days after collection of such fine, penalty, or
2 forfeiture or within ten days after being requested to do so by the
3 mayor.

4 (2) A violation of this section is a Class II misdemeanor. Upon
5 conviction, such officer or agent All fines, penalties, and forfeitures
6 collected for offenses against the ordinances of the city, or for
7 misdemeanors against the laws of the state, committed within the city,
8 shall, unless otherwise provided by law, be paid by the person receiving
9 the same to the city treasurer. Any person receiving such fines,
10 penalties and forfeitures, who shall fail to pay the same over as above
11 provided within thirty days after the receipt of the same by him, or
12 within ten days after being requested by the mayor so to do, shall be
13 deemed guilty of a misdemeanor, and, upon conviction thereof shall be
14 punished by a fine of not to exceed one thousand dollars and imprisonment
15 not to exceed six months in the county jail. Such person shall be guilty
16 of malfeasance in office and shall be removed from office.

17 (3) The city comptroller shall ~~It shall be the duty of the~~
18 ~~comptroller to~~ audit the accounts of all such officers and agents at
19 least once each month and to approve or disapprove their reports.

20 Sec. 52. Section 14-228, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-228 It shall be the duty of all officers of a city of the
23 metropolitan class at the expiration of their terms of office to prepare
24 written detailed abstracts of all books, documents, tools, implements,
25 and materials of every kind belonging to the city in their trust and
26 care, ~~also all work or storehouses owned or leased by the city for~~
27 ~~storage or other purposes, in duplicate,~~ and to certify as members of
28 such boards, to the correctness of such books, documents, tools,
29 implements, and materials thereof. Such certified abstracts shall be
30 delivered to the mayor, who shall file one copy of each of ~~such copies~~
31 for record with the city clerk, and with ~~the other copies shall be handed~~

1 to the heads of the respective departments ~~to be used as a basis of~~
2 ~~checking up the abstract.~~

3 Sec. 53. Section 14-229, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-229 Any officer or employee of a such city of the metropolitan
6 class who, by solicitation or otherwise, shall ~~exert his~~ influence
7 directly or indirectly ~~to influence~~ any other officers or employees of
8 such city to adopt such person's ~~his~~ political views shall be guilty of a
9 Class IIIA misdemeanor ~~and upon conviction shall be punished by a fine~~
10 ~~not exceeding one hundred dollars or be imprisoned in the county jail not~~
11 ~~exceeding thirty days.~~

12 Sec. 54. Section 14-230, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-230 The Legislature, recognizing the importance to the entire
15 State of Nebraska of sound and stable government in cities of the
16 metropolitan class, hereby declares that the qualifications for candidacy
17 for the office of mayor and city council member of such cities, whether
18 any such city is governed by a home rule charter or not, are matters of
19 general statewide concern. The provisions of any ordinance or home rule
20 charter of any such city to the contrary notwithstanding, no person shall
21 be disqualified from candidacy for the office of mayor or city council
22 member of any such city because of the fact that such person holds any
23 other public office, either elective or appointive, except any office
24 subordinate to the mayor and city council member of such city, and no
25 holder of any such other office shall be required to resign such other
26 office in order to become and remain a candidate for the office of mayor
27 or city council member of any such city.

28 Sec. 55. Section 14-360, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-360 (1) Except as provided in subsection (2) of this section, a
31 The city of the metropolitan class shall have the power to:

1 (a) Lay ~~lay~~ out the city, or parts thereof, or portions of the
2 ~~extraterritorial zoning jurisdiction of the city territory within three~~
3 ~~miles of the corporate limits thereof~~, into suitable districts for the
4 purpose of establishing a system of sewerage and drainage;

5 (b) Provide ~~to provide~~ such system and regulate the construction and
6 repair and use of sewers and drains, the reconstruction of sewers in any
7 district or part of such district, ~~thereof~~ and all proper house
8 construction and branches;

9 (c) Provide ~~to provide~~ penalties for any obstruction of, or injury
10 to, any sewer or part of such sewer ~~thereof~~; and

11 (d) Require ~~to require~~ and compel sewer connections to be made. ~~;~~
12 ~~Provided, the~~

13 (2) The city shall not create a district outside the corporate
14 limits of such city, ~~when the district includes land already included~~
15 ~~within a sanitary and improvement district an existing district created~~
16 ~~under the provisions of Chapter 31, article 7,~~ without the consent of the
17 trustees of such district.

18 Sec. 56. Section 14-361, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-361 Whenever sewer connections for sewerage or drainage may be
21 deemed necessary or advisable, whether within the corporate limits or
22 within the extraterritorial zoning jurisdiction of a city of the
23 ~~metropolitan class areas within three miles of such corporate limits~~, the
24 property owners shall be given thirty days from the publication of the
25 ordinance ordering such improvements and connections, ~~to make~~ such
26 improvements and connections ~~the same~~ in conformity with approved plans
27 to be kept on file by the city. The publication of such ordinance
28 ordering such connections in the official newspaper shall be the only
29 notice required to be given such property owners. Upon the failure or
30 neglect of the property owners to construct such connections within the
31 time fixed, the city shall cause such work to be done and shall contract

1 ~~for such construction therefor~~ with the lowest responsible bidder. The
2 cost ~~of construction thereof~~, including superintendence and inspection,
3 shall be assessed against the property to which such connections have
4 been made ~~as a special assessment in the same manner as special taxes are~~
5 ~~levied for other purposes.~~

6 Sec. 57. Section 14-362, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-362 ~~A~~ The city of the metropolitan class shall require the
9 issuance of a permit to connect with any sewer on any street, alley or
10 private property within the corporate limits or within the
11 extraterritorial zoning jurisdiction of such city ~~three miles thereof,~~
12 and shall require the sewer assessment on the abutting property to be
13 paid before such permit is issued, except ~~;~~ ~~Provided,~~ that if such
14 assessment is being paid in installments as ~~by law provided~~ by law, the
15 city shall require delinquent and current installments to be paid before
16 such permit is issued. In case the cost of the sewer has not been
17 assessed, or such assessment has been declared invalid by any court of
18 competent jurisdiction, the city shall require the payment of the pro
19 rata share of the cost of such sewer before such permit is issued.

20 Sec. 58. Section 14-363, Revised Statutes Cumulative Supplement,
21 2020, is amended to read:

22 14-363 The city council of a city of the metropolitan class may
23 provide for the sprinkling or armor coating of the streets of the city
24 and, for the purpose of accomplishing such work, may by ordinance create
25 suitable districts to be designated sprinkling or armor-coating districts
26 and may order and direct the work, including preparatory grading, to be
27 done upon any or all of the streets in such ~~the~~ districts. The work shall
28 be done upon contract in writing let upon advertisement to the lowest
29 responsible bidder. Such advertisement shall specify the district or
30 districts proposed to be so worked, specifically ~~especially~~ describing
31 such district or districts, and bids shall be made and contracts let with

1 reference to such district or districts so specified. For the purpose of
2 paying the cost of the work contemplated and contracted for, the city
3 council may levy and assess the cost upon all lots, lands, and real
4 estate in such ~~the~~ district, such tax or assessment to be equal and
5 uniform upon all front footage or property within or abutting upon the
6 streets within the district so created. The assessment shall be a lien
7 upon all such lots, lands, and real estate and shall be enforced and
8 collected as a special assessment.

9 Sec. 59. Section 14-364, Revised Statutes Cumulative Supplement,
10 2020, is amended to read:

11 14-364 The city council of a city of the metropolitan class may
12 establish and maintain a paving repair plant and may pave or repair
13 paving. The cost of such repairs may be paid from the funds of the city
14 or may be assessed upon the abutting property, except that the cost may
15 be assessed against abutting property only following the creation of a
16 paving repair or repaving district established and assessed as a special
17 assessment in the same manner provided for a sprinkling or armor-coating
18 district by section 14-363. The assessable paving repairs shall be only
19 those made with asphaltic concrete on streets in previously developed
20 areas which were not constructed to city permanent design standards.

21 Sec. 60. Section 14-365, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-365 All persons who contract with a the city of the metropolitan
24 class for work to be done, or material or supplies to be furnished, shall
25 give bond to the city, with not less than two sureties in an amount not
26 less than fifty percent of the amount of the contract price, for the
27 faithful performance of such work ~~the same~~. The sureties on the bonds
28 shall be resident property owners ~~freeholders~~ of the county within which
29 the city is located ~~situated~~ and shall certify ~~justify~~ under oath that
30 they are worth double the amount for which they may sign the bond, over
31 and above all debts, liabilities, obligations, and exemptions. The city

1 council may also ~~, however,~~ accept security from one or more reliable
2 sureties or guaranty companies for the same amount.

3 Sec. 61. Section 14-365.01, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-365.01 (1) Any city of the metropolitan class ~~in this state~~ is
6 hereby authorized to:

7 (a) ~~Own~~ ~~own~~, construct, equip, and operate either within or without
8 the corporate limits of such city ~~municipality~~ a sewerage system,
9 including any storm sewer system, and plant or plants for the treatment,
10 purification, and disposal in a sanitary manner of the liquid and solid
11 wastes and ~~, sewage, and night soil~~ of the area; and ~~or~~

12 (b) ~~Extend to~~ ~~extend~~ or improve any existing sewerage system,
13 including any storm sewer system.

14 (2) ~~The city~~ ~~It~~ shall have the authority to acquire by gift, grant,
15 purchase, or condemnation necessary lands for such sewerage system
16 ~~therefor~~, either within or without the corporate limits of the city ~~such~~
17 ~~municipality~~.

18 (3) For the purpose of carrying out the powers set forth in this
19 section, a ~~owning, operating, constructing, maintaining, and equipping~~
20 ~~such sewage disposal plant and sewerage system, including any storm sewer~~
21 ~~system, or improving or extending such existing system,~~ any city of the
22 metropolitan class is also authorized and empowered to make a special
23 levy each year of not to exceed three and five-tenths cents on each one
24 hundred dollars upon the taxable value of all the taxable property in
25 such city, as well as all taxable property within the extraterritorial
26 zoning jurisdiction ~~three miles of the corporate limits~~ of such city,
27 which property is within a district established under section 14-360,
28 subject to sections 14-365.12 and 14-365.13. The proceeds of such ~~the~~ tax
29 shall be used for any of the purposes enumerated in this section and for
30 no other purpose.

31 Sec. 62. Section 14-365.02, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 14-365.02 For the purpose of owning, operating, constructing, and
3 equipping ~~a such~~ sewage disposal plant or sewerage system, including any
4 storm sewer system, or improving or extending such existing system, as
5 provided in section 14-365.01, a city of the metropolitan class
6 ~~municipality~~ may issue revenue mortgage bonds ~~therefor~~. Such revenue
7 ~~mortgage~~ bonds as provided in this section shall not impose any general
8 liability upon the city municipality but shall be secured only on the
9 property and revenue, as provided in section 14-365.04, of such utility
10 including a franchise stating the terms upon which, in case of
11 foreclosure, the purchaser may operate the system. Such franchise shall
12 in no case extend for a longer period than twenty years from the date of
13 the sale of such franchise thereof on foreclosure. Such revenue mortgage
14 bonds shall be sold for not less than par. The amount of such revenue
15 ~~mortgage~~ bonds, either issued or outstanding, shall not be included in
16 computing the maximum amount of bonds which such city ~~the said~~
17 ~~municipality~~ may be authorized to issue under its city charter or any
18 ~~statute of this state statute~~.

19 Sec. 63. Section 14-365.03, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-365.03 (1) The city council governing body of a city of the
22 metropolitan class such municipality may make all necessary rules and
23 regulations governing the use, operation, and control of a sewerage
24 system established under section 14-365.01 thereof. The city council
25 ~~governing body~~ may establish just and equitable rates or charges to be
26 paid to the city ~~it~~ for the use of such sewage disposal plant and
27 sewerage system by the owner of the property served or by the person,
28 firm, or corporation using the services.

29 (2) If any service rate or charge so established is not paid when
30 due, such sum may be:

31 (a) Recovered ~~recovered~~ by the city municipality in a civil

1 action; ~~or~~

2 (b) Certified ~~it may be certified~~ to the city treasurer, tax
3 ~~assessor~~ and assessed against the premises served, and collected or
4 returned in the same manner as other municipal taxes are certified,
5 assessed, collected, and returned; ~~or~~

6 (c) Assessed ~~it may be assessed~~ against the premises served in the
7 same manner as special taxes or assessments are assessed by such city and
8 ~~shall~~ be certified, enforced, collected, and returned as other special
9 taxes or assessments of such city.

10 Sec. 64. Section 14-365.04, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-365.04 Bonds which are issued and secured by a mortgage on the
13 utility, as provided in section 14-365.02, shall not be a general
14 obligation of the city municipality, but shall be paid only out of the
15 revenue received from the service charges, as provided in section
16 14-365.03, or from a sale of the property and the franchise, referred to
17 in section 14-365.02, to operate the system, under a foreclosure
18 proceeding. If a service rate or charge is charged, ~~to be paid as herein~~
19 ~~provided~~, such portion of such rate or charge thereof as may be deemed
20 sufficient shall be set aside as a sinking fund for the payment of the
21 interest on such ~~said~~ bonds, ~~and the principal of such bonds~~ thereof at
22 maturity.

23 Sec. 65. Section 14-365.05, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-365.05 For the purpose of providing for a ~~such~~ sewage disposal
26 plant and sewerage system, including any storm sewer system, or improving
27 or extending such existing system, as provided in section 14-365.01, any
28 city of the metropolitan class ~~such municipality~~ may also enter into a
29 contract with any corporation organized under or authorized by the laws
30 of this state to engage in such ~~the business herein mentioned~~, to receive
31 and treat, in the manner provided in sections 14-365.01 to 14-365.13

1 ~~hereinbefore mentioned~~, the sewage of such system and ~~night soil thereof~~,
2 and to construct and provide the facilities and services as provided in
3 sections 14-365.01 to 14-365.13 ~~hereinbefore described~~. Such contract may
4 also authorize the corporation to charge the owners of the premises
5 served such a service rate therefor as the city council governing body of
6 ~~such municipality~~ may determine to be just and reasonable. The city
7 ~~municipality~~ may contract to pay such ~~the said~~ corporation a flat rate
8 for such service, and pay such rate ~~therefor~~ out of its general fund or
9 the proceeds of any tax levy applicable to the purposes of such contract,
10 or assess the owners of the property served a reasonable charge for such
11 services ~~therefor~~ to be collected, as provided in section 14-365.03, and
12 paid into a fund to be used to defray such contract charges.

13 Sec. 66. Section 14-365.06, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-365.06 For the purpose of owning, operating, constructing, and
16 equipping a such sewage disposal plant and sewerage system, including any
17 storm sewer system, or improving or extending such existing system, as
18 provided in section 14-365.01, or for the purpose stated in sections
19 14-365.01 to 14-365.05, any city of the metropolitan class ~~such~~
20 ~~municipality~~ is also authorized and ~~empowered hereby~~ to issue and sell
21 ~~the~~ general obligation bonds of such city ~~municipality~~ upon compliance
22 with section 14-365.07. Such bonds shall not be sold or exchanged for
23 less than the par value of such bonds ~~thereof~~ and shall bear interest
24 payable semiannually. The city council governing body of any such
25 ~~municipality~~ shall have the power to determine the denominations of such
26 bonds, and the date, time, and manner of payment.

27 Sec. 67. Section 14-365.07, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-365.07 (1) Revenue bonds authorized by section 14-365.02 may be
30 issued by ordinance duly passed by the mayor and city council of any city
31 of the metropolitan class without any other authority.

1 (2) General obligation bonds authorized by section 14-365.06 may be
2 issued only (a) after the question of their issuance has been submitted
3 to the electors of the city of the metropolitan class at a general or
4 special election, of which three weeks' notice has been published in a
5 legal newspaper in or of general circulation in such city, and (b) if a
6 majority of the electors voting at the election have voted in favor of
7 the issuance of the bonds. Publication of such a notice in such a
8 newspaper once each week during three consecutive weeks prior to the date
9 of such election shall constitute a compliance with the requirements of
10 this section for notice of such election. General obligation bonds shall
11 not be issued in excess of one and eight-tenths percent of the taxable
12 value of all the taxable property in the city or in excess of the amount
13 authorized by sections 14-365.12 and 14-365.13.

14 Sec. 68. Section 14-365.08, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-365.08 Whenever the city council ~~governing body~~ of a city of the
17 metropolitan class ~~any metropolitan city~~ shall have ordered the
18 installation of a sewerage system, including any storm sewer system, and
19 sewage disposal plant or the improvement or extension of an existing
20 system, the fact that such order was issued shall be recited in the
21 official minutes of the city council ~~governing body~~. The city council
22 ~~said body~~ shall ~~thereupon~~ require that plans and specifications be
23 prepared of such sewerage system, including any storm sewer system, and
24 sewage disposal plant, or such improvement or extension. Upon approval of
25 such plans, the city council ~~governing body~~ shall ~~thereupon~~ advertise for
26 sealed bids for the construction of such ~~said~~ improvements once a week
27 three consecutive weeks in a legal newspaper ~~paper~~ published in or of
28 general circulation within the city ~~said municipality~~. The contract for
29 such construction shall be awarded to the lowest responsible bidder.

30 Sec. 69. Section 14-365.09, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-365.09 The owner of any sewerage system, including any storm
2 sewer system, or sewage disposal plant provided for in sections 14-365.01
3 to 14-365.08, or any city of the metropolitan class ~~the municipality~~, is
4 hereby authorized to extend such sewerage system ~~the same~~ beyond the
5 corporate limits of the ~~metropolitan city which it serves~~, under the same
6 conditions, as nearly as may be, as within such corporate limits, and to
7 charge to users of its services reasonable and fair rates consistent with
8 those charged or which might be charged within such corporate limits and
9 consistent with the expense of extending and maintaining such sewerage
10 system ~~the same for the users thereof~~ outside such corporate limits at a
11 fair return to the owner of such sewerage system ~~thereof~~. The mayor and
12 city council ~~of any metropolitan city~~ shall have the authority to enter
13 into contracts with users of such sewerage system, including any storm
14 sewer system except that ; ~~Provided~~, no such contract shall call for
15 furnishing of such service for a period in excess of ten years.

16 Sec. 70. Section 14-365.10, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 14-365.10 The mayor and city council of any city of the metropolitan
19 class city, in addition to other sources of revenue available to the
20 city, may by ordinance set up appropriate rental or use charges to be
21 collected from users of ~~any of its system of sanitary sewerage system and~~
22 provide methods of collection of such charges, except thereof; ~~Provided~~,
23 that users shall include in part any users outside of such city where the
24 sewer is directly or indirectly connected to the sewerage system of such
25 city and users within any sanitary and improvement district now existing
26 or hereafter organized under the laws of this state when the sewerage
27 system, or any part thereof, of the sanitary and improvement district
28 directly or indirectly connects to any part of the sewerage system of the
29 ~~metropolitan city~~. Such The charges shall be charged to each property
30 served by the ~~its~~ sewerage system, shall be a lien upon the property
31 served, and may be collected either from the owner or the person, firm,

1 or corporation using the service. All money raised from such ~~the~~ charges
2 shall be used for maintenance or operation of the existing sewerage
3 system, for payment of principal and interest on bonds issued, as is
4 provided for in section 14-365.06, or to create a reserve fund for the
5 payment of future maintenance, operation, or construction of a new
6 sewerage sewer system for or additions to the sewerage system of the
7 city. Any funds raised from such charges ~~this charge~~ shall be placed in a
8 separate fund and not be used for any other purpose or diverted to any
9 other fund.

10 Sec. 71. Section 14-365.11, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-365.11 The terms sewage system, sewerage system, including storm
13 sewer system, and disposal plant or plants, as used in sections 14-365.01
14 to 14-365.13 ~~herein are defined to~~ mean and include any system or works
15 above or below ground which has for its purpose any or all of the
16 following: The removal, discharge, conduction, carrying, treatment,
17 purification, or disposal of the liquid and solid waste ~~and night soil~~ of
18 a city of the metropolitan class municipality, surface waters, and storm
19 waters. ~~The It is intended that the~~ powers conferred by ~~the terms of~~
20 sections 14-365.01 to 14-365.13 may also be employed in connection with
21 sewage and sewer projects which do not include the erection or
22 enlargement of a sewage disposal plant.

23 Sec. 72. Section 14-365.12, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-365.12 If any tax is levied or general obligation bonds are
26 issued by a ~~metropolitan~~ city of the metropolitan class as authorized
27 under sections 18-501 to 18-511 ~~by the provisions of Chapter 18, article~~
28 ~~5,~~ the amount of such ~~the~~ tax that may be levied by the provisions of
29 section 14-365.01, or the amount of general obligation bonds that may be
30 issued by the provisions of section 14-365.07 by such ~~metropolitan~~ city
31 must be reduced by the amount of the tax levied or bonds issued as

1 authorized under sections 18-501 to 18-511 by the provisions of Chapter
2 ~~18, article 5.~~

3 Sec. 73. Section 14-365.13, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-365.13 The provisions of sections 14-365.01 to 14-365.13 shall be
6 independent of and in addition to any other provisions of the laws of the
7 State of Nebraska with reference to sewage disposal plants and sewerage
8 systems, including any storm sewer system, in cities of the metropolitan
9 class cities. The provisions of sections 14-365.01 to 14-365.13 shall not
10 be considered amendatory of or limited by any other provision of the laws
11 of the State of Nebraska, except as provided in section 14-365.12.

12 Sec. 74. Section 14-366, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-366 (1) A The city of the metropolitan class may purchase or
15 acquire by the exercise of the power of eminent domain private property
16 or public property which is not at the time devoted to a specific public
17 use, for:

18 (a) Streets ~~the following purposes and uses:~~ (1) ~~For streets,~~
19 ~~alleys, avenues, parks, recreational areas, parkways, playgrounds,~~
20 ~~boulevards, sewers, public squares, market places, and for other needed~~
21 ~~public uses or purposes authorized under sections 14-101 to 14-2004 by~~
22 ~~this act,~~ and for adding to, enlarging, widening, or extending such
23 facilities any of the foregoing; and

24 (b) Constructing (2) ~~for constructing~~ or enlarging waterworks, gas
25 plants, or other municipal utility purposes or enterprises authorized
26 under sections 14-101 to 14-2004 by this act.

27 (2) The power to ~~so~~ purchase or appropriate private property or
28 public property, ~~as provided in this section in this act specified,~~ for
29 parks, recreational areas, parkways, boulevards, sewers, and for the
30 purpose of constructing waterworks, gas works, light plants, or other
31 municipal enterprises authorized under sections 14-101 to 14-2004 by this

1 ~~act~~, may be exercised by the city within the corporate limits of the city
2 or within seventy-five miles of the corporate limits thereof.

3 (3) The power to ~~so~~ purchase or appropriate private property or
4 public property, ~~as provided in this section in this act specified,~~ for
5 streets, alleys, avenues, and other construction of a similar nature ~~like~~
6 ~~kind~~ may be exercised by the city within the corporate limits of the city
7 or within the extraterritorial zoning jurisdiction of the city ~~three~~
8 ~~miles~~ thereof.

9 Sec. 75. Section 14-367, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 14-367 Whenever property is purchased for any of the purposes stated
12 in section 14-366 the purchase of such property ~~thereof~~ shall be made by
13 ordinance. Whenever it becomes necessary to appropriate property for the
14 purposes stated in section 14-366 the purpose and necessity for such
15 appropriation shall be declared by ordinance. ~~The Thereupon~~ the procedure
16 to condemn property shall be exercised in the manner set forth in
17 sections 76-704 to 76-724.

18 Sec. 76. Section 14-372, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-372 Whenever property is acquired for the purpose of constructing
21 or enlarging waterworks, gas plants, or other municipal utility purposes
22 or enterprises authorized under section 14-366, such property ~~by this~~
23 ~~act, the same~~ shall be paid for from such funds as may be provided for
24 any such purposes. The title to such property ~~thereto~~ shall be held by
25 ~~lodged~~ in the city after the condemnation proceedings have been completed
26 and the amount awarded has been paid by the city.

27 Sec. 77. Section 14-373, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-373 Each city of the metropolitan class is authorized and
30 required to prepare a plan for the ~~its~~ future physical development and
31 growth of the city. Such plan shall be prepared and shall be carried out

1 by an appropriate city board or official. The plan may include such lands
2 outside the corporate limits of the city as may bear a relation to the
3 development of the city. A planning board may be given such other powers
4 and duties by statute or charter as may be appropriate. On ~~, and on~~ or
5 after January 1, 1998, the planning board shall have one member qualified
6 and appointed as provided in section 14-373.02.

7 Sec. 78. Section 14-373.01, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-373.01 The Legislature finds that:

10 (1) The exercise of zoning, planning, and other concomitant powers
11 by a city of the metropolitan class in the area of extraterritorial
12 zoning jurisdiction described and authorized by state law necessarily
13 affects property outside the corporate boundaries of the city and persons
14 who are not inhabitants of or electors in the city;

15 (2) The protection of unrepresented persons and property affected by
16 a statutorily created zoning and planning process is a matter of state
17 concern; and

18 (3) The protection of such unrepresented persons and property would
19 be facilitated by requiring that at least one person residing in the area
20 of extraterritorial zoning jurisdiction and appointed by an elected body
21 of the area of extraterritorial zoning jurisdiction serve as a member of
22 the planning board of the city of the metropolitan class if such a
23 planning board exists.

24 Sec. 79. Section 14-373.02, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-373.02 (1) Notwithstanding any provision of a city charter to the
27 contrary, the next vacancy that occurs on a city planning board on or
28 after January 1, 1998, shall be filled by the appointment of a person who
29 resides in the area of extraterritorial zoning jurisdiction as provided
30 in subsection (2) of this section. At all times following the initial
31 appointment of a planning board member who resides in the area of

1 extraterritorial zoning jurisdiction, one member of the planning board
2 shall be so qualified and appointed.

3 (2) The city clerk shall formally notify the county clerk of the
4 existence of the next vacant position that occurs on the planning board
5 on or after January 1, 1998, within ten days after the date of the
6 vacancy. The county board, within thirty days after such notice, shall
7 hold a meeting to consider nominations for appointment to the vacancy and
8 shall appoint a person qualified under subsection (1) of this section to
9 fill the vacancy. Prior to holding such meeting, the county board shall
10 cause to be published a notice of the vacancy and the date of the
11 meeting. The notice shall be published in a legal newspaper in or of
12 general circulation in the county in which such planning board is located
13 at least once in each of the two weeks immediately preceding the week of
14 the meeting. A nominee for the vacancy shall be appointed by majority
15 vote of the county board. The appointee shall become a member of the
16 planning board when the city clerk receives certification from the county
17 clerk of the name of the appointee.

18 (3) Following the initial appointment of the extraterritorial member
19 to the planning board pursuant to this section, the city clerk shall
20 inform the county clerk of any vacancy occurring in the extraterritorial
21 member's position within ten days after its occurrence or at least thirty
22 days prior to the expiration of the extraterritorial member's term.

23 (4) Any person qualified and appointed under this section shall
24 serve for terms equal to that of the planning board members who reside
25 within the corporate boundaries of the city and shall become a member of
26 the planning board with all rights, duties, responsibilities, and
27 privileges relating ~~perquisites appertaining~~ to the position by state
28 law, city charter, or city ordinance.

29 (5) For purposes of this section:

30 (a) Area of extraterritorial zoning jurisdiction means the
31 unincorporated area three miles beyond and adjacent to ~~outside~~ the

1 corporate boundaries of a city of the metropolitan class ~~but within the~~
2 ~~largest area subject to such city's zoning, planning, and concomitant~~
3 ~~jurisdiction as described in sections 14-116, 14-418, and 14-419;~~

4 (b) City means a city of the metropolitan class;

5 (c) County board means the county board of a county in which a city
6 of the metropolitan class is located;

7 (d) County clerk means the county clerk of a county in which a city
8 of the metropolitan class is located; and

9 (e) Planning board means a planning board as organized pursuant to
10 section 14-407.

11 Sec. 80. Section 14-374, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-374 Each city of the metropolitan class shall have the power to
14 acquire by gift, purchase, condemnation, or bequest, such real estate
15 within the corporate limits and within the extraterritorial zoning
16 jurisdiction of the city ~~three miles thereof~~ as may be necessary for any
17 public use and may later convey, lease, sell, or otherwise dispose of any
18 real estate so ~~thus~~ acquired and not necessary for present use or future
19 development upon such terms as the city ~~it~~ may deem appropriate. In
20 addition to any other public uses, the following are declared to be for a
21 public purpose and for the public health and welfare: Establishing,
22 laying out, widening, and enlarging waterways, streets, bridges,
23 boulevards, parkways, parks, playgrounds, sites for public buildings, and
24 property for administrative, institutional, educational, and all other
25 public uses, and for reservations in, about, along, or leading to any or
26 all of such facilities ~~the same~~. The powers provided in this section
27 shall be in addition to and not in restriction of any other powers ~~now~~
28 held by cities of the metropolitan class ~~such cities~~.

29 Sec. 81. Section 14-375, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-375 Upon the recommendation of the city planning board, the city

1 council of a city of the metropolitan class may, by ordinance or
2 resolution, vacate any street or alley within ~~any~~ such city without any
3 petition being filed for such vacation ~~therefor~~. Before any such street
4 or alley shall be vacated, the city council shall appoint a committee of
5 at least three city council members ~~thereof~~, who shall faithfully and
6 impartially and after reasonable notice to the owners and parties
7 interested in property affected by such vacation, assess the damages, if
8 any, to such owners and ~~parties~~ affected parties. The committee They
9 shall take into consideration the amount of special benefits, if any,
10 arising from such vacation and shall file their report in writing with
11 the city clerk. Any owner or party interested in property affected by
12 such vacation, who shall file a written protest with such committee, may
13 appeal from the adoption by the city council of such appraisers' report
14 in the manner provided in section 14-813, but such appeal shall not stay
15 the passage of the ordinance or resolution vacating such street or alley.
16 The award of appraisers shall be final and conclusive as the order of a
17 court of general jurisdiction, unless appealed from. When the city
18 vacates a street or alley, the city shall, within thirty days after the
19 effective date of the vacation, file a certified copy of the vacating
20 ordinance or resolution with the register of deeds for the county in
21 which the vacated property is located to be indexed against all affected
22 lots.

23 Sec. 82. Section 14-376, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-376 Whenever the qualified electors of any city of the
26 metropolitan class vote at any general or special election to acquire and
27 appropriate by an exercise of the power of eminent domain, any
28 waterworks, waterworks system, gas plant, electric light plant, ~~or~~
29 electric light and power plant, ~~or~~ street railway, or street railway
30 system, located or operating within or partly within and partly without
31 such city if the main part of such works, plant, or system be within any

1 such city and even though a franchise for the construction and operation
2 of ~~any~~ such works, plant, or system may or may not have expired, then the
3 ~~any such~~ city shall have the power and authority by an exercise of the
4 power of eminent domain to appropriate and acquire for the public use of
5 the any such city, any such works, plant, or system. The procedure to
6 condemn property shall be exercised in the manner set forth in sections
7 76-704 to 76-724. The ~~duly constituted authorities of any such city~~
8 council shall have the power to submit such question or proposition, ~~in~~
9 ~~the usual manner,~~ to the qualified electors of the any such city at any
10 general city election or at any special city election and may submit such
11 proposition in connection with any city special election called for any
12 other purpose, and the votes cast on such question ~~thereon~~ shall be
13 canvassed and the result found and declared as in any other city
14 election. The city council ~~Such city authorities~~ shall submit such
15 question at any ~~of~~ such election ~~elections~~ whenever a petition asking for
16 such submission is signed by the legal voters of the city equaling in
17 number fifteen percent of the votes cast at the last general city
18 election, and is filed in the city clerk's office at least fifteen days
19 before the election at which the submission is asked.

20 Sec. 83. Section 14-383, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-383 Without limiting the applicability of sections 14-366 to
23 14-372, the city council of a city of the metropolitan class is
24 authorized to levy special taxes and assessments on properties benefited
25 by parks, recreational areas, and playgrounds acquired either by purchase
26 or condemnation without regard to whether the benefited property is
27 within or without the corporate limits of the such city when an
28 improvement district is created by the city council and approved by a
29 majority of the property owners in the district as provided in this
30 section. Each property owner may cast one vote at an election to be held
31 to determine whether such improvement district shall be created for each

1 fifteen thousand dollars of taxable valuation, or fraction of such
2 valuation thereof, of real property and improvements in the proposed
3 district as determined by the official records of the county assessor for
4 the previous calendar year. When such a district is created by the city
5 council and approved by a majority of the property owners, the special
6 taxes shall be levied proportionately to the taxable valuation of the
7 district. Notice of the election shall be given and the election shall be
8 held in the same manner as other special elections are held in such a
9 city.

10 Sec. 84. Section 14-384, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-384 As used in sections 14-384 to 14-3,127, unless the context
13 otherwise requires:

14 (1) Alley means ~~shall mean~~ an established public way for vehicles
15 and pedestrians affording a secondary means of access in the rear to
16 properties abutting on a street or highway;

17 (2) Boulevard means a street for noncommercial traffic with full or
18 partial control of access, usually located within a park or a ribbon of
19 park-like development;

20 ~~(2) Major traffic street shall mean a street primarily for through~~
21 ~~traffic and contained as such in the master plan of the city;~~

22 (3) City means ~~shall mean~~ a city of the metropolitan class;

23 (4) Connecting link means ~~shall mean~~ the roads, streets, and
24 highways designated as part of the State Highway System and which are
25 within the corporate limits of a city of the metropolitan class;

26 (5) Controlled-access facility means ~~shall mean~~ a highway or street
27 especially designed for through traffic, and over, from, or to which
28 owners or occupants of abutting land or other persons have no right or
29 easement or only a controlled right or easement of access, light, air, or
30 view by reason of the fact that their property abuts on such controlled-
31 access facility or for any other reason;

1 (6) Highway means a road or street including the entire area within
2 the right-of-way which has been designated a part of the State Highway
3 System by appropriate authority;

4 (7) (6) Main thoroughfare means shall mean a street primarily for
5 through travel having been determined as such by the city and contained
6 as such in the master plan of the city;

7 ~~(7) Highway shall mean a road or street including the entire area~~
8 ~~within the right-of-way which has been designated a part of the State~~
9 ~~Highway System by appropriate authority;~~

10 (8) Major traffic street means a street primarily for through
11 traffic and contained as such in the master plan of the city;

12 ~~(8) Boulevard shall mean a street for noncommercial traffic with~~
13 ~~full or partial control of access, usually located within a park or a~~
14 ~~ribbon of park-like development;~~

15 (9) Street means shall mean a public way for the purpose of
16 vehicular and pedestrian travel in the city and shall include the entire
17 area within the right-of-way; and

18 (10) Temporary surfacing means shall mean surfacing applied to any
19 ~~major traffic~~ street, connecting link, controlled-access facility, main
20 thoroughfare, highway, or boulevard or street wherein it is planned by
21 the city that the grade or surfacing of any such street, link, facility,
22 thoroughfare, highway, or boulevard of the aforementioned shall be
23 changed within two years from the date of completion of such said
24 temporary surfacing and a permanent grade established or surfacing
25 applied.

26 Sec. 85. Section 14-385, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-385 (1) Subject to sections 14-384 to 14-3,127, any The city
29 shall have the power and is authorized to:

30 (a) Pave ~~pave~~, repave, surface, resurface, and relay paving;

31 (b) Widen ~~to widen~~, ~~to~~ improve the horizontal and vertical

1 alignment, ~~to~~ insert traffic medians, channels, overpasses, and
2 underpasses;

3 ~~(c) Apply to apply~~ temporary surfacing;

4 ~~(d) Curb to curb~~;

5 ~~(e) Gutter to gutter~~ as provided in sections 14-386 to 14-388;

6 ~~(f) Improve to improve~~ in combinations as authorized in section
7 14-391;

8 ~~(g) Recurb and to recurb~~ and regutter streets, boulevards, alleys,
9 public grounds and parts of such streets, boulevards, alleys, or grounds
10 thereof;

11 ~~(h) Regulate to regulate~~, restrict, eliminate, or prohibit access
12 to, and vehicular travel upon, any existing or subsequently hereafter
13 acquired street or other public way; ~~;~~

14 ~~(i) Construct to construct~~ malls on such street or public way
15 ~~thereon~~, and landscape, beautify, and enhance such street or streets and
16 other public way ways in any manner the city council may deem proper; ~~;~~
17 and

18 ~~(j) Create to create~~ separate or combined street and sidewalk, ~~or~~
19 street, or sidewalk improvement districts, ~~all according to and subject~~
20 ~~to the requirements of sections 14-384 to 14-3,127~~

21 ~~(2) The ; but the city shall~~ may not be required to make any of the
22 improvements authorized in this section if for good reason the city ~~it~~
23 deems such improvements ~~the same~~ should not be made even though such
24 improvements were ~~be~~ petitioned for as provided in section 14-390.

25 Sec. 86. Section 14-386, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-386 To accomplish any of the purposes stated in section 14-385, a
28 ~~the~~ city is authorized in all such proceedings to delineate proposed
29 street improvement districts, proposed mall improvement districts,
30 proposed separate or combined street and sidewalk, ~~or~~ street, ~~or~~
31 sidewalk, or streets and sidewalks improvement districts which shall

1 embrace in such districts ~~therein~~ the street or streets, sidewalk or
2 sidewalks, street or sidewalk, or streets and sidewalks, or part or parts
3 thereof, to be improved as well as the abutting, adjacent, and benefited
4 property proposed to be assessed to cover in whole or in part the cost,
5 including land acquisition expenses if any, of the proposed improvement.

6 Sec. 87. Section 14-387, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-387 ~~A~~ A The city is authorized without petition to order any of
9 the improvements specified in section 14-385 within street improvement
10 districts, mall improvement districts, separate or combined street and
11 sidewalk, or street, or sidewalk, or streets and sidewalks improvement
12 districts within the corporate limits of the city or when the improvement
13 is on a controlled-access facility or a major traffic street contained in
14 the approved master plan of the city, and on sidestreets connecting with
15 such major traffic streets for a distance not to exceed one block from
16 such major traffic street.

17 Sec. 88. Section 14-388, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-388 Any ~~The~~ city may without petition order any main
20 thoroughfare or major traffic street or part of such thoroughfare or
21 street ~~thereof~~ improved in any manner specified in section 14-385 after
22 the city shall determine it to be such a main thoroughfare or major
23 traffic street, which determination shall be conclusive. Such main
24 thoroughfares or major traffic streets shall include all connecting links
25 as well as county highways leading into the city, and may include part or
26 all of any street which lies partly in the city and partly in the
27 abutting county. The city ~~It~~ may create improvement districts for such
28 purposes, including the abutting, adjacent, or benefited property. The
29 costs of such improvements to the extent of special benefits conferred
30 ~~occasioned~~ by the improvement may be assessed in whole or in part against
31 the property in such districts and the assessments supplemented either by

1 federal or state aid or both or by other ~~city municipal~~ funds, but
2 including permanent improvement funds, all other street resurfacing
3 funds, or highway bond funds.

4 Sec. 89. Section 14-389, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-389 (1) Any ~~The~~ city shall have the power to designate and
7 establish controlled-access facilities, and may design, construct,
8 maintain, improve, alter, and vacate such facilities and may by ordinance
9 regulate, restrict, or prohibit access to such facilities so as best to
10 serve the traffic for which such facilities are intended. The city may
11 provide for the elimination of intersections at grade with existing
12 roads, streets, highways, or alleys if it finds the public interest shall
13 be served by such elimination ~~thereby~~. An existing road, street, alley,
14 or other traffic facility may be included within such facilities or such
15 facilities may include new or additional roads, streets, or highways, ~~or~~
16 ~~the like~~.

17 (2) In order to carry out the purposes of this section, in addition
18 to any other powers the city ~~it~~ may have, the city may acquire in public
19 or private property such rights of access as are deemed necessary,
20 including, but not necessarily limited to, air, light, view, ingress, and
21 egress. Such acquisitions may be by gift, devise, purchase, agreement,
22 adverse possession, prescription, condemnation, or otherwise as provided
23 by law and may be in fee simple absolute or in any lesser estate or
24 interest. The city may make provision to mitigate damages caused by such
25 acquisitions, terms, and conditions regarding the abandonment or reverter
26 of such acquisitions, and any other provisions or conditions that are
27 desirable for the needs of the city and the general welfare of the
28 public.

29 (3) The city is further authorized to designate, establish, design
30 and construct, maintain, vacate, alter, improve, and regulate frontage
31 roads within the boundaries of any present or subsequently hereafter

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

10 (4) If the construction or reconstruction of any controlled-access
11 facility results in the abutment of property on such facility that did
12 not previously ~~theretofore~~ have direct egress from or ingress to such
13 facility ~~it~~, no rights of direct access shall accrue because of such
14 abutment, but the city may prescribe and define the location of the
15 privilege of access, if any, of properties that then, but did not
16 previously ~~not theretofore~~, abut on such facility.

17 Sec. 90. Section 14-390, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-390 Except as otherwise specifically specified ~~and~~ provided in
20 sections 14-384 to 14-3,127, any ~~the~~ city shall not order or cause to be
21 made any of the improvements provided in such sections ~~herein enumerated~~
22 in any improvement district except upon a petition of the record owners
23 of the majority of the frontage of taxable property in the district
24 abutting upon the streets or parts of streets proposed to be improved.

25 Sec. 91. Section 14-391, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-391 A ~~The~~ city may, upon a petition of the record owners of a
28 majority of the frontage of taxable property upon the streets or parts of
29 streets within a district created for that purpose, order any of the
30 improvements authorized in section 14-385, on any street or any number of
31 consecutive streets which extend in the same general direction, together

1 with parts of streets, alleys, and ways either intersecting or connecting
2 therewith, within reasonable, appropriate, or necessary limits in one
3 proceeding and in one improvement district, by causing such improvements
4 ~~the same~~ in whole or in part to be paved, repaved, curbed, or recurbed,
5 ~~or the grades to be changed or graded,~~ ~~or the paving to be resurfaced or~~
6 ~~relaid,~~ or any combination of such work to be done, including a change of
7 grade and grading or either or both, or construction of malls, either
8 street or sidewalk, or streets and sidewalks, on any of the streets or
9 ways within such districts. The city may also include in such districts
10 the replacement, or repair of sidewalks. In addition to the creation of
11 districts lying wholly within the corporate limits, the city may create
12 such districts on streets lying partly within the city and partly without
13 the corporate limits.

14 Sec. 92. Section 14-392, Revised Statutes Cumulative Supplement,
15 2020, is amended to read:

16 14-392 (1) For the purpose of covering in whole or in part the
17 costs of any of the improvements and costs incident thereto, authorized
18 in sections 14-384 to 14-3,127, or costs incident to such improvements,
19 including grading done in combination with any other improvements, a the
20 city may:

21 (a) Assess ~~assess~~ the property within an ~~the~~ improvement district or
22 the property benefited by change of grade or grading when not made in
23 combination with other improvements, to the full extent of the special
24 benefits ~~thereby~~ conferred upon the respective lots, tracts, and parcels
25 of land; ~~or~~

26 (b) If ~~if~~ the city council finds that there are common benefits
27 enjoyed by the public at large without reference to the ownership of
28 property abutting or adjacent to the improvement or improvements, or that
29 there is a common benefit to the property embraced within such ~~the~~
30 ~~district or districts, the city may~~ assess the costs of such improvement
31 or improvements against all the property included in such district or

1 districts. ~~7~~

2 (2) All such assessments shall be:

3 (a) Done according to such rules as the city council sitting as a
4 board of equalization, ~~7~~ shall adopt for the distribution or adjustment of
5 the costs of the improvement or improvements; and ~~7~~

6 (b) Equalized ~~All such assessments shall be equalized,~~ levied, and
7 collected as special assessments.

8 Sec. 93. Section 14-393, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-393 Whenever it is desired to establish or to change the
11 previously established grade of any street, highway, boulevard, main
12 thoroughfare, controlled-access facility, connecting link, major traffic
13 street, alley, or part of such street, highway, boulevard, thoroughfare,
14 facility, link, or alley thereof, such establishment or change may be
15 authorized by a ~~the~~ city. Such authorization shall state the proposed
16 grade by elevations or other definite data and shall refer to a plat with
17 specifications fully detailing and showing the established grade or the
18 amount of change in the grade line, which plat shall remain on file in
19 the city offices. The authorization for and the order establishing or
20 changing the previous grade may include the establishment of or the
21 change of the previously established grade on any number of intersecting
22 or connecting streets which may be reasonably appropriate and necessary
23 to a proper adjustment of grade lines to the principal grade line
24 proposed to be changed or to include the change of grade on cross streets
25 so that traffic on such cross streets may pass under the street to the
26 principal grade line to be changed by a subway or over the street to the
27 principal grade line on a bridge, viaduct, or overpass.

28 Sec. 94. Section 14-394, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-394 A ~~The~~ city is authorized to change the grade of any street,
31 ~~boulevard,~~ highway, boulevard, main thoroughfare, controlled-access

1 facility, connecting link, major traffic street, alley, or part of such
2 street, highway, boulevard, thoroughfare, facility, link, or alley
3 ~~thereof~~ when a petition for a proper and satisfactory change of grade has
4 been signed and filed by the record owners of a majority of the frontage
5 of taxable property abutting upon that part of the street of which the
6 change of grade is proposed. A petition for the order changing the grade
7 may include the change of grade of any number of intersecting or
8 connecting streets which may be reasonably appropriate and necessary to a
9 proper adjustment of grades. In such event the sufficiency of the
10 petition shall be determined by a consideration of the total frontage
11 feet of taxable property upon all the streets or parts of such streets
12 ~~thereof~~ upon which it is proposed to change the grades.

13 Sec. 95. Section 14-395, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-395 A ~~The~~ city may authorize any street, ~~boulevard,~~ highway,
16 boulevard, main thoroughfare, controlled-access facility, connecting
17 link, major traffic street, alley, or part of such street, highway,
18 boulevard, thoroughfare, facility, link, or alley ~~thereof~~ graded to a
19 grade as established or changed in accordance with section 14-393.

20 Sec. 96. Section 14-396, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-396 A ~~The~~ city may order any street or alley or part of such
23 street or alley ~~thereof~~ graded to an established grade whenever there is
24 filed an approved petition of the record owners of a majority of the
25 frontage of taxable property upon that part of the street proposed to be
26 graded.

27 Sec. 97. Section 14-397, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-397 In order to cover the entire cost of changing the grade or
30 grading, as provided by sections 14-384 to 14-3,127, of any street,
31 boulevard, highway, main thoroughfare, controlled-access facility,

1 connecting link, major traffic street, alley, or part thereof, including
2 ~~as well,~~ intersections and damages awarded, ~~a~~ the city is authorized to
3 levy special assessments to the extent of the special benefits conferred
4 by the improvement on the lots and parcels of land especially benefited
5 by reason of the grading of any street or part thereof whether such
6 property abuts on or is in the vicinity of the street or the part of the
7 street so graded. All such special assessments shall be equalized,
8 levied, and collected in the manner provided by law for the equalization,
9 levying, and collection of special assessments. All grading shall be done
10 to the full width of the street unless for good and sufficient reason the
11 city finds that such grading shall be done to ~~directs~~ a different width.

12 Sec. 98. Section 14-398, Revised Statutes Cumulative Supplement,
13 2020, is amended to read:

14 14-398 Under the methods provided in sections 14-384 to 14-3,127 to
15 grade streets, ~~boulevards,~~ highways, boulevards, main thoroughfares,
16 controlled-access facilities, connecting links, major traffic streets,
17 alleys, and parts of such streets, highways, boulevards, thoroughfares,
18 facilities, links, or alleys thereof, any number of intersecting and
19 connecting streets reasonably required and proper and necessary to the
20 better and improved use of the streets may be authorized to be graded in
21 one ~~and the same~~ proceeding. The cost of such grading ~~thereof~~ as provided
22 in sections 14-384 to 14-3,127 may be assessed upon property specially
23 benefited as a special assessment. In such instances, in determining the
24 sufficiency of either an authorized protest or petition, the total
25 frontage of taxable property on all sides on all of the streets to be
26 graded shall be taken into consideration.

27 Sec. 99. Section 14-399, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-399 All petitions authorized by sections 14-384 to 14-3,127 for
30 changing the grade of streets or grading streets shall contain provisions
31 waiving damages on account of such grading ~~thereof~~, and such petitions as

1 well as protests authorized shall be signed and executed and filed in the
2 manner required for petitions for street improvements.

3 Sec. 100. Section 14-3,100, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-3,100 After the grade of any street or alley shall be finally
6 changed or the grading of such street or alley ~~thereof~~ finally ordered as
7 provided in sections 14-384 to 14-3,127 and before any assessments are
8 levied, a committee of at least three disinterested residents of the city
9 shall be appointed by the city to appraise the damages caused by the
10 change of grade or grading. The committee shall promptly make an
11 appraisal of and report its award of such damages as the committee ~~it~~
12 determines have been occasioned by such change of grade or grading. Prior
13 to entering upon their duties, such appraisers shall take and file such
14 oath as may be required ~~by law or ordinance required~~. The committee shall
15 hold meetings on such reasonable notice to the interested parties as the
16 city may from time to time provide, and may take testimony with respect
17 to the question of damages. The committee shall report its award to the
18 city and the city shall ~~thereupon~~ have the authority to approve such
19 report ~~the same~~, to change or modify any award on reasonable notice to
20 the interested parties, or to reject the entire report or the award as to
21 any particular property. The appraisers appointed under this section
22 shall be entitled to fees for their time spent which shall be determined
23 in such manner as the city shall from time to time provide.

24 Sec. 101. Section 14-3,101, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-3,101 Whenever an award of damages for a change in grade or
27 grading has been finally approved such damages ~~the same~~ may be assessed
28 to the extent of the special benefits conferred by the improvement
29 against the lots and parcels of land abutting upon or in the vicinity of
30 the improvements made. Within sixty days after such assessment the award
31 of damages shall become due and payable and ~~they~~ must be paid by warrants

1 drawn against a the special assessment fund thus created for such
2 purpose. Any person feeling aggrieved by reason of an award of damages or
3 failure to award sufficient damages may appeal to the district court of
4 the county within which the property is located within the time and in
5 the manner provided by law for such appeals.

6 Sec. 102. Section 14-3,102, Revised Statutes Cumulative Supplement,
7 2020, is amended to read:

8 14-3,102 Whenever it is desired to make any improvement or
9 improvements authorized in section 14-385, where the costs of such
10 improvement or improvements are to be assessed against the adjacent and
11 abutting property benefited by such improvement or improvements thereby,
12 and no petition has been filed for such improvement or improvements
13 ~~therefor~~ in accordance with section 14-391, the city ~~for that purpose~~ may
14 propose such improvement or improvements stating the specific character
15 of the improvement or improvements ~~thus~~ to be made. The city shall cause
16 to be published in the official newspaper a brief notice of such proposal
17 stating the character of the improvement or improvements proposed
18 ~~thereby~~, and shall give additional notice to the property owners in the
19 improvement district or districts, or proposed improvement district or
20 districts, as required by section 25-520.01. If within thirty days after
21 giving notice thereafter the owners of fifty-one percent of the taxable
22 property abutting upon the street or streets, or part or parts of such
23 street or streets thereof proposed to be improved protest against such
24 project, such work shall not be done. In the absence of such protest, the
25 city shall be authorized to proceed with the work as proposed. The cost
26 and expense of such improvement or improvements thereof, as provided by
27 law, may be assessed against the property within the improvement district
28 or districts specially benefited to the extent of such benefits as a
29 special assessment. Where assessment against the property within the
30 improvement district or districts specially benefited is not made, or
31 where the improvement or improvements are on a main thoroughfare, major

1 traffic street, or connecting link, or made pursuant to sections 14-3,103
2 to 14-3,106, this section shall not apply.

3 Sec. 103. Section 14-3,103, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 14-3,103 A The city may construct or repair sidewalks along any
6 street or part thereof, or any boulevard or part thereof, of such
7 material and in such manner as the city ~~it~~ deems necessary and assess the
8 cost of such construction or repair ~~thereof~~ upon abutting property. Such
9 assessments except for temporary sidewalks and sidewalk repairs shall be
10 equalized and levied as special assessments. The city shall cause the
11 construction of sidewalks on at least one side of every major traffic
12 street and main thoroughfare in the city, excluding freeways,
13 expressways, controlled-access facilities, and other streets deemed by
14 the city to demonstrate no or very limited demand for pedestrian use, and
15 may assess the cost of such construction ~~thereof~~ upon abutting property.
16 Such construction shall be completed within a reasonable time, based upon
17 an annual review of construction program priorities and available funding
18 sources.

19 Sec. 104. Section 14-3,105, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-3,105 Before any sidewalk shall be constructed or repaired by the
22 city as provided in section 14-3,103, the owner or owners of the lots or
23 lands to be assessed shall be given notice to construct or repair such
24 sidewalk and shall have twenty days after the giving of such notice
25 within which to construct or repair such sidewalk ~~the same~~. Such notice
26 shall be served or published as directed by ordinance and if the notice
27 be by publication it shall be sufficient to address such notice to the
28 owners generally. The city shall give an additional notice by registered
29 letter or certified mail directed to the last-known address of such
30 owners or their agents, but failure to give such additional notice shall
31 not invalidate the proceedings, or the special assessments for such

1 sidewalk.

2 Sec. 105. Section 14-3,106, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 14-3,106 In case the owner or owners shall fail to construct or
5 repair ~~a such~~ sidewalk as provided in section 14-3,105 ~~directed~~, the city
6 may construct or repair such sidewalk or cause such work ~~the same~~ to be
7 done and assess the cost of such work ~~thereof~~ upon the abutting property
8 as a special assessment ~~assessments~~. Where the owner or owners of
9 abutting property fail to keep in repair the sidewalk adjacent to such
10 property ~~thereto~~, the owner or owners ~~they~~ shall be liable for all
11 damages or injuries occasioned or recovered by reason of the defective or
12 dangerous condition of such sidewalk.

13 Sec. 106. Section 14-3,107, Revised Statutes Cumulative Supplement,
14 2020, is amended to read:

15 14-3,107 (1)(a) ~~(1)~~ Except as provided in subsection (2) of this
16 section, a ~~the~~ city may:

17 (i) ~~Vacate~~ ~~vacate~~ or narrow any street, highway, main thoroughfare,
18 controlled-access facility, connecting link, boulevard, major traffic
19 street, or alley upon petition of the owners of seventy-five percent of
20 the taxable frontage feet abutting upon such street or alley proposed to
21 be vacated and asking for such vacation; ~~τ~~ or

22 (ii) ~~For the city,~~ ~~for~~ purposes of construction of a controlled-
23 access highway or to conform to a master plan of the city, ~~may,~~ without
24 petition having been filed for such vacation ~~therefor~~, vacate any street
25 or alley or any part thereof in the city.

26 (b) Whenever a street is vacated or narrowed, the part so vacated
27 shall revert to the abutting owners on the respective sides of such
28 street ~~thereof~~, except that if part or all of the vacated street lies
29 within the State of Nebraska but one side or any part of the street is
30 adjacent to the boundary of the State of Nebraska, all of the street
31 lying within the State of Nebraska or that part lying within the State of

1 Nebraska shall revert to the owner of the abutting property lying wholly
2 within the State of Nebraska.

3 (c) The city may open, improve, and make passable any street,
4 highway, boulevard, main thoroughfare, controlled-access facility,
5 connecting link, major traffic street, or alley. For purposes of this
6 subsection, open refers to the adaptation of the surface of the street to
7 the needs of ordinary travel but does not necessarily require the grading
8 to an established grade.

9 (d) The costs of any of the improvements mentioned in this
10 subsection, except as otherwise provided in sections 14-384 to 14-3,127,
11 to the extent of special benefits ~~thereby~~ conferred, may be assessed
12 against the property specially benefited ~~thereby~~ as special assessments.

13 (e) When the city vacates all or any portion of a street, highway,
14 main thoroughfare, controlled-access facility, connecting link,
15 boulevard, major traffic street, or alley pursuant to this subsection,
16 the city shall, within thirty days after the effective date of the
17 vacation, file a certified copy of the vacating ordinance or resolution
18 with the register of deeds for the county in which the vacated property
19 is located to be indexed against all affected lots.

20 (2)(a) ~~(2)~~ The city may vacate any minimal secondary right-of-way in
21 the manner described in this subsection. The city may vacate any segment
22 of such right-of-way by ordinance without petition and without convening
23 any committee for the purpose of determining any damages if all affected
24 abutting properties have primary access to an otherwise open and passable
25 public street right-of-way. An abutting property shall not be determined
26 to have primary access if such abutting property has an existing garage
27 and such garage is not accessible without altering or relocating such
28 garage.

29 (b) Title to such vacated rights-of-way shall vest in the owners of
30 abutting property and become a part of such property, each owner taking
31 title to the center line of such vacated street or alley adjacent to such

1 owner's property subject to the following:

2 (i) ~~(a)~~ There is reserved to the city the right to maintain,
3 operate, repair, and renew sewers now existing on such property; ~~there~~
4 and

5 (ii) ~~There (b) there~~ is reserved to the public utilities and cable
6 television systems the right to maintain, repair, renew, and operate
7 installed water mains, gas mains, pole lines, conduits, electrical
8 transmission lines, sound and signal transmission lines, and other
9 similar services and equipment and appurtenances above, on, and below the
10 surface of the ground for the purpose of serving the general public or
11 abutting properties, including such lateral connection or branch lines as
12 may be ordered or permitted by the city or such other utility or cable
13 television system and to enter upon the premises to accomplish such
14 purposes at any and all reasonable times.

15 (c) The city shall, within thirty days after the effective date of
16 the vacation, file a certified copy of the vacating ordinance or
17 resolution with the register of deeds for the county in which the vacated
18 property is located to be indexed against all affected lots.

19 (d) For purposes of this subsection, minimal secondary right-of-way
20 means any street or alley which either is unpaved, has substandard
21 paving, or has pavement narrower than sixteen feet and which is a
22 secondary means of access to or from any property abutting the portion to
23 be vacated.

24 Sec. 107. Section 14-3,108, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-3,108 A The city shall have the right to control and direct all
27 work upon the public streets. The city may adopt any and all reasonable
28 regulations relating to excavations in the streets or public grounds by
29 any and all parties, including waterworks, gas, and other franchised
30 corporations or public contractors, ~~and to enforce such regulations,~~ and
31 impose such penalties for the violation of such regulations thereof as

1 may be deemed proper.

2 Sec. 108. Section 14-3,109, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-3,109 A The city shall have the power to compel any water
5 company, gas company, or other person, corporation, or firm owning or
6 controlling any pipe or other underground conduits or other appliances
7 usually installed under the surface of the streets, to provide for and
8 construct all connections that may be deemed necessary for the future, to
9 the curb or property lines in all streets, highways, boulevards,
10 controlled-access facilities, main thoroughfares, connecting links, major
11 traffic streets, or alleys to be paved, repaved, or otherwise improved in
12 such manner and in conformity with such plans as may be determined by the
13 city upon. If any such companies or other parties shall neglect to carry
14 out such construction or fail to make the connections required within
15 thirty days after such connections ~~the same~~ shall have been ordered, the
16 city shall be empowered to cause such connections ~~the same~~ to be done.
17 ~~For and for~~ the purpose of paying for such connections, ~~therefor~~ the cost
18 ~~thereof~~ shall be deducted from such accounts as the city may have with
19 such companies or persons.

20 Sec. 109. Section 14-3,111, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-3,111 No contract for any of the improvements provided by
23 sections 14-384 to 14-3,127 shall be let unless first the city shall have
24 made a detailed estimate of the costs of the contemplated improvement,
25 nor shall any such contract be let until after the city has advertised
26 for and received bids for the performance of such work. If no bid is
27 received within the estimate, no award shall be made upon any bids
28 received until after fifteen days after the time for receiving bids under
29 such advertisement shall have expired. Within such time anyone desiring
30 to do so may file a bid within the estimate and award may be made on such
31 bid thereon in like manner as if such ~~said~~ bid had been received in

1 pursuance to the advertisement calling for bids. All improvements
2 authorized by sections 14-384 to 14-3,127 shall be done under contract
3 with the lowest responsible bidder, except that when bids are called for
4 by advertisement for grading in a street or alley and no bid is received
5 within the estimate, the city may enter into a contract to do such
6 grading without further advertisement for bids if the contract price be
7 within the estimate and the contract be entered into within thirty days
8 after the time for receiving bids under the advertisement calling for
9 bids therefor.

10 Sec. 110. Section 14-3,112, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-3,112 Nothing in sections 14-384 to 14-3,127 shall be construed
13 as in any way abridging, modifying, or limiting the authority or right
14 heretofore granted to and now possessed by any city as provided by
15 ~~metropolitan city under general~~ law to improve any road, highway, or
16 boulevard leading into such city for a distance not to exceed six miles
17 from the corporate limits of such city thereof, nor as modifying the
18 procedure under such grant or the power or authority to issue bonds in
19 connection with such improvements therewith, but such authority is hereby
20 expressly recognized and the power so granted by ~~general~~ law shall not be
21 subject to any of the limitations contained in sections 14-384 to
22 14-3,127.

23 Sec. 111. Section 14-3,113, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-3,113 (1) A ~~The~~ city is authorized to improve intersections,
26 spaces opposite alleys, and spaces opposite property not subject to
27 special assessment, with the like material in the manner provided in
28 sections 14-384 to 14-3,127 for improving streets whenever a street,
29 highway, boulevard, main thoroughfare, controlled-access facility, major
30 traffic street, or alley is ordered to be improved at the time of
31 improving such street and in such event is authorized to include in such

1 improvement of such intersection and spaces the construction,
2 replacement, or repair of sidewalks in such intersections and spaces
3 ~~therein~~ and, except as may be otherwise provided, pay for all such
4 improvements from funds provided for the purpose of improving
5 intersections if (a) the first priority in the expenditure of funds for
6 such purposes is given to improvements within street improvement
7 districts and (b) the city maintains, in a separate fund, not less than
8 twenty-five thousand dollars to be expended solely for the purpose of
9 improving intersections.

10 (2) Such sidewalk construction, replacement, or repair may be
11 included either in the contract for curbing at an intersection or in the
12 contract for paving such intersections and spaces ~~the same~~.

13 Sec. 112. Section 14-3,114, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-3,114 All petitions for improvements provided for in sections
16 14-384 to 14-3,127 shall be upon printed forms prescribed by the city
17 ~~blanks~~ and shall describe the street to be improved and improvement
18 desired. ~~The city shall from time to time prescribe the form of such~~
19 ~~blanks~~. Signatures to such petitions shall have no conditions attached
20 and all signatures shall be acknowledged before a notary public.

21 Sec. 113. Section 14-3,115, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-3,115 A The city shall, when it creates an improvement district
24 for paving, repaving, curbing, or guttering, or other improvements of
25 like character, prepare an estimate of the cost of such improvement and
26 shall thereafter advertise for and receive bids upon such material as may
27 be designated by the city for such improvement. The advertisements,
28 specifications for bids, and petitions designating materials shall
29 contain such information and be worded in such language as the city may
30 from time to time direct. All bids shall be received and opened at the
31 same time as provided by ordinance except as otherwise provided in

1 section 14-3,111. The city may reject any and all bids.

2 Sec. 114. Section 14-3,116, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-3,116 All petitions for the purpose of designating material as
5 provided in section 14-3,115 shall be on printed forms ~~blanks~~ furnished
6 by the city upon application and shall contain such information and shall
7 be worded in such language as the city may from time to time direct.

8 Sec. 115. Section 14-3,117, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-3,117 Whenever a petition for an improvement is filed with a ~~the~~
11 city, the hour, day, month, and year when such petition is ~~so~~ filed shall
12 be officially marked upon such petition and such petition shall be
13 recorded in such manner as the city may from time to time provide.

14 Sec. 116. Section 14-3,118, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-3,118 Petitions for improvements provided for in sections 14-384
17 to 14-3,127 after having been filed with the city shall not be returned
18 or withdrawn, nor shall any person be allowed to add, cancel, erase, or
19 withdraw or in any way modify any signature or writing on such petitions
20 ~~thereon~~. Where two or more petitions are filed for the same improvement
21 they shall be considered and taken together as one petition.

22 Sec. 117. Section 14-3,119, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-3,119 Petitions for improvements provided for under sections
25 14-384 to 14-3,127 shall be examined and certified for sufficiency as the
26 city may provide. Certificates as to sufficiency when properly filed as
27 provided by the city shall be prima facie evidence of the truth and
28 correctness of the matter ~~therein~~ certified in such petition. If such
29 certificates show the petition for any improvement to be irregular,
30 illegal, or insufficient it shall be the duty of the city to give notice
31 by publication for three successive days in the official newspaper of the

1 city of such irregularity, illegality, or insufficiency and the property
2 owners within any improvement district ~~such districts~~ may at any time
3 file supplemental petitions for such improvement and such supplemental
4 petitions shall be considered and taken as a part of the original
5 petition. Such supplemental petitions shall be examined and certified as
6 in the case of the original petition.

7 Sec. 118. Section 14-3,120, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-3,120 If the certificates required by section 14-3,119 show that
10 the petition is regular, legal, and sufficient the city shall cause a
11 copy of the petition to be published for three days in the official
12 newspaper of the city with a notice ~~thereto~~ attached directing the
13 property owners generally in the improvement district that they shall
14 have thirty days from the first day of publication of the petition and
15 notice to file a protest with the city against the regularity or the
16 sufficiency of the petition or signatures on such petition ~~thereon~~.

17 Sec. 119. Section 14-3,121, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-3,121 (1) The property owners in any improvement district shall
20 have thirty days from the first day of publication of the petition and
21 notice as provided in section 14-3,120 to file with the city a protest
22 against the regularity, legality, or sufficiency of the petition or any
23 signature on such petition ~~thereon~~. Such protest shall be verified by the
24 party making the protest ~~same~~, who shall state under oath and set forth
25 with particularity all the alleged defects in the petition, and if the
26 protest relates to the ownership of any property, it shall give the name
27 and address of the true owner of such property ~~thereof~~ and shall state
28 under oath that such protest is made in good faith.

29 (2) At any time within ten days after the expiration of the time for
30 filing the protest, supplemental petitions for the improvement may be
31 filed and when so filed shall be considered as a part of the original

1 petition. ~~The , but the~~ property owners within such district shall have
2 ten days from the date of the filing of such supplemental petitions in
3 which to file a protest against the regularity, legality, or sufficiency
4 of any of the signatures on such supplemental petition ~~thereon~~ or against
5 the original petition as so supplemented. No further notice of the filing
6 of such supplemental petition shall be required and such supplemental
7 petition need not be published.

8 (3) When any such protest has been filed with the city within the
9 times specified, the improvement petitioned for shall not be ordered
10 until the city shall have given the party protesting a hearing upon such
11 protest and shall have, upon the evidence, found, adjudged, and
12 determined the petition to be regular, legal, and sufficient and not then
13 until after the time has expired for perfecting an appeal from such
14 finding, judgment, and determination. Any protesting party or parties may
15 appeal from such finding, judgment, and determination in the manner
16 provided by section 14-813.

17 Sec. 120. Section 14-3,122, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-3,122 In case a protest is filed under section 14-3,120 or
20 14-3,121, the city shall have the power and responsibility ~~it shall be~~
21 ~~its duty~~ to hear, determine, and adjudicate the objections raised by any
22 protest in all matters relating to regularity, legality, and sufficiency
23 of such petition and supplemental petition upon such notice, to the party
24 protesting, of the time, place, and purpose of the hearing as the city
25 may from time to time provide.

26 Sec. 121. Section 14-3,123, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-3,123 In case no protest is filed within the time provided in
29 section 14-3,121, the city shall have the power and responsibility,
30 without further notice, to find, adjudge, and determine that such
31 petition is regular, legal, and sufficient.

1 Sec. 122. Section 14-3,124, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-3,124 In all specifications for materials to be used in paving,
4 curbing, and guttering of every kind, ~~a~~ the city shall establish a
5 standard or standards of strength and quality, to be demonstrated by
6 physical, chemical, or other tests within the limits of reasonable
7 variations. In every instance the materials shall be so described in the
8 specifications, either by standard or quality, to permit genuine
9 competition between contractors so that there may be two or more bids by
10 individuals or companies in no manner connected with each other and no
11 material shall be specified which shall not be subject to such
12 competition.

13 Sec. 123. Section 14-3,125, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-3,125 ~~A~~ The city shall give the property owners within any
16 improvement district ~~the such~~ opportunity to designate, ~~by~~ petition to be
17 filed with the city, ~~the~~ specified material which such property owners
18 desire to be used in the improvement of the street or alley or other
19 grounds within such improvement ~~the~~ district.

20 Sec. 124. Section 14-3,126, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-3,126 The property owners within an improvement district may
23 designate the material to be used in the improvement or construction of
24 streets or alleys or other grounds within such ~~the~~ district by petition,
25 signed by a majority of such property owners ~~thereof~~, filed with the city
26 within thirty days after notice of the proposed improvement.

27 Sec. 125. Section 14-3,128, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-3,128 (1) Any city of the metropolitan class is hereby authorized
30 and empowered to issue and sell special assessment bonds to cover the
31 cost of the work of construction of any and all public improvements to be

1 paid for by special assessments which such city is authorized by law to
2 make.

3 (2) Any special assessments levied on account of such work shall
4 constitute a sinking fund for the payment of interest and principal on
5 the bonds as the bonds become due.

6 (3) The city council shall have the power to determine the
7 denominations of such bonds, and the date, time, and manner of payment.

8 (4) Such bonds shall not be sold or exchanged for less than the par
9 value of such bonds ~~thereof~~ and shall bear interest payable semiannually.

10 (5) Special assessment bonds issued as authorized in this section
11 shall not be chargeable against the debt limit of any ~~metropolitan class~~
12 city of the metropolitan class issuing such bonds.

13 Sec. 126. Section 14-401, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-401 For the purpose of promoting the health, safety, and morals
16 ~~or the~~ general welfare of the community, the city council in a city of
17 the metropolitan class may ~~is hereby empowered to~~ regulate and restrict
18 the height, number of stories, and size of buildings and other
19 structures, the percentage of a lot that may be occupied, the size of
20 yards, courts, and other open spaces, the density of population, and the
21 location and use of buildings, structures, and land for trade, industry,
22 residence, or other purposes. Such regulations may provide for that a
23 board of appeals that may determine and vary ~~their~~ application of such
24 regulations in harmony with their general purpose and intent, and in
25 accordance with general or specific rules ~~therein~~ contained in such
26 regulations.

27 Sec. 127. Section 14-402, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-402 (1) For any or all of the purposes listed in section 14-401,
30 the city council of a city of the metropolitan class may divide the city
31 ~~municipality~~ into districts of such number, shape, and area as may be

1 deemed best suited to carry out the purposes of sections 14-401 to
2 14-418. Within such districts the city council may regulate, restrict, or
3 prohibit the erection, construction, reconstruction, alteration, or use
4 of buildings, structures, or land. All such regulations shall be uniform
5 for each class or kind of buildings throughout each district, but the
6 regulations applicable to one district may differ from those applicable
7 to other districts.

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

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

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

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

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

31 (v) The home shall have a nonreflective roof material which is or

1 simulates asphalt or wood shingles, tile, or rock; and

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

4 (b) The city council may not require additional standards unless
5 such standards are uniformly applied to all single-family dwellings in
6 the zoning district.

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

9 (3) For purposes of this section, manufactured home means ~~shall mean~~

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

20 Sec. 128. Section 14-403, Revised Statutes Cumulative Supplement,
21 2020, is amended to read:

22 14-403 (1) Regulations adopted pursuant to sections 14-401 to
23 14-418 ~~Such regulations~~ shall comply with the Municipal Density and
24 Missing Middle Housing Act and be made in accordance with a comprehensive
25 plan and designed to (a) lessen congestion in the streets, ~~(b) ; to~~
26 ~~secure safety from fire, panic, and other dangers,~~ (c) ; to promote
27 health and the general welfare, (d) ; to provide adequate light and air,
28 (e) ; to prevent the overcrowding of land, (f) ; to secure safety from
29 flood, (g) ; to avoid undue concentration of population, (h) ; to
30 facilitate the adequate provision of transportation, water, sewerage,
31 schools, parks and other public requirements, and (i) to promote

1 convenience of access.

2 (2) Such regulations shall be made with reasonable consideration,
3 among other things, as to the character of the district and its peculiar
4 suitability for particular uses, and with a view to conserving the value
5 of buildings and encouraging the most appropriate use of land throughout
6 the city such municipality. Whenever the city council shall determine
7 that the use or contemplated use of any building, structure, or land will
8 cause congestion in the streets, increase the danger from fire or panic,
9 imperil public safety, cause undue concentration or congregation of
10 people, or impede transportation, the city council may include in such
11 regulations requirements for alleviating or preventing such conditions
12 when any change in use or zoning classification is requested by the
13 owner.

14 Sec. 129. Section 14-404, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-404 A ~~The city~~ of the metropolitan class shall provide for the
17 manner in which ~~such~~ regulations and restrictions adopted pursuant to
18 sections 14-401 to 14-418 and the boundaries of ~~such~~ districts created
19 under section 14-402 shall be determined, established, and enforced, and
20 from time to time amended, supplemented, or changed. The city shall not
21 determine the boundaries of any district or impose any regulations or
22 restrictions until after the appropriate planning board of the city has
23 made recommendations on such regulations, restrictions, or boundary
24 changes thereon, and no such regulation, restriction, or boundary change
25 shall become effective until after a public hearing ~~in relation thereto,~~
26 at which citizens shall have an opportunity to be heard. At least one
27 day's notice of the time, place, and purpose of such hearing shall be
28 published in the official newspaper or a legal newspaper in or ~~paper or a~~
29 ~~paper~~ of general circulation in such city municipality, and not less than
30 ten days before such hearing.

31 Sec. 130. Section 14-405, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 14-405 Regulations ~~Such regulations~~, restrictions, and boundaries
3 adopted pursuant to sections 14-401 to 14-418 may from time to time be
4 amended, supplemented, changed, modified, or repealed. When a protest
5 against a change of boundaries is presented to the city clerk at least
6 six days prior to the city council vote on such change and such change is
7 not in accordance with the comprehensive development plan, such change
8 shall not become effective except by a favorable vote of five-sevenths of
9 all members of the city council. Such ~~The~~ protest shall be in writing,
10 signed, and sworn and acknowledged pursuant to section 64-206 by the
11 required owners. For purposes of this section, the required owners means
12 those fee simple owners of record as recorded by the county register of
13 deeds owning at least twenty percent of the area: (1) Included in the
14 proposed change; (2) abutting either side of the proposed change; (3)
15 abutting the rear of the proposed change; (4) abutting the front of the
16 proposed change; or (5) directly opposite of the proposed change on the
17 other side of a dedicated public right-of-way and extending fifty feet on
18 either side of such opposite lot.

19 Sec. 131. Section 14-406, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-406 The lawful use of land existing on April 1, 1925, although
22 such use does not conform to sections 14-401 to 14-418 ~~the provisions~~
23 ~~hereof~~, may be continued, but if such nonconforming use is abandoned, any
24 future use of such land ~~said premises~~ shall be in conformity with the
25 ~~provisions~~ of sections 14-401 to 14-418. The lawful use of a building
26 existing on April 1, 1925, may be continued, although such use does not
27 conform with sections 14-401 to 14-418 ~~the provisions hereof~~, and such
28 use may be extended throughout the building, provided no structural
29 alterations, except those required by law or ordinance, are made in such
30 building ~~therein~~. If no structural alterations are made, a nonconforming
31 use of a building may be changed to another nonconforming use of the same

1 or a higher classification. Whenever a use district shall be changed, any
2 then existing nonconforming use in such changed district may be continued
3 or changed to a use permitted in that district, provided all other
4 regulations governing the new use are complied with. Whenever a
5 nonconforming use of a building has been changed to a more restricted use
6 or to a conforming use such use shall not thereafter be changed to a less
7 restricted use.

8 Sec. 132. Section 14-408, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-408 (1) The city council of a city of the metropolitan class may
11 provide for the appointment of a zoning board of appeals consisting of
12 five regular members. Two additional alternate members shall be appointed
13 and designated as first alternate and second alternate members, either or
14 both of whom may attend any meeting and may serve as voting and
15 participating members of the zoning board of appeals with the authority
16 of a regular board member at any time when less than the full number of
17 regular board members is present and capable of voting. If both alternate
18 members are present when only a single regular member is absent, the
19 first alternate member shall serve for the balance of the meeting.

20 (2) Upon the expiration of the initial terms of such regular and
21 alternate members, all members and alternates shall be appointed for a
22 term of five years. The city council ~~appointing authority~~ shall have the
23 power to remove any regular or alternate member of the zoning board of
24 appeals for cause and after public hearing. Vacancies shall be filled for
25 the unexpired term of a regular or alternate member whose place has
26 become vacant.

27 (3) All meetings of the zoning board of appeals shall be held at the
28 call of the chairperson and at such other times as such board may
29 determine. Such chairperson, or in his or her absence the acting
30 chairperson, may administer oaths and compel the attendance of witnesses.
31 All meetings of the zoning such board of appeals shall be open to the

1 public. ~~The zoning~~ Such board of appeals shall keep minutes of its
2 proceedings, showing the vote of each member upon every question, or if
3 absent or failing to vote, indicating such fact, and shall also keep
4 records of its examinations and other official actions.

5 (4) Every rule or regulation, every amendment or repeal of such rule
6 or regulation thereof, and every order, requirement, decision, or
7 determination of the zoning board of appeals shall immediately be filed
8 in the office of such ~~the~~ board and shall be a public record.

9 Sec. 133. Section 14-409, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 14-409 A zoning ~~Such~~ board of appeals appointed pursuant to section
12 14-408 shall hear and decide appeals from and review any order,
13 requirement, decision, or determination made by an administrative
14 official charged with the enforcement of any ordinance adopted pursuant
15 to sections 14-401 to 14-418. The zoning board of appeals ~~It~~ shall also
16 hear and decide all matters referred to it or upon which it is required
17 to pass under any such ordinance. The concurring vote of four members of
18 the zoning board of appeals shall be necessary to reverse any order,
19 requirement, decision, or determination of any such administrative
20 official, or to decide in favor of the applicant any matter upon which it
21 is required to pass under any such ordinance or to affect any variation
22 in such ordinance.

23 Sec. 134. Section 14-410, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-410 Any ~~Such~~ appeal heard pursuant to section 14-409 may be
26 taken by any person aggrieved or by an officer, department, board, or
27 bureau of the city municipality. Such appeal shall be taken within such
28 time as shall be prescribed by the zoning board of appeals by general
29 rule, by filing with the officer from whom the appeal is taken and with
30 the zoning board of appeals a notice of appeal, specifying the grounds
31 for such appeal thereof. The officer from whom the appeal is taken shall

1 ~~forthwith~~ transmit to the zoning board of appeals all the papers
2 constituting the record upon which the action appealed from was taken. An
3 appeal stays all proceedings in furtherance of the action appealed from,
4 unless the officer from whom the appeal is taken certifies to the zoning
5 board of appeals, after the notice of appeal shall have been filed with
6 such officer ~~him~~, that by reason of facts stated in the certificate a
7 stay would, in such officer's ~~his~~ opinion, cause imminent peril to life
8 or property, in which case proceedings shall not be stayed otherwise than
9 by a restraining order which may be granted by the zoning board of
10 appeals or by a court of record on application, on notice to the officer
11 from whom the appeal is taken and on a showing of due cause ~~shown~~.

12 Sec. 135. Section 14-411, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-411 The zoning board of appeals shall fix a reasonable time for
15 the hearing of the appeal or other matter referred to it pursuant to
16 section 14-409 and give due notice of such hearing ~~thereof~~ to the parties
17 and decide such appeal or other matter ~~the same~~ within a reasonable time.
18 Upon the hearing, any party may appear in person or by agent or by
19 attorney. The zoning board of appeals may reverse or affirm, wholly or
20 partly, or may modify the order, requirement, decision, or determination
21 appealed from and shall make such order, requirement, decision, or
22 determination as in its opinion ought to be made in the premises, and to
23 that end shall have all the powers of the officer from whom the appeal is
24 taken. Where there are practical difficulties or unnecessary hardships in
25 the way of carrying out the strict letter of such ordinance, the zoning
26 board of appeals shall have the power in passing upon appeals, to vary or
27 modify the application of any of the regulations or provisions of such
28 ordinance relating to the use, construction, or alteration of buildings
29 or structures or the use of land, so that the spirit of the ordinance
30 shall be observed, public safety and welfare secured, and substantial
31 justice done.

1 Sec. 136. Section 14-412, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-412 The zoning board of appeals shall have specific power to
4 grant special permits to the state, or any political subdivision thereof,
5 and to public utilities for public service purposes, although the
6 application may be in conflict with the provisions of ordinances or
7 regulations adopted under the authority of sections 14-401 to 14-418,
8 except ; ~~Provided,~~ that such permits ~~the permit~~ shall be granted upon
9 such conditions as the zoning board of appeals may deem necessary,
10 proper, or expedient, to promote the objects of such ~~said~~ sections.

11 Sec. 137. Section 14-413, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-413 Any person or persons, jointly or severally aggrieved by any
14 decision of the zoning board of appeals, or any officer, department,
15 board, or bureau of a city of the metropolitan class ~~the municipality~~,
16 may present to the district court a petition, duly verified, setting
17 forth that such decision is illegal, in whole or in part, and specifying
18 the grounds of such illegality. Such petition must be presented to the
19 court within thirty days after the filing of the decision in the office
20 of the zoning board of appeals.

21 Sec. 138. Section 14-414, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-414 If, upon the hearing of a petition filed pursuant to section
24 14-413 , it appears ~~shall appear~~ to the district court that testimony is
25 necessary for the proper disposition of the matter, the court ~~it~~ may take
26 evidence or appoint a referee to take such evidence as the court ~~it~~ may
27 direct and report such evidence ~~the same~~ to the court with ~~his~~ findings
28 of fact and conclusions of law, which shall constitute a part of the
29 proceedings upon which the determination of the court shall be made. The
30 court may reverse or affirm, wholly or partly, or may modify the decision
31 brought up for review. Costs shall not be allowed against the zoning

1 board of appeals, unless it shall appear to the court that such board ~~it~~
2 acted with gross negligence or in bad faith or with malice in making the
3 decision appealed from. All issues in any proceeding under sections
4 14-408 to 14-414 shall have preference over all other civil actions and
5 proceedings.

6 Sec. 139. Section 14-415, Revised Statutes Cumulative Supplement,
7 2020, is amended to read:

8 14-415 A The city of the metropolitan class, in addition to other
9 remedies, may institute any appropriate action or proceedings to prevent
10 an unlawful erection, construction, reconstruction, alteration,
11 conversion, maintenance, or use of any building or structure in violation
12 of any ordinance or regulations enacted or issued pursuant to sections
13 14-401 to 14-418, to restrain, correct, or abate such violation, to
14 prevent the occupancy of the building, structure, or land, or to prevent
15 any illegal act, conduct, business, or use in or about such premises.
16 Such ~~The~~ ordinance or regulations shall be enforced by the city as the
17 city council ~~it~~ may provide. In addition to, ~~and~~ not in restriction of
18 any other powers, the city may cause any building, structure, place, or
19 premises to be inspected and examined and to order in writing the
20 remedying of any condition found to exist in or at such building,
21 structure, place, or premises ~~therein or thereat~~ in violation of any
22 provision of the ordinance or regulations made under authority of such
23 sections. The owner, general agent, lessee, or tenant of a building or
24 premises or of any part of such building or premises where a violation of
25 any provision of the ordinance or regulations has been committed or shall
26 exist or the general agent, architect, builder, contractor, or any other
27 person who commits, takes part, or assists in any such violation or who
28 maintains any building or premises in which any such violation shall
29 exist shall be guilty of a Class IV misdemeanor for a first or second
30 violation and a Class II misdemeanor for a third or subsequent violation,
31 if the third or subsequent violation is committed within two years after

1 the commission of the prior violation.

2 Sec. 140. Section 14-416, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-416 Wherever the regulations made under authority of sections
5 14-401 to 14-418 require a greater width or size of yards, courts, or
6 other open spaces, or require a lower height of building or less number
7 of stories, or require a greater percentage of lot to be left unoccupied,
8 or impose other higher standards than are required in any other statute,
9 local ordinance, or regulation, the provisions of the regulations made
10 under authority of such ~~said~~ sections shall govern. Wherever the
11 provisions of any other statute, local ordinance, or regulation require a
12 greater width or size of yards, courts, or other open spaces, or require
13 a lower height of building or a less number of stories, or require a
14 greater percentage of lot to be left unoccupied, or impose other higher
15 standards than are required by the regulations made under authority of
16 such ~~said~~ sections, the provisions of such statute, local ordinance, or
17 regulation shall govern.

18 Sec. 141. Section 14-417, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-417 Where ~~there already exist~~ a city planning commission and a
21 zoning board of appeals in a city of the metropolitan class already
22 exist, their continuance is hereby authorized without further act of the
23 city council. All ordinances, rules and regulations, hearings, orders, or
24 decisions existing or in effect on April 1, 1925, or substituted or in
25 effect thereafter, shall continue in effect, except insofar as any such
26 ordinances, rules and regulations, hearings, orders, or decisions shall
27 be in conflict with the provisions of sections 14-401 to 14-418 hereof.

28 Sec. 142. Section 14-418, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-418 The powers granted in sections 14-401 to 14-417 may be
31 exercised by the authorities in whom the powers are vested in such ~~said~~

1 sections over a such city of the metropolitan class and the
2 extraterritorial zoning jurisdiction ~~all territory not over three miles~~
3 ~~beyond the limits~~ of such city.

4 Sec. 143. Section 14-419, Revised Statutes Cumulative Supplement,
5 2020, is amended to read:

6 14-419 (1) The extraterritorial zoning jurisdiction of a city of the
7 metropolitan class shall consist of the unincorporated area three miles
8 beyond and adjacent to its corporate boundaries.

9 (2) The city council, in cities of the metropolitan class, shall
10 have the power by ordinance to regulate, within the corporate limits of
11 the city or within the extraterritorial zoning jurisdiction of the city
12 ~~three miles of the corporate limits~~, except as to construction on farms
13 for farm purposes, (a) ~~(1)~~ the minimum standards of construction of
14 buildings, dwellings, and other structures, in order to provide safe and
15 sound condition of such buildings, dwellings, and other structures
16 ~~thereof~~ for the preservation of health, safety, security, and general
17 welfare, and as to electric wiring, heating, plumbing, pipefitting, sewer
18 connections, ventilation, size of habitable rooms, and the method of
19 constructing buildings, and to provide for inspection of such buildings,
20 dwellings, and other structures ~~thereof~~ and building permits, (b) ~~(2)~~ the
21 removal and tearing down of buildings, dwellings, and other structures in
22 such areas which constitute nuisances because of the dilapidated, unsafe,
23 or rundown condition or conditions, and (c) ~~(3)~~ except as to the United
24 States of America, the State of Nebraska, any county of the state, or any
25 other city or village in the state, the nature, kind, and manner of
26 constructing streets, alleys, sidewalks, curbing or abridging curbs,
27 driveway approaches constructed on public right-of-way, and sewers.

28 (3) A city of the metropolitan class shall have the authority to
29 regulate land use within the extraterritorial zoning jurisdiction of such
30 city as may be provided by law in addition to those powers provided in
31 this section.

1 (4) Any building or construction code implemented under this section
2 shall be adopted and enforced as provided in section 71-6406.

3 Sec. 144. Section 14-420, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 14-420 (1) A city of the metropolitan class shall provide written
6 notice of any properly filed request for a change in the zoning
7 classification of a subject property to the owners of adjacent property
8 in the manner set out in this section.

9 (2) Initial notice of the proposed zoning change on the subject
10 property shall be sent to the owners of adjacent property by regular
11 United States mail, postage prepaid, to the owner's address as it appears
12 in the records of the office of the county register of deeds, postmarked
13 at least ten working days prior to the planning board public hearing on
14 the proposed change. The initial notice shall also be provided at least
15 ten working days prior to the hearing to any registered neighborhood
16 association when the subject property is located within the boundary of
17 the area of representation of such association in the manner requested by
18 the association. Each neighborhood association desiring to receive such
19 notice shall register with the city the area of representation of such
20 association and provide the name of and contact information for the
21 individual designated to receive notice on behalf of such association and
22 the requested manner of service, whether by email or first-class or
23 certified mail. The registration shall be in accordance with any rules
24 and regulations adopted and promulgated by the city. Such notice shall
25 describe the subject property or give its address, describe the nature of
26 the zoning change requested, and contain the date, time, and location of
27 the planning board hearing.

28 (3) A second notice of the proposed zoning change on the subject
29 property shall be sent to the same owners of adjacent property who were
30 provided with notice under subsection (2) of this section. Such notice
31 shall be sent by regular United States mail, postage prepaid, to the

1 owner's address as it appears in the records of the office of the county
2 register of deeds, postmarked at least ten working days prior to the city
3 council public hearing on the proposed change. Such notice shall describe
4 the subject property or give its address, describe the nature of the
5 zoning change requested, and contain the date, time, and location of the
6 city council public hearing.

7 (4) No additional or further notice beyond that required by
8 subsections (2) and (3) of this section shall be necessary in the event
9 that the scheduled planning board or city council public hearing on the
10 proposed zoning change is adjourned, continued, or postponed until a
11 later date.

12 (5) The requirements of this section shall not apply to proposed
13 changes in the text of the zoning code itself or any proposed changes in
14 the zoning code affecting whole classes or classifications of property
15 throughout the jurisdiction of the city.

16 (6) Except for a willful or deliberate failure to cause notice to be
17 given, no zoning decision made by a city of the metropolitan class either
18 to accept or reject a proposed zoning change with regard to a subject
19 property shall be void, invalidated, or affected in any way because of
20 any irregularity, defect, error, or failure on the part of the city or
21 its employees to cause notice to be given as required by this section if
22 a reasonable attempt to comply with this section was made. No action to
23 challenge the validity of the acceptance or rejection of a proposed
24 zoning change on the basis of this section shall be filed more than one
25 year following the date of the formal acceptance or rejection of the
26 zoning change by the city council.

27 (7) Except for a willful or deliberate failure to cause notice to be
28 given, the city and its employees shall not be liable for any damage to
29 any person resulting from any failure to cause notice to be given as
30 required by this section when a reasonable attempt was made to provide
31 such notice. No action for damages resulting from the failure to cause

1 notice to be provided as required by this section shall be filed more
2 than one year following the date of the formal acceptance or rejection of
3 the proposed zoning change by the city council.

4 (8) For purposes of this section:

5 (a) Adjacent property shall mean any piece of real property any
6 portion of which is located within three hundred feet of the nearest
7 boundary line of the subject property or within one thousand feet of the
8 nearest boundary line of the subject property if the proposed zoning
9 change involves a heavy industrial district classification;

10 (b) Owner shall mean the owner of a piece of adjacent property as
11 indicated on the records of the office of the county register of deeds as
12 provided to or made available to the city no earlier than the last
13 business day before the twenty-fifth day preceding the planning board
14 public hearing on the zoning change proposed for the subject property;
15 and

16 (c) Subject property shall mean any tract of real property located
17 within the boundaries of a city of the metropolitan class or within the
18 extraterritorial zoning jurisdiction of a city of the metropolitan class
19 which is the subject of a properly filed request for a change of its
20 zoning classification.

21 Sec. 145. Section 14-501, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-501 The city council of a city of the metropolitan class shall
24 annually or biennially ~~and within the first week of January, if possible,~~
25 appropriate money and credits of the city in such amounts as may be
26 deemed necessary and proper and set such money and credits ~~the same~~ aside
27 to the following designated funds to be known as statutory funds: (1) For
28 the fire department of the city, (2) for the police department of the
29 city, (3) ~~for the health department of the city,~~ (4) for the public
30 library, (5) ~~for the purposes of the welfare board,~~ and (4) (6) for the
31 purpose of paying judgments and costs. The amounts so appropriated and

1 set aside to such funds respectively shall be the maximum amounts that
2 may be appropriated to or expended from such funds within the fiscal year
3 or biennial period for the purposes for which such funds respectively are
4 created.

5 Sec. 146. Section 14-501.01, Reissue Revised Statutes of Nebraska,
6 is amended to read:

7 14-501.01 A city of the metropolitan class may adopt biennial
8 budgets for biennial periods if such budgets are provided for by a home
9 rule ~~city~~ charter provision. For purposes of this section:

10 (1) Biennial budget means a budget that provides for a biennial
11 period to determine and carry on the city's financial and taxing affairs;
12 and

13 (2) Biennial period means the two fiscal years comprising a biennium
14 commencing in odd-numbered or even-numbered years.

15 Sec. 147. Section 14-502, Revised Statutes Cumulative Supplement,
16 2020, is amended to read:

17 14-502 (1) The city council of a city of the metropolitan class
18 shall, at the same time as the appropriation of statutory funds as
19 provided in section 14-501, appropriate, from the remaining amount of tax
20 levy of such year and from revenue to be derived from all other sources
21 available for such purposes, money and credits of the city and set such
22 money and credits ~~the same~~ aside to funds to be designated department
23 funds. The department funds shall be of the same number and of the same
24 designation as the departments into which the government of the city is
25 divided for administration under the commission plan of government.

26 (2) The amount so appropriated and set aside to each of the funds
27 respectively shall be an amount deemed sufficient and necessary to take
28 care of the expenses in such department for the fiscal year or biennial
29 period for which the appropriation is made. The amount thus appropriated
30 to each of such departments respectively may be divided and subdivided
31 for the purpose of expenditure as the city council may direct, but shall

1 be the maximum amount which may be appropriated to any such department
2 for the fiscal year or biennial period, or which may be expended for the
3 purpose of such department for the fiscal year or biennial period.

4 (3) Any transfer of duties or burdens of one department to another,
5 after an appropriation has been made, shall carry with it a just and
6 equitable pro rata proportion of the appropriation.

7 (4) The amounts so appropriated to the several department funds
8 shall be used only for the purpose of paying the expenses and liabilities
9 for which appropriated. The city council shall, at the time of the
10 appropriation, estimate the total credits available from taxes levied and
11 other sources for municipal purposes for the fiscal year or biennial
12 period, and the amount remaining after deducting therefrom the amounts
13 appropriated for statutory and department funds shall be the
14 miscellaneous expense fund. The money and credits in the miscellaneous
15 expense fund may be used from time to time to pay the miscellaneous
16 expenses and obligations of the city for which an appropriation has not
17 been made or which are not properly included within the purposes of the
18 appropriation to any of the other funds.

19 Sec. 148. Section 14-503, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-503 The balances remaining in any of the funds created by
22 sections 14-501 and 14-502 and against which lawful obligations have not
23 been created shall at the expiration of each fiscal year or biennial
24 period be transferred to the general sinking fund of the city by the
25 department of finance accounts and finances.

26 Sec. 149. Section 14-504, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-504 As soon as the apportionment of funds has been made pursuant
29 to sections 14-501 and 14-502, the department of finance accounts and
30 finances shall open an account with each such fund authorized to be
31 established by sections 14-501 and 14-502 and shall place a credit to

1 each such fund of ninety percent of the tax levy apportioned to it.
2 Thereafter the department of finance shall credit such funds pro rata
3 with money coming to the city from taxation and other sources which are
4 applicable to current expense purposes until all such credits shall equal
5 one hundred percent of such apportionment. ~~Such The foregoing~~ pro rata
6 credits in excess of ninety percent shall not apply to the miscellaneous
7 expense fund, but the miscellaneous expense fund shall be credited with
8 all money collected and applicable to current expense purposes after the
9 other funds have received the full one hundred percent of their
10 appropriation.

11 Sec. 150. Section 14-505, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-505 All receipts received by a city of the metropolitan class
14 derived from the county road fund shall be credited to the fund provided
15 for the maintenance of parks. All receipts from franchises or royalties
16 derived from lighting companies received by a city of the metropolitan
17 class shall be credited to the funds for ~~lighting streets and~~ public
18 works grounds; and all receipts hereafter collected for permits issued by
19 the planning engineering department or for paving repairs to streets
20 shall be placed in, and credited to the funds fund for the departments
21 ~~department~~ of public works or planning improvements. Such receipts shall
22 be added to the maximum amounts that may be expended from such funds.

23 Sec. 151. Section 14-506, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-506 The city council of a city of the metropolitan class shall at
26 no time draw warrants or create obligations against any of the funds
27 provided in sections 14-501 and 14-502 in excess of the amount credited
28 to such funds thereto at the time of drawing the warrant or creating the
29 obligation. ~~The director Nor shall the superintendent~~ of any department
30 shall not draw or cause to be drawn a warrant or create or cause to be
31 created an obligation against the appropriation to such director's his

1 department in excess of the amount credited to such department thereto.

2 Sec. 152. Section 14-507, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-507 The money and credits in each fund authorized and created by
5 sections 14-501 and 14-502 shall be devoted strictly to the purposes for
6 which the fund is created and no part of such money and credits thereof
7 shall be transferred or diverted in any manner or for any purpose. Any
8 transfer or diversion of the money or credits from any of the funds to
9 another fund or to a purpose other and different from that for which
10 appropriated shall render any city council member ~~councilman~~ voting for
11 such transfer or diversion therefor liable on such member's ~~his~~ official
12 bond for the amount so diverted or used, except that ; ~~Provided,~~
13 inspectors of public works paid from special funds may receive pay for
14 their services from the general fund of the city monthly as other
15 employees. Upon the completion of such work, and the levy and collection
16 of the special fund to pay for such work ~~the same~~, or the sale of bonds
17 for public works or improvements, an amount equal to that paid such ~~said~~
18 inspectors from the general fund may be taken from such special funds and
19 returned to the general fund from which such amount ~~it~~ was temporarily
20 taken, ; and the city council is hereby authorized to include the cost of
21 inspection in such special funds to be levied and collected.

22 Sec. 153. Section 14-508, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-508 Neither the city council nor any officer of a the city of the
25 metropolitan class ~~or superintendent of a department~~ shall expend or
26 incur obligations for the expenditure of more money than has been
27 provided and appropriated for the purposes for which the expenditure or
28 obligations for expenditure are made. Any contract or obligation calling
29 for an expenditure in excess of the money and credits provided and
30 appropriated to the purposes for which such contract or obligation is
31 created, shall be void and shall not be enforceable against the city, and

1 the city shall refuse to recognize the validity of such contract thereof
2 or to pay or satisfy any such obligation. The ~~foregoing~~ limitations and
3 ~~those contained~~ in sections 14-506 to 14-508 and ~~14-507~~ shall not apply
4 to additional expenditures and obligations unavoidably made necessary in
5 efforts to abate or control an extreme or unusual outbreak or epidemic of
6 disease or to expenditures made imperatively necessary by the occurrence
7 of some unforeseen or uncontrollable disaster in ~~to~~ the city ~~at large~~ or
8 ~~a considerable section thereof~~. Expenditures for the emergency purposes
9 in this section specified shall be made only in pursuance of an ordinance
10 duly passed reciting the conditions making necessary the further
11 appropriation of funds, and the expenditures of such appropriation, shall
12 be limited exclusively to the purposes for which made.

13 Sec. 154. Section 14-509, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-509 (1) It shall be malfeasance in office for any officer of a
16 city of the metropolitan class to:

17 (a) Attempt ~~To attempt~~ to incur, to incur, to attempt to pay, or to
18 pay any obligation prohibited by sections 14-501 to 14-508; or

19 (b) Attempt ~~shall be malfeasance in office on the part of the city~~
20 ~~officer participating therein. To attempt~~ to transfer, to transfer, or to
21 use any of the money or credits appropriated to a fund, to another fund
22 or to other and different purposes and uses than for which such money or
23 credits were appropriated ~~shall be held to be malfeasance in office on~~
24 ~~the part of the officer participating therein.~~

25 (2) The creation or attempted creation of obligations not authorized
26 by sections 14-101 to 14-2004 ~~this act~~ or prohibited by such sections
27 ~~thereby~~ shall render the members of the city council voting for such
28 obligations ~~therefor~~ liable to the city for the amount of the obligation
29 so created or the amount of money or credits unlawfully diverted or used,
30 and ~~the~~ voting for such obligations shall be prima facie evidence of
31 malfeasance in office.

1 ~~(3) The Thereupon it shall become the duty of the city attorney~~
2 ~~shall forthwith to proceed to~~ enforce by suit in the courts of the state
3 such liability against the delinquent officers and the sureties on their
4 bonds. In the event of the refusal or failure of the city attorney ~~so to~~
5 proceed as provided in this section above directed, any a taxpayer may
6 demand in writing that the city attorney proceed as provided in this
7 section directed herein, and on the city attorney's ~~his~~ failure so to do
8 within thirty days of such demand thereafter, such taxpayer may commence
9 the action provided for in this section herein authorized on the part of
10 the city attorney in the name of the taxpayer and prosecute such action
11 ~~the same~~ to final judgment. The taxpayer shall, however, as a condition
12 of the ~~his~~ right to commence and prosecute such suit, give such security
13 for costs as may be directed by the court.

14 Sec. 155. Section 14-510, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-510 (1) Warrants of a the city of the metropolitan class shall be
17 drawn by the city comptroller ~~upon the~~ treasurer and shall be signed by
18 the mayor and city comptroller and shall state the particular fund or
19 appropriation to which such warrant ~~the same~~ is chargeable and the person
20 to whom payable. Money of the city shall not be otherwise paid except in
21 instances where it is otherwise specifically provided by law.

22 (2) ~~A~~ The city of the metropolitan class may adopt by ordinance an
23 imprest system of accounting for the city and authorize the establishment
24 of an imprest vendor, payroll, or other account for the payment of city
25 warrants in accordance with any guidelines issued by the Auditor of
26 Public Accounts for county imprest accounts.

27 Sec. 156. Section 14-511, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-511 At the first meeting of the city council of a city of the
30 metropolitan class in each month, the city council ~~it~~ shall provide, by
31 ordinance, for the payment of all indebtedness of the city incurred

1 during the preceding month, or at any time prior to such preceding month
2 ~~thereto~~, except those liabilities for wages of laborers and allowed
3 claims for overtime, the payment of which may be provided for weekly but
4 in the same manner as provided for in sections 14-101 to 14-2004 ~~this~~
5 ~~act~~. Money of the city shall not be expended except as ~~in this act~~
6 specified by law. The ordinance providing for the payment of money shall
7 be duly passed by a majority vote of the entire city council, and the
8 ayes and nays on such ordinance ~~thereon shall be called and~~ recorded in
9 the proceedings of the city council.

10 Sec. 157. Section 14-512, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-512 (1) The city council of a city of the metropolitan class
13 shall provide and maintain a sinking fund for the payment of the general
14 bonds of the city and the interest on such bonds ~~thereon~~. Such sinking
15 fund shall be maintained from the following sources of revenue:

16 (a) ~~(1)~~ Amounts raised by taxation for that purpose;

17 (b) Balances ~~(2) balances~~ transferred at the end of each fiscal year
18 or biennial period from the several funds provided for in sections 14-501
19 and 14-502; and

20 (c) Such ~~(3) such~~ other amounts and sums as may be transferred to
21 such sinking fund ~~thereto~~ by the city council.

22 (2) Money and credits in the sinking fund shall be held inviolate,
23 shall not be transferred to any other fund, and shall be used for the
24 purpose of paying (a) the interest on the general bonds of the city, (b)
25 maturing bonds of the city, and (c) bonds of the city which may be paid
26 before maturity.

27 (3) The money and credits of such sinking fund ~~thereof~~ when not used
28 or needed for the purposes specified in this section may temporarily be
29 invested in registered general warrants of the city ~~or of the school~~
30 ~~district situated within the city~~ under such conditions as will enable
31 such money and credits ~~the same~~ to be obtained and available at any time

1 desired for the purposes specified in this section.

2 Sec. 158. Section 14-513, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-513 The city comptroller of a city of the metropolitan class
5 ~~comptroller~~ shall deduct from the amount of any credit or warrant all
6 amounts which the payee may owe the city, and where there has been an
7 assignment of such credit or warrant the city comptroller thereof he
8 shall likewise deduct as well all amounts which the assignee may owe the
9 city. Should the amounts owing exceed the amount of the warrant, the
10 amounts thus deducted shall be credited pro tanto on the obligations
11 owing the city. An assignment of the claim shall not defeat the right of
12 the city to deduct the amount of the debt from the amount due the
13 claimant. The claimant or the claimant's ~~his~~ assignee may appeal from the
14 action of the city comptroller in so deducting any amount from the claim
15 in the manner provided for appeals in section 14-813. ~~The city treasurer~~
16 ~~may likewise deduct from the amount of any warrant city taxes and special~~
17 ~~assessments which have not been deducted by the comptroller.~~

18 Sec. 159. Section 14-514, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-514 (1) The city council of a city of the metropolitan class
21 shall annually certify to the county clerk of the county in which the
22 city is located, by resolution, the tax upon the taxable value of all the
23 taxable property in such city, not to exceed fifty cents on each one
24 hundred dollars, which the city desires to be levied as taxation for all
25 municipal purposes for the ensuing year, subject to the levy limitations
26 contained in section 77-3442.

27 (2) In addition to the tax set forth in subsection (1) of this
28 section, the city council shall also and further certify not less than
29 fourteen cents on each one hundred dollars and such tax as may be
30 necessary to pay bond issues maturing within the year or bond issues
31 maturing in the near future. The ~~the~~ object of this requirement is

1 ~~being~~ to create a fund to accomplish a partial retirement of the bonded
2 obligations of the city in such a manner as to avoid unusual and heavy
3 levies during particular years when large maturities occur.

4 (3) The proceeds derived from each respective levy provided for in
5 subsections (1) and (2) of this section shall be devoted exclusively and
6 entirely to the purposes for which such ~~the~~ levy is made. The
7 certification provided for under such subsections shall be made before
8 the county board of equalization has made its tax levy for each
9 respective year.

10 Sec. 160. Section 14-515, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-515 Bonds of a the city of the metropolitan class shall be
13 prepared under the direction of the city council, shall be signed by the
14 mayor and countersigned and registered by the city comptroller, and shall
15 be sold and disposed of by and under the direction of the city council.
16 Such bonds ~~They~~ shall be delivered by the city finance director
17 ~~superintendent of the department of accounts and finances,~~ who shall
18 report the proceeds from such bonds ~~therefrom~~ to the city treasurer in
19 all cases except where an exchange of bonds is directed. The purpose of
20 the issue of bonds shall be stated in such bonds ~~therein~~ and the proceeds
21 received from the sale shall be used for no other purpose. Whenever an
22 issue of bonds is required to be submitted to the electors for authority
23 to issue such bonds ~~the same~~, the proposition submitting such question
24 shall contain but a single issue and but one subject, shall specify the
25 maximum amount proposed for issue and state distinctly the purpose for
26 which such bonds are to be issued ~~the same is to issue~~. Bonds of the city
27 shall not be sold or exchanged for less than par value of such bonds
28 ~~thereof~~ and shall bear interest payable semiannually. Interest coupons at
29 the rate of interest specified may be attached to such bonds ~~annexed~~
30 ~~thereto~~. Interest coupons may be signed by the ~~lithographed signatures of~~
31 ~~the~~ mayor and city clerk. Bonds shall be made payable at the office or

1 place provided by general law for the payment of bonds of the city. Where
2 this section, in its application to water bonds or bonds issued for the
3 extension or improvement of a gas plant or other public utility, is in
4 conflict with any provision which has been or may be made by statute
5 respecting such bonds, the latter shall control.

6 Sec. 161. Section 14-516, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-516 The city council of a city of the metropolitan class may
9 issue annually bonds not to exceed five hundred thousand dollars, for the
10 purpose of constructing main sewers, and to be denominated sewer bonds.
11 Such bonds shall be issued in accordance with the provisions of section
12 14-515, and the proceeds from such bonds ~~therefrom~~ shall not be used for
13 any other purpose than to construct main sewers.

14 Sec. 162. Section 14-517, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-517 (1) ~~Cities~~ of the metropolitan class ~~in the State of~~
17 ~~Nebraska~~ are hereby authorized and empowered to issue and sell special
18 assessment sewer bonds, such ~~said~~ bonds not to exceed two hundred
19 thousand dollars, without a vote of the electors, and to use the proceeds
20 of such bonds for the purpose of constructing or reconstructing storm or
21 sanitary sewers where at least five-sixths of the cost of such sewers
22 ~~same~~ will be borne by some agency of the government of the United States
23 of America.

24 (2) All principal and interest of such bonds shall be payable solely
25 from the proceeds of special assessments levied and collected on real
26 estate within special assessment sewer districts and, as shall be recited
27 in such bonds, such city shall incur no liability, obligation, or
28 indebtedness of any kind or nature on such bonds ~~thereon~~, and the city
29 shall not pledge its credit, its general taxing power, or any part of
30 such credit or general taxing power ~~thereof~~ to support or pay such bonds
31 ~~the same~~. Such bonds shall be sold or exchanged for not less than the par

1 value of such bonds thereof and shall bear interest at a rate not to
2 exceed the rate of interest specified in section 45-104.01, as such rate
3 may from time to time be adjusted by the Legislature, payable
4 semiannually.

5 (3) Special assessments levied for the purpose of paying such bonds
6 shall be made payable in ten equal annual installments. The first
7 installment shall be due and delinquent fifty days from the date of levy,
8 the second, one year from date of levy, and a like installment shall be
9 due and delinquent annually thereafter until all such installments are
10 paid. Each of such ~~said~~ installments, except such as are paid within
11 fifty days from the date of levy, shall draw interest at a rate not to
12 exceed the rate of interest specified in section 45-104.01, as such rate
13 may from time to time be adjusted by the Legislature, from the date of
14 levy ~~aforsaid~~ until such bonds ~~the same~~ shall become delinquent, and
15 after such bonds ~~the same~~ shall become delinquent, shall draw interest at
16 the rate specified in section 45-104.01, as such rate may from time to
17 time be adjusted by the Legislature. Such assessment shall be collected
18 and enforced as in other cases of special assessments.

19 (4) All such special assessments and all interest accruing on such
20 special assessments ~~thereon~~ in any special assessment sewer district in
21 which such bonds are issued and sold shall constitute a sinking fund and
22 shall be used solely for the purpose of paying the interest on the bonds
23 so issued and sold as such bonds accrue ~~the same accrues~~ and for paying
24 the principal sum of such bonds at the maturity of such bonds thereof.

25 (5) All powers ~~herein~~ granted in this section are ~~further~~ and in
26 addition to any other powers which may now have been or hereafter may be
27 conferred upon ~~any~~ such cities ~~city~~.

28 Sec. 163. Section 14-518, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-518 The powers granted in section 14-517 shall be subject to the
31 conditions set forth in this section. ~~conditioned upon the following:~~ A

1 petition for the creation of a special assessment sewer ~~such~~ district and
2 the issuance of special assessment sewer ~~such~~ bonds shall be filed with
3 the city clerk of the ~~such~~ city, signed by the owners of sixty percent of
4 the real estate contained in any such special assessment sewer district.
5 At the time of the filing of such petition, the city clerk shall cause to
6 be published in the official newspaper of such ~~said~~ city for not less
7 than three consecutive days the plan of assessment and amounts proposed
8 to be assessed against each parcel of real estate in such proposed
9 district. Any person signing such petition shall have the absolute right
10 within ten days after such petition ~~the same~~ shall have been filed with
11 the city clerk to withdraw such person's ~~his~~ name from such petition,
12 ~~therefrom~~ and in such event such person's ~~his~~ name shall not be counted
13 in computing the sixty percent.

14 Sec. 164. Section 14-519, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-519 The city council of a city of the metropolitan class ~~may~~ is
17 ~~authorized to~~ issue bonds for the purpose of constructing public comfort
18 stations. The city council may issue bonds for such purpose without a
19 vote of the electors in an amount not exceeding fifty thousand dollars in
20 any one year.

21 Sec. 165. Section 14-520, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-520 The city council of a city of the metropolitan class ~~may~~
24 issue bonds for the purpose of constructing an armory in the ~~any~~ city ~~of~~
25 ~~the metropolitan class~~ if the issuance of such bonds is first authorized
26 by a majority of the electors of such city voting on such proposition.
27 This section shall not be applicable to the acquisition of real estate
28 for armory purposes and its conveyance to the State of Nebraska as
29 provided in sections 18-1001 to 18-1006.

30 Sec. 166. Section 14-521, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-521 The city council of a city of the metropolitan class may is
2 ~~authorized to~~ issue bonds, as provided in this section~~provided~~, for the
3 purpose of improving lands, lots, or grounds purchased, appropriated, or
4 acquired for parks, parkways, boulevards, or playgrounds. Bonds so issued
5 shall be known as park bonds and the issuance of such bonds thereof
6 except as ~~herein~~ provided in this section shall be governed by the
7 ~~general provisions of~~ section 14-515. The city council may issue in any
8 one year and without a vote of the electors one hundred thousand dollars
9 of such bonds. The city council may also issue such bonds if ~~the same are~~
10 authorized by a majority vote of the electors of the city voting on the
11 proposition at a general city election or a special election called for
12 that purpose. A part of the proceeds from the sale of such bonds may be
13 used to pay for improvements upon streets, sidewalks, or thoroughfares
14 abutting upon or immediately adjacent to parks, parkways, boulevards, and
15 playgrounds when such costs would otherwise be chargeable to the city.

16 Sec. 167. Section 14-522, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 14-522 The city council of a city of the metropolitan class may
19 issue bonds of the city not to exceed thirty thousand dollars in any one
20 year for the purpose of erecting fire stations ~~engine houses~~.

21 Sec. 168. Section 14-523, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-523 The city council of a city of the metropolitan class may
24 issue bonds not to exceed in amount two hundred and twenty-five thousand
25 dollars for the construction, remodeling, or completion of a municipal
26 auditorium, except that ~~. But~~ no such bonds shall be issued until
27 authorized by the electors of such city ~~thereof~~ by a majority of those
28 voting on the question ~~thereon~~.

29 Sec. 169. Section 14-524, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-524 In addition to the authority expressly granted to the city

1 council of a city of the metropolitan class to issue bonds for stated
2 purposes, the city council may ~~is authorized to~~ issue bonds for the
3 following general purposes in ~~on~~ compliance with the requirements of
4 section 14-515: (1) To construct subways and conduits when authorized by
5 a vote of the electors, (2) to renew or to fund or refund outstanding
6 bonds, (3) to construct necessary buildings for the use of the city when
7 authorized by a vote of the electors, (4) to construct necessary bridges
8 when authorized by a vote of the electors, (5) to acquire property and to
9 construct gas works, waterworks, electric light plants, or power plants,
10 when authorized by a vote of the electors, (6) to pay off floating
11 indebtedness of the city, but the total amount of bonds issued for such
12 purpose shall not exceed five hundred thousand dollars and not then until
13 authorized by a vote of the electors, and (7) for any necessary or proper
14 municipal purpose or use, when authorized so to do by a vote of the
15 electors of the city.

16 Sec. 170. Section 14-525, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 14-525 The bonded indebtedness of a the city of the metropolitan
19 class shall not at any time exceed in the aggregate five percent of the
20 taxable value of the taxable property within its corporate limits. The
21 value shall be determined from the assessment of the taxable value of the
22 property of the city. In order to arrive at the net amount of the
23 aggregate indebtedness referred to in this section, there shall be
24 deducted from the total bonded indebtedness of the city and excepted from
25 such indebtedness ~~therefrom~~ bonds issued to acquire a the water plant or
26 ~~and the~~ gas plant and any bonds which may be issued to acquire or
27 construct electric light or power plants or other utility plants or
28 systems when a charge for the service is provided sufficient to pay the
29 bonded obligations for such plants or systems ~~therefor and pledges made~~
30 ~~to that end~~, bonds which may be issued to construct subways or conduits
31 when the revenue charged for the use of such may be sufficient to retire

1 ~~such~~ the bonds ~~and is pledged to that end~~, and all other bonds the
2 payment of which is secured by pledges of a special assessment sinking
3 fund in the nature of a sinking fund of any character other than the
4 general sinking fund of the city. There shall be included in such
5 indebtedness all floating indebtedness of the city which under section
6 14-524 may be funded by the issuance of bonds.

7 Sec. 171. Section 14-526, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-526 A city of the metropolitan class shall not issue bonds Bonds
10 in excess of two hundred and fifty thousand dollars ~~may not be issued~~ in
11 any one year, except for renewal or refunding to fund floating
12 indebtedness or district improvement bonds, to finance grading, to
13 finance public improvements, sewers, and intersections, to erect police
14 stations ~~and workhouses~~, to acquire existing utility property, to
15 construct, remodel, or complete a municipal auditorium, to pay for
16 property purchased or acquired in condemnation proceedings, for a public
17 library, subways and conduits, and useful and needed public buildings, to
18 pay for the construction and maintenance of gas works, waterworks,
19 electric light plants, ~~or~~ power plants, or any other public utility
20 authorized by sections 14-101 to 14-2004 this act, or for land to be used
21 for any such purpose therefor.

22 Sec. 172. Section 14-527, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-527 Bonds of a the city of the metropolitan class shall not be
25 issued without a vote of the electors in the manner provided for in
26 sections 14-101 to 14-2004 this act except to finance the following which
27 may be issued by the city council without such vote: (1) Street ~~To~~
28 ~~finance street~~ improvements, grading, renewal, or refunding; (2) police
29 stations ~~station~~, not to exceed one hundred thousand dollars in any one
30 year; (3) parks ~~park~~, not to exceed one hundred thousand dollars in any
31 one year; (4) sewers ~~sewer~~, not to exceed five hundred thousand dollars

1 in any one year; (5) public comfort stations ~~station~~, not to exceed fifty
2 thousand dollars in any one year; (6) fire stations ~~engine-house~~, not to
3 exceed thirty thousand dollars in any one year; and (7) acquisition ~~to~~
4 ~~pay for the acquisition~~ of existing utility systems or plants by
5 condemnation proceedings.

6 Sec. 173. Section 14-528, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-528 The city council of a city of the metropolitan class is
9 authorized to issue and sell bonds of the city, from time to time, to
10 finance street improvements, as provided in this section ~~in this section~~
11 ~~specified~~. The amount of bonds which may be issued and sold at any one
12 time shall not exceed the total amount of bona fide contracts actually
13 entered into for the kinds of street improvements included within this
14 section and for the financing of which provisions have not otherwise been
15 made. The proceeds from bonds sold under the authority of this section
16 may be used and employed to finance or to aid in financing the classes
17 and kinds of improvement, inclusive of all proper intersection charges,
18 designated in this section, including paving ~~to wit: Paving~~, repaving,
19 surfacing and renewing surfaces, changing character of paving, guttering,
20 reguttering, curbing and recurbing, ~~and~~ improvements made in combination
21 as authorized in section 14-391, and macadamizing streets, avenues,
22 alleys, and public thoroughfares of the city.

23 Sec. 174. Section 14-529, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-529 Bonds issued under the authority of the provisions of section
26 14-528 shall be denominated bonds to finance street improvements, shall
27 be issued and sold in accordance with the provisions of section 14-515
28 governing the issuance and sale of bonds, and shall bear an interest rate
29 not greater than the rate of interest specified in such ~~said~~ section
30 regarding ~~as respects~~ general bonds of the city. Such bonds so issued may
31 be made payable in not less than five years and in not more than twenty

1 years from date of issue.

2 Sec. 175. Section 14-530, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-530 (1) The proceeds from the sale of bonds ~~herein~~ authorized
5 under section 14-528, together with all special taxes and assessments to
6 be levied for the classes of improvements designated in such section
7 ~~14-528~~, and the proceeds in the nature of all earnings and income from
8 the investment and use of such proceeds, ~~thereof~~ shall be used and
9 employed to finance such classes of improvements, inclusive of all proper
10 intersection charges.

11 (2) All such ~~proceeds~~ ~~proceedings~~ shall be credited to a fund to be
12 designated special assessment sinking fund, and, except such part of such
13 fund ~~thereof~~ as may be required to pay proper intersection charges, shall
14 be kept and maintained within such fund. The accumulations in such ~~this~~
15 fund, less the amounts of such fund ~~thereof~~ necessary to pay proper
16 intersection charges from time to time, shall constitute a sinking fund
17 to pay interest as it accrues and finally to pay at maturity all bonds
18 issued and sold under the provisions of this section ~~hereof~~, except such
19 part of such fund ~~thereof~~ as has been devoted to the payment of proper
20 intersection charges.

21 (3) The proportion of bonds authorized under this section ~~hereunder~~
22 and necessary to pay proper intersection charges, inclusive of interest
23 on such bonds ~~thereon~~, shall be paid and redeemed from the general
24 sinking fund of the city.

25 (4) In all cases where taxes and special assessments levied under
26 section 14-533 have been paid and have been credited to the special
27 assessment sinking fund, such taxes and special assessments as well as
28 all other credits in such ~~said~~ fund may be used to finance other
29 improvements, but only to the extent which will leave the fund available
30 to pay all bonds issued to finance street improvements and interest on
31 such bonds ~~thereon~~ when maturing or due, except such part as by this

1 section is charged to the general sinking fund of the city.

2 Sec. 176. Section 14-531, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-531 The city finance department of a city of the metropolitan
5 class accounts and finances shall establish and maintain a fund to be
6 designated fund to finance intersections. Immediately upon the completion
7 of the work of any contract for improvements ~~herein~~ authorized by this
8 section, the city engineer shall ~~carefully~~ estimate and ~~correctly~~ certify
9 to the city council the ~~exact~~ amount which has been spent in the
10 performance of such contract for proper intersection purposes. The city
11 council shall at once ~~carefully~~ examine such certification and either
12 approve or reject the amount so certified. If such certification ~~it~~ is
13 rejected, further certifications shall be required until a proper amount
14 has been certified, which shall be approved. As soon as approved, the
15 city finance department of accounts and finances shall charge the special
16 assessment sinking fund with the full amount as approved and shall credit
17 the fund to finance intersections with a like amount. Just before each
18 interest payment date an account shall be correctly and exactly stated
19 between such ~~said~~ funds so as to apportion as properly and exactly as
20 possible the respective interest charge against each fund. Both such ~~The~~
21 ~~two~~ funds ~~above mentioned~~ shall be continuously kept and maintained so
22 that the fund to finance intersections will show exactly or approximately
23 the total amount of bonds which has been devoted to the payment of
24 intersection charges.

25 Sec. 177. Section 14-532, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-532 A city of the metropolitan class ~~The avails and proceeds of~~
28 ~~the special assessment sinking fund~~ may, when not required for any of the
29 purposes ~~heretofore~~ specified in section 14-530, be temporarily invest
30 funds contained in the special assessment sinking fund ~~invested~~ in
31 securities of the United States Government, the State of Nebraska, the

1 ~~city, the county containing such city Douglas County, metropolitan city,~~
2 ~~school district of such city, or any publicly owned and operated~~
3 ~~municipal utilities of such city. All thereof; but all~~ such investments
4 shall be made so as to be closed out and realized upon whenever the
5 proceeds so invested are needed for the purpose specified in such said
6 section. The proceeds of the special assessment sinking fund, insofar as
7 required, may be used to complete the work under a contract where the
8 contractor fails or refuses to perform such work.

9 Sec. 178. Section 14-533, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 14-533 Upon the completion of the work under any contract authorized
12 by sections 14-528 to 14-532, the city council of a city of the
13 metropolitan class is authorized to levy and assess, in the usual manner,
14 special taxes and assessments to the extent of benefits conferred by such
15 work thereby to pay the costs of the improvements less the amount of
16 proper intersection costs under such contract, all of which taxes and
17 special assessments shall constitute a sinking fund, as and for the
18 purposes specified in section 14-530.

19 Sec. 179. Section 14-534, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-534 Before any street, avenue, alley, or thoroughfare is graded
22 within a city of the metropolitan class, the city engineer shall make a
23 careful and detailed estimate of the total cost of such grading, and
24 shall report such estimate ~~the same~~ to the city council as an approximate
25 estimate of such cost. If such estimate is approved by the city council,
26 ~~thereupon~~ a contract may be let for the grading in the manner provided
27 for letting improvement contracts, except that such ~~which~~ contract,
28 ~~however,~~ shall not exceed in total amount the approved approximate
29 estimate.

30 Sec. 180. Section 14-535, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-535 As soon as any such contract is let pursuant to section
2 14-534, the city council of a city of the metropolitan class ~~is thereupon~~
3 authorized to issue ~~and dispose of~~ bonds of the city in amounts
4 sufficient to pay for the total work to be done under such contract.
5 Unless bonds are issued ~~disposed of~~ for such purpose, the contract shall
6 not be performed and shall not be binding upon the city. Bonds issued
7 under the provisions of section 14-534 hereof shall be denominated
8 grading bonds, and shall state upon the face of such bonds ~~thereof~~ the
9 street or part of street to be graded from the proceeds of such bonds
10 ~~thereof~~. Such bonds shall be due and payable in five years from date of
11 such bonds ~~thereof~~, shall draw interest at a rate not to exceed the rate
12 of interest specified in section 45-104.01, as such rate may from time to
13 time be adjusted by the Legislature, payable semiannually, shall have
14 interest coupons attached ~~annexed~~, and shall not be sold or disposed of
15 below par. ~~The , and the~~ proceeds from such bonds ~~therefrom~~ shall be used
16 only for the purpose of paying the costs of the grading for which issued.
17 Such bonds may be sold or disposed of in the manner deemed best or
18 advisable. As the work of grading progresses, partial estimates may be
19 allowed and paid and the final estimates paid as soon as allowed.

20 Sec. 181. Section 14-536, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-536 Upon the completion of any grading of a street, avenue,
23 alley, or thoroughfare, the city council of a city of the metropolitan
24 class shall levy special assessments in the manner provided in sections
25 14-501 to 14-566 ~~special assessments~~, to the extent of the benefits, to
26 cover the total costs of such grading. Special assessments so levied
27 shall be made payable as provided in section 14-537. All installments
28 shall draw interest at a rate not to exceed the rate of interest
29 specified in section 45-104.01, as such rate may from time to time be
30 adjusted by the Legislature, from the time of levy until due, and the
31 rate specified in section 45-104.01, as such rate may from time to time

1 be adjusted by the Legislature, whenever such installments become
2 delinquent. All such special assessments and all interest accruing on
3 such special assessments ~~thereon~~ shall constitute a sinking fund and
4 shall be used only for the purpose of paying the interest on the bonds
5 issued in that connection as such interest ~~the same~~ accrues and of paying
6 the principal sum of the bonds at the maturity of such bonds ~~thereof~~.

7 Sec. 182. Section 14-538, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-538 Whenever any special tax or assessment upon any lot, land, or
10 parcel ~~or lots, lands or parcels~~ of land within a city of the
11 metropolitan class is found to be invalid, uncollectible, and void, is ~~or~~
12 ~~shall be~~ adjudged to be void by a court of competent jurisdiction, or is
13 paid under protest and recovered by suit, because of any defect,
14 irregularity, or invalidity, in any of the proceedings or on account of
15 the failure to observe and comply with any of the conditions,
16 prerequisites, and requirements of any statute or ordinance, the mayor
17 and city council shall have the power to relevy such special tax or
18 assessment ~~the same~~ upon such ~~the said~~ lot, land, or parcel ~~or lots,~~
19 ~~lands or parcels~~ of land ~~lands~~ in the same manner as other special taxes
20 and assessments are levied, without regard to whether the formalities,
21 prerequisites, and conditions, prior to equalization, have been met ~~had~~
22 or not.

23 Sec. 183. Section 14-539, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-539 Within a city of the metropolitan class, in ~~In~~ a case the lots
26 and real estate abutting upon that part of the street ordered paved as
27 shown upon any ~~such~~ plat or map are not of uniform depth, as well as in
28 all cases where, in the discretion of the city council sitting as a board
29 of equalization, it is just and proper so to do, such ~~the~~ board shall
30 have the right and authority to fix and determine the depth to which the
31 real estate shall be charged and assessed with the cost of such

1 improvement, without regard to the line of such lots. Such assessments
2 shall ~~, the same~~ to be fixed and determined upon the basis of benefits
3 accruing to the real estate by reason of such improvement. The provisions
4 of this section, in regard to the depth to which real estate may be
5 charged and assessed, shall apply to all special assessments.

6 Sec. 184. Section 14-540, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-540 In cases of omission, mistake, defect, or any irregularity in
9 the preliminary proceedings on any special assessment within a city of
10 the metropolitan class, the city council shall have power to correct such
11 mistake, omission, defect, or irregularity, and levy or releve a special
12 assessment on any or all property within an improvement ~~in the~~ district,
13 in accordance with the special benefits to the property on account of
14 such improvement as found by the city council sitting as a board of
15 equalization. The city council shall deduct from the benefits and allow
16 as a credit, before such releve, an amount equal to the sum of the
17 installments paid on the original levy.

18 Sec. 185. Section 14-541, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-541 Special assessments may be levied by the city council of a
21 city of the metropolitan class for the purpose of paying the cost of
22 constructing or reconstructing sewers or drains within the city, such
23 assessments to be levied on the real estate benefited by the sewer so
24 constructed or reconstructed to the extent of the benefits to such
25 property. Such assessments shall ~~, to~~ be determined, equalized, levied,
26 and collected as in other cases for special assessments. Where the city
27 council, sitting as a board of equalization, shall find the benefits to
28 be equal and uniform, the levy may be according to the front footage of
29 lots or real estate benefited, or according to such other rule as such
30 ~~the city council, sitting as a board of equalization,~~ may adopt for the
31 distribution or adjustment of cost upon the lots or real estate benefited

1 by the improvement.

2 Sec. 186. Section 14-542, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-542 When public improvements are made upon a street or part
5 thereof and there are lots or grounds belonging to ~~a the city of the~~
6 metropolitan class but held or used as a part of any utility system or
7 plant owned by such city ~~it~~, either abutting upon or adjacent to such
8 street or embraced within any improvement district, such property shall
9 not be subject to special assessments for the costs of the improvement,
10 but the costs of improving one-half, or such parts of the costs as might
11 otherwise be assessed against such property, shall be paid out of the
12 water fund, gas fund, or other fund available for such purpose and
13 created to pay the costs of operation of such utility. The board or body
14 having charge of such fund is directed to pay such costs of such
15 improvement upon the completion of such improvement ~~thereof~~ to the city
16 treasurer, and the amount so paid shall be applied to pay the partial
17 costs of such improvement. Whenever any water main is laid by a
18 metropolitan utilities district in a street of a city of the metropolitan
19 class and there are lots or grounds abutting upon such street or embraced
20 within any improvement district which are owned and controlled by the
21 city, one-half the cost of constructing such water main in front of such
22 lot or grounds, if special benefits equal such an amount, to be
23 determined by the metropolitan utilities district, but not to exceed
24 fifty cents per lineal front foot, shall be paid out of the general fund
25 of the city. The city council shall provide for the payment of such costs
26 to the metropolitan utilities district.

27 Sec. 187. Section 14-543, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-543 For purposes of sections 14-101 to 14-2004:

30 (1) Lot means ~~The word lot as used in this act shall be taken to~~
31 ~~mean~~ a lot as described and designated upon the recorded plat of a any

1 ~~such city of the metropolitan class~~, and in case there is no recorded
2 plat of any such city, ~~it shall mean~~ a lot as described and designated
3 upon any generally recognized map of such city; -

4 (2) Lands means ~~The word lands shall mean~~ any unsubdivided real
5 estate in a city of the metropolitan class; and -

6 (3) Street includes ~~The word street shall be deemed to include~~
7 boulevards, avenues, alleys, ~~and~~ lanes, or any form of public roadway in
8 a the city of the metropolitan class.

9 Sec. 188. Section 14-544, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 14-544 A special assessment within a city of the metropolitan class
12 shall not be declared void or invalid because the city council sitting as
13 a said board of equalization has included in the total cost of the
14 improvement (1) the cost of inspection under the direction of the city
15 engineer, (2) the cost of such grading, filling, or street repairs
16 incidental to such improvement, (3) the additional cost of maintenance or
17 repair of such improvement included in the contract for such work, and
18 (4) the cost of removing obstructions and removing and lowering pipes
19 owned and controlled by the city.

20 Sec. 189. Section 14-545, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-545 All special assessments to cover the cost of any public
23 improvements ~~herein~~ authorized by sections 14-101 to 14-2004 shall be
24 levied and assessed on all lots, parts of lots, lands, and real estate
25 specially benefited by such improvement, or within the improvement
26 district created for the purpose of making such improvement, to the
27 extent of the benefits to such lots, parts of lots, lands, and real
28 estate by reason of such improvements, such benefits to be determined by
29 the city council sitting as a board of equalization. Where the board of
30 equalization finds ~~they shall find~~ such benefits to be equal and uniform,
31 such assessment may be according to the foot frontage, and may be

1 prorated and scaled back from the line of such improvements according to
2 such rules as the board of equalization deems ~~shall consider~~ fair and
3 equitable.

4 Sec. 190. Section 14-546, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-546 It shall be sufficient in any case in making a levy or
7 assessment of any tax within a city of the metropolitan class, to
8 describe the lot or piece of ground as such lot or piece of ground the
9 ~~same~~ is platted and recorded, although such lot or piece of ground the
10 ~~same~~ belongs to several persons. If ; ~~but in case~~ any lot or piece of
11 ground belongs to several persons, the owner of any part of such lot or
12 piece of ground thereof may pay such owner's ~~his~~ proportion of the tax on
13 such lot or piece of ground, and such ~~his~~ proper share may be determined
14 by the city treasurer.

15 Sec. 191. Section 14-547, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 14-547 (1) In all cases when special assessments are authorized by
18 sections 14-101 to 14-2004 ~~this act~~, except as otherwise provided, before
19 any special tax or assessment is levied, it shall be the duty of the city
20 council to sit as a board of equalization for one or more days each month
21 as the city council shall elect. The city council shall by rule provide
22 for the day or days on which such meetings shall be held ~~and for the~~
23 ~~opening and closing hours of such meetings~~. Notice of the date, time, and
24 place of such meeting or meetings shall be published in the official
25 newspaper for at least three days, the first publication to be at least
26 seven days prior to the first session of the board of equalization. A
27 majority of all members elected to the city council shall constitute a
28 quorum for the transaction of any business properly brought before the
29 board of equalization ~~them~~, but a less number may adjourn from time to
30 time and compel the attendance of absent members. The proceedings of such
31 board of equalization shall not be invalidated by the absence of a quorum

1 during the ~~meeting advertised hours of sitting~~ but the city clerk or some
2 member of the board of equalization shall be present to receive
3 complaints and applications and to give information. No final action
4 shall be taken by the board of equalization except by a quorum in open
5 session. When sitting as a board of equalization, the city council may
6 adopt such reasonable rules as to the manner of presenting complaints and
7 applying for remedy and relief as shall seem just.

8 (2) The city council may appoint one or more suitable persons to act
9 as a referee for the board of equalization. The city council may direct
10 that any protest filed shall be heard in the first instance by the
11 referee in the manner provided for the hearing of protests by the board
12 of equalization. Upon the conclusion of the hearing in each case, the
13 referee shall transmit to the board of equalization all papers relating
14 to the case, together with his or her findings and recommendations in
15 writing. The board of equalization, after considering all papers relating
16 to the protest and the findings and recommendations of the referee, may
17 make the order recommended by the referee or any other order in the
18 judgment of the board of equalization required by the findings of the
19 referee, may hear additional testimony, or may set aside such findings
20 and hear the protest anew.

21 (3) If a referee is not appointed, the board of equalization shall
22 hear and determine all such complaints and shall equalize and correct
23 such assessment.

24 (4) After final deliberation and after all corrections and
25 equalization of assessments have been made, the city council may levy
26 such special assessments by ordinance at a regular meeting ~~thereafter~~.
27 The ordinance levying a special assessment shall be final and binding as
28 the final order or judgment of a court of general jurisdiction.

29 (5) After the passage of such ordinance no court shall entertain any
30 action for relief against such special assessment, except upon appeal
31 from such final order, which remedy shall be deemed exclusive.

1 Sec. 192. Section 14-548, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-548 Any person who has filed a written complaint before the board
4 of equalization pursuant to section 14-547 shall have the right to appeal
5 to the district court of the county within which such city of the
6 metropolitan class is located, by filing a good and sufficient bond in
7 the sum of not less than fifty dollars and not more than double the
8 amount of the assessment complained of, conditioned for the faithful
9 prosecution of such appeal, and if the judgment of special assessment is
10 sustained, to pay the amount of such judgment, interest, and costs. Such
11 bond shall be approved and appeal taken as specified in section 14-813.
12 The district court shall hear the appeal as in equity and without a jury
13 and determine anew all questions raised before the city. If the court
14 finds such assessment to be valid, it shall render a decree for the
15 amount of the assessment, interest, and costs, and declare such
16 assessment, interest, and costs ~~the same~~ a lien upon the lots or lands so
17 assessed. If the court finds that the tax is invalid it shall order a
18 relevy of such assessment or enter such decree as may be just and
19 equitable.

20 Sec. 193. Section 14-549, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-549 Any All special assessment within a city of the metropolitan
23 class, ~~assessments~~ except when payable in installments, shall be deemed
24 delinquent if not paid within fifty days after the passage and approval
25 of the ordinance levying such special assessment ~~the same~~, and interest
26 at the rate specified in section 45-104.01, as such rate may from time to
27 time be adjusted by the Legislature, payable in advance, shall be paid on
28 any all delinquent special assessment ~~assessments~~ from the time such
29 special assessment ~~the same~~ shall become delinquent.

30 Sec. 194. Section 14-550, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-550 When any special assessment is levied within a city of the
2 metropolitan class, it shall be the duty of the city clerk to deliver to
3 the city treasurer a certified copy of the ordinance levying such special
4 assessment tax, and the city clerk shall append ~~thereto~~ a warrant to such
5 ordinance requiring the city treasurer to collect such special assessment
6 assessments. It shall be the duty of the city clerk to immediately give
7 notice by mail to the owners of the property so assessed, or their
8 agents, if the addresses of such persons can be ascertained, that such
9 assessment assessments will become delinquent on a certain date.

10 Sec. 195. Section 14-553, Revised Statutes Cumulative Supplement,
11 2020, is amended to read:

12 14-553 (1) The city treasurer of a city of the metropolitan class
13 shall be a member of the finance department of such city and shall give
14 bond or evidence of equivalent insurance in an amount as required by the
15 finance director of such city. The city treasurer shall be liable for the
16 safekeeping and proper disbursement of all funds and money of the city
17 collected or received by him or her. He or she shall keep his or her
18 books and accounts in such manner as to show the amount of money
19 collected by him or her from all sources, the condition of each fund into
20 which such money ~~the same~~ has been placed, and the items of disbursement
21 of such funds ~~thereof.~~

22 (2) The city treasurer shall annually complete continuing education
23 through a program approved by the Auditor of Public Accounts, and proof
24 of completion of such program shall be submitted to the Auditor of Public
25 Accounts.

26 Sec. 196. Section 14-556, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-556 (1) The city treasurer of a city of the metropolitan class
29 shall place all funds of the city, ~~as the same accrue,~~ on deposit in such
30 banks, capital stock financial institutions, or qualifying mutual
31 financial institutions within the city as shall agree to pay the highest

1 rate of interest for the use of such funds so deposited. The city council
2 is hereby directed to advertise for bids for rates for the deposit of
3 such funds as provided in this section ~~is hereby contemplated~~.

4 (2) The banks, capital stock financial institutions, or qualifying
5 mutual financial institutions referred to in subsection (1) of this
6 section, so selected, shall:

7 (a) Give bond to the city for the safekeeping of such funds, and
8 such city shall not have on deposit in any bank, capital stock financial
9 institution, or qualifying mutual financial institution giving a guaranty
10 bond more than the amount insured or guaranteed by the Federal Deposit
11 Insurance Corporation plus the maximum amount of the bond given by the
12 bank, capital stock financial institution, or qualifying mutual financial
13 institution or in any bank, capital stock financial institution, or
14 qualifying mutual financial institution giving a personal bond more than
15 the amount insured or guaranteed by the Federal Deposit Insurance
16 Corporation plus one-half of the amount of the bond of the bank, capital
17 stock financial institution, or qualifying mutual financial institution.
18 All bonds of such banks, capital stock financial institutions, or
19 qualifying mutual financial institutions shall be deposited with and held
20 by the city treasurer; or

21 (b) Give security as provided in the Public Funds Deposit Security
22 Act.

23 (3) The fact that a stockholder, director, or other officer of such
24 bank, capital stock financial institution, or qualifying mutual financial
25 institution is also serving as mayor, as a member of the city council, as
26 a member of a board of public works, or as any other officer of the city
27 ~~such municipality~~ shall not disqualify such bank, capital stock financial
28 institution, or qualifying mutual financial institution from acting as a
29 depository for such city municipal ~~municipal~~ funds.

30 (4) Section 77-2366 shall apply to deposits in capital stock
31 financial institutions.

1 (5) Section 77-2365.01 shall apply to deposits in qualifying mutual
2 financial institutions.

3 Sec. 197. Section 14-557, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-557 All general municipal taxes levied upon real estate within a
6 city of the metropolitan class shall be a first lien upon the real estate
7 upon which such taxes are ~~it is~~ levied and take priority over all other
8 encumbrances and liens on such real estate ~~thereon~~. All special
9 assessments regularly levied within a city of the metropolitan class
10 shall be a perpetual lien on the real estate assessed from the date of
11 levy until paid irrespective of the county in which such real estate is
12 situated, but shall be subject to all general taxes. The lien of all
13 general municipal taxes levied on personal and real property within a
14 city of the metropolitan class shall be governed by the general revenue
15 laws of this state.

16 Sec. 198. Section 14-558, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 14-558 It shall be the duty of the city treasurer of a city of the
19 metropolitan class to proceed as soon as practicable after any personal
20 tax becomes delinquent, or prior to such delinquency ~~thereto~~ whenever the
21 city treasurer shall believe that any person, firm, or corporation is
22 about to dispose of any personal property on which a tax has been levied,
23 to collect such delinquent taxes ~~the same~~ by ~~distress and~~ sale of the
24 personal property of such person, firm, or corporation if any such
25 property can be found within such city. No demand of taxes shall be
26 necessary, but it shall be the duty of every person owing any municipal
27 tax or taxes in such cities to pay such taxes at the city ~~attend at the~~
28 treasurer's office ~~and pay the same~~.

29 Sec. 199. Section 14-559, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-559 All municipal taxes and all special assessments in such

1 cities of the metropolitan class shall be paid in cash. The city
2 treasurer may sue for the recovery of any tax, in the his-own name of as
3 city treasurer, or in the name of the city, and shall have all the rights
4 of a creditor in such suits and in the enforcement of a judgment or
5 decree.

6 Sec. 200. Section 14-560, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-560 No warrant, other than the warrant of the county clerk issued
9 to the county treasurer under the general revenue law, shall be necessary
10 for the collection of the general taxes levied for ~~such~~ cities of the
11 metropolitan class.

12 Sec. 201. Section 14-562, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-562 Whenever any municipal tax or taxes levied by a city of the
15 metropolitan class for any former year shall remain uncollected because
16 of any defect, error, or irregularity in either the power or manner of
17 making the levy of such taxes thereof, it shall be lawful for the city
18 council ~~of such city~~ to again levy a tax upon the property so delinquent
19 in lieu of such former tax or taxes, and at the same rate, and upon the
20 same assessment as such former tax or taxes were levied, and such tax or
21 taxes shall be inserted in the tax list, and shall be collected in the
22 same manner as other general taxes. The city council may, at any time,
23 correct any error or defect, or supply any omission in the assessment or
24 listing of any property subject to municipal tax made for the purpose of
25 taxation for the then current fiscal year, and may require any and all
26 persons to appear and answer under oath as to their possession or control
27 of personal property subject to municipal taxation.

28 Sec. 202. Section 14-563, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-563 Notwithstanding any provision of a home rule charter, funds
31 of a the city of the metropolitan class available for such purpose may be

1 invested in securities of the United States, the State of Nebraska, the a
2 ~~city of the metropolitan class~~, a county in which such city ~~of the~~
3 ~~metropolitan class~~ is located, ~~or a school district of such city~~, in the
4 securities of municipally owned and operated public utility property and
5 plants of such city, or in the same manner as funds of the State of
6 Nebraska are invested, except that the city treasurer may purchase
7 certificates of deposit from and make time deposits in banks, capital
8 stock financial institutions, or qualifying mutual financial institutions
9 selected as depositories of city funds. Section 77-2366 shall apply to
10 deposits in capital stock financial institutions. Section 77-2365.01
11 shall apply to deposits in qualifying mutual financial institutions.

12 Sec. 203. Section 14-564, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-564 (1) During the month of December of each year, the city
15 council of a city of the metropolitan class shall prepare, or cause to be
16 prepared, a list of all supplies required for each office and department
17 or board of the city for the ensuing year. Such list shall designate
18 clearly the quantity and quality of the articles required, but shall not
19 specify the particular product of any manufacturer.

20 (2)(a) The city council may negotiate directly with a sheltered
21 workshop for such supplies pursuant to section 48-1503.

22 (b) If In the event the city council does not negotiate with a
23 sheltered workshop, the city clerk shall advertise for bids on the
24 articles in such list for at least three successive days in the official
25 newspaper. Such advertisement shall state, in substance, that at a
26 certain stated regular meeting of the city council, bids will be received
27 and opened for all such supplies, and it shall be sufficient in such
28 advertisement to describe the articles in a general way and refer to such
29 list as being on file in the office of the city clerk. Such bids shall be
30 received at the first regular meeting of the city council held after such
31 advertisement has been completed, and awards shall be made at the next

1 regular meeting thereafter. Bidders shall not be required to bid on all
2 items included in such estimates, nor upon all items in one class. The
3 city council may accept the lowest and best bid on any item or items and
4 may reject any and all bids.

5 (3) Other or additional supplies not exceeding the value of one
6 hundred dollars for any officer or board may be purchased on the request
7 of the mayor and city comptroller.

8 Sec. 204. Section 14-565, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-565 The list described in section 14-564 shall include any and
11 all supplies or equipment for public improvements, street cleaning or
12 repairs, or horses, hose, engines, vehicles, or implements used by the
13 park board, fire department, or police department. A list of such
14 supplies may be made and advertised for at any time upon request of the
15 proper board or department ~~of officers~~, but subject to such ~~said~~ section
16 as to the bids and newspapers and advertisement for bids. Such ~~The said~~
17 list shall not include the books, documents, or other papers or material
18 purchased by the library board.

19 Sec. 205. Section 14-566, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-566 (1) At the beginning of the term of each city council in a
22 city of the metropolitan class, the city clerk purchasing agent shall
23 advertise for three days in each legal ~~daily~~ newspaper in or of general
24 circulation in the city for proposals for publishing in such legal ~~some~~
25 ~~daily~~ newspaper, published in the English language and otherwise meeting
26 the requirements ~~of a legal newspaper~~ fixed by state law, all public
27 advertisements, notices, ordinances, resolutions, city council
28 proceedings, and all other matter published by the city. In addition to
29 considering the rate bid for printing, the city clerk purchasing agent
30 may give weight to the character of circulation, quality of printing,
31 plant, delivery service, and responsibility of the bidders in determining

1 the lowest and best bid. The city clerk He may also consider the
2 advantage of the same plant's combining publication of ordinances and
3 providing an ordinance publishing service to subscribers.

4 (2) The city clerk purchasing agent shall notify the city council
5 ~~clerk of the city clerk's~~ his selection of the official newspaper, which
6 shall continue as such throughout the term of the city council. The city
7 council may order additional publication of any of its proceedings in any
8 other qualified legal newspaper or publication.

9 (3) If at any time, the designated official newspaper ceases regular
10 publication or is not giving service satisfactory to the city council,
11 the city clerk purchasing agent shall recommend another qualified legal
12 newspaper to the city council and, upon approval of the city council,
13 such legal newspaper ~~it~~ shall become the official newspaper.

14 (4) In case of refusal or neglect of the official newspaper to
15 publish any required notice, the city clerk shall post such notice on the
16 city's website or ~~it~~ in a conspicuous place in the city hall, and the
17 city clerk he shall keep a written record of such posting ~~witnessed by~~
18 ~~two persons~~. The record of such posting shall be evidence that such
19 posting the same was done as required and shall be sufficient to fulfill
20 the requirement of publication.

21 (5) The city shall not be without an official newspaper more than
22 thirty days at a time.

23 Sec. 206. Section 14-567, Revised Statutes Cumulative Supplement,
24 2020, is amended to read:

25 14-567 ~~(1) Beginning December 31, 1998, through December 31, 2017,~~
26 ~~the pension board of a city of the metropolitan class shall file with the~~
27 ~~Public Employees Retirement Board an annual report on each retirement~~
28 ~~plan established by such city pursuant to section 401(a) of the Internal~~
29 ~~Revenue Code and shall submit copies of such report to the Auditor of~~
30 ~~Public Accounts. The Auditor of Public Accounts may prepare a review of~~
31 ~~such report pursuant to section 84-304.02 but is not required to do so.~~

1 ~~The annual report shall be in a form prescribed by the Public Employees~~
2 ~~Retirement Board and shall contain the following information for each~~
3 ~~such retirement plan:~~

4 ~~(a) The number of persons participating in the retirement plan;~~

5 ~~(b) The contribution rates of participants in the plan;~~

6 ~~(c) Plan assets and liabilities;~~

7 ~~(d) The names and positions of persons administering the plan;~~

8 ~~(e) The names and positions of persons investing plan assets;~~

9 ~~(f) The form and nature of investments;~~

10 ~~(g) For each defined contribution plan, a full description of~~
11 ~~investment policies and options available to plan participants; and~~

12 ~~(h) For each defined benefit plan, the levels of benefits of~~
13 ~~participants in the plan, the number of members who are eligible for a~~
14 ~~benefit, and the total present value of such members' benefits, as well~~
15 ~~as the funding sources which will pay for such benefits.~~

16 ~~If a plan contains no current active participants, the pension board~~
17 ~~may file in place of such report a statement with the Public Employees~~
18 ~~Retirement Board indicating the number of retirees still drawing~~
19 ~~benefits, and the sources and amount of funding for such benefits.~~

20 ~~(2) Through December 31, 2017, if such retirement plan is a defined~~
21 ~~benefit plan which was open to new members on January 1, 2004, in~~
22 ~~addition to the reports required by section 13-2402, the pension board of~~
23 ~~a city of the metropolitan class shall cause to be prepared an annual~~
24 ~~report and shall file the same with the Public Employees Retirement Board~~
25 ~~and the Nebraska Retirement Systems Committee of the Legislature and~~
26 ~~submit to the Auditor of Public Accounts a copy of such report. The~~
27 ~~Auditor of Public Accounts may prepare a review of such report pursuant~~
28 ~~to section 84-304.02 but is not required to do so. If the pension board~~
29 ~~does not submit a copy of the report to the Auditor of Public Accounts~~
30 ~~within six months after the end of the plan year, the Auditor of Public~~
31 ~~Accounts may audit, or cause to be audited, the city. All costs of the~~

1 ~~audit shall be paid by the city. The report shall consist of a full~~
2 ~~actuarial analysis of each such retirement plan established by the city.~~
3 ~~The analysis shall be prepared by an independent private organization or~~
4 ~~public entity employing actuaries who are members in good standing of the~~
5 ~~American Academy of Actuaries, and which organization or entity has~~
6 ~~demonstrated expertise to perform this type of analysis and is unrelated~~
7 ~~to any organization offering investment advice or which provides~~
8 ~~investment management services to the retirement plan. The report to the~~
9 ~~Nebraska Retirement Systems Committee shall be submitted electronically.~~

10 (1) ~~(3)(a)~~ ~~Beginning December 31, 2018, and each December 31~~
11 ~~thereafter, for a defined benefit plan the pension board or its designee~~
12 ~~shall prepare and electronically file an annual report with the Auditor~~
13 ~~of Public Accounts and the Nebraska Retirement Systems Committee of the~~
14 ~~Legislature. If such retirement plan is a defined benefit plan which was~~
15 ~~open to new members on January 1, 2004, the report shall be in addition~~
16 ~~to the reports required by section 13-2402. The report shall be on a form~~
17 ~~prescribed by the Auditor of Public Accounts and shall include, but not~~
18 ~~be limited to, the following information:~~

19 (a) ~~(i)~~ The levels of benefits of participants in the plan, the
20 number of members who are eligible for a benefit, the total present value
21 of such members' benefits, and the funding sources which will pay for
22 such benefits; and

23 (b) ~~(ii)~~ A copy of a full actuarial analysis of each such defined
24 benefit plan. The analysis shall be prepared by an independent private
25 organization or public entity employing actuaries who are members in good
26 standing of the American Academy of Actuaries, and which organization or
27 entity has demonstrated expertise to perform this type of analysis and is
28 unrelated to any organization which offers investment advice or provides
29 investment management services to the retirement plan.

30 (2) ~~(b)~~ The Auditor of Public Accounts may prepare a review of such
31 report pursuant to section 84-304.02 but is not required to do so. If the

1 pension board does not submit a copy of the report to the Auditor of
2 Public Accounts within six months after the end of the plan year, the
3 Auditor of Public Accounts may audit, or cause to be audited, the pension
4 board. All costs of the audit shall be paid by the pension board.

5 Sec. 207. Section 14-568, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 14-568 Notwithstanding any home rule charter or statutory provisions
8 or restrictions, any municipal bidding procedure may be waived by the
9 city council of a city of the metropolitan class when required to comply
10 with any federal grant, loan, or program.

11 Sec. 208. Section 14-601, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-601 The city council of a city of the metropolitan class shall
14 have the power, and the it shall be its duty to appoint a chief of
15 police, and all other members of the police force to the extent that
16 funds may be available to pay their salaries, and as may be necessary to
17 protect citizens and property, and maintain peace and good order. ~~The~~
18 ~~council may appoint and define the duties of not to exceed two police~~
19 ~~matrons.~~

20 Sec. 209. Section 14-602, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-602 The chief of police of a city of the metropolitan class shall
23 have the supervision and control of the police force of the city, ~~subject~~
24 ~~to the orders of the superintendent of police.~~ All orders relating to the
25 direction of the police force shall be given through the chief of police
26 or, in the chief's ~~his~~ absence, the officer in charge of the police
27 force.

28 Sec. 210. Section 14-603, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-603 The chief of police of a city of the metropolitan class shall
31 be the principal ministerial officer of the city corporation. His or her

1 jurisdiction and that of his or her officers in the service of process in
2 all criminal cases and in cases for the violation of city ordinances
3 shall be coextensive with the county. The chief of police or his or her
4 officers shall take bail in all bailable cases for the appearance before
5 the county court of persons under arrest, but such bail shall be subject
6 to the approval of the county court.

7 Sec. 211. Section 14-604, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-604 The chief of police of a city of the metropolitan class shall
10 be subject to the orders of the mayor in the suppression of riots, ~~and~~
11 tumultuous disturbances, ~~and~~ breaches of the peace. He or she may pursue
12 and arrest any person fleeing from justice in any part of the state and
13 shall ~~forthwith~~ bring all persons arrested by him or her ~~arrested~~ before
14 the county court for trial or examination. He or she may receive and
15 execute any proper authority for the arrest and detention of criminals
16 fleeing or escaping from other places or states.

17 Sec. 212. Section 14-605, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-605 The chief of police of a city of the metropolitan class shall
20 have, in the discharge of his or her proper duties, like powers and be
21 subject to like responsibilities as a county sheriff ~~sheriffs~~ in similar
22 cases.

23 Sec. 213. Section 14-606, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-606 Each police officer of a city of the metropolitan class shall
26 give a bond, shall have the same powers as a county sheriff ~~sheriffs~~ in
27 arresting all offenders against the laws of the state, and may arrest all
28 offenders against the ordinances of the city with or without a warrant.
29 In discharge of their duties as police officers, they shall be subject to
30 the immediate orders of the chief of police.

31 Sec. 214. Section 14-607, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 14-607 It shall be the duty of police officers of a city of the
3 metropolitan class to ~~make a daily report to the chief of police of the~~
4 ~~time of lighting and extinguishing of all public lights and lamps upon~~
5 ~~their beats, and also any lamps that may be broken or out of repair. They~~
6 ~~shall also~~ report to the chief of police ~~same office~~ any defect in any
7 sidewalk, street, alley, or other public highway, ~~or~~ the existence of ice
8 or dangerous obstructions on the walks or streets, ~~a~~ ~~or~~ break in any
9 sewer, any ~~or~~ disagreeable odors emanating from inlets to sewers, or any
10 violation of the health laws or ordinances of the city. Suitable forms
11 ~~blanks~~ for making such reports shall be furnished to the chief of police
12 by the city department of public works ~~electrician and health~~
13 ~~commissioner~~. Such reports shall be transmitted by the chief of police
14 ~~transmitted~~ to the proper officers of the city. In case of any violation
15 of laws or ordinances, ~~the~~ police officer making report shall report the
16 facts to the appropriate prosecuting authority. Such police officers ~~They~~
17 shall also perform such other duties as may be required by ordinance.

18 Sec. 215. Section 14-609, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-609 All members or appointees of the police department of a city
21 of the metropolitan class shall be subject to removal by the city council
22 in the same manner as provided for members of the fire department.

23 Sec. 216. Section 14-702, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-702 The city council of a city of the metropolitan class shall
26 employ a chief of the fire department and all other officers,
27 firefighters, and assistants as may be proper and necessary for the
28 effective service of the fire department to the extent and limit that the
29 funds provided by the city council for that purpose will allow. Each fire
30 department applicant shall, as a condition of employment, submit to the
31 city a full set of his or her fingerprints along with written permission

1 authorizing the city to forward the set of fingerprints to the Federal
2 Bureau of Investigation, through either the Nebraska State Patrol or the
3 city police department, to facilitate a check of his or her criminal
4 history record information by the Identification Division of the Federal
5 Bureau of Investigation. The fingerprint check provided for in this
6 section shall be solely for the purpose of confirming information
7 provided by the fire department applicant.

8 Sec. 217. Section 14-704, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-704 (1) All members or appointees of the fire department of a
11 city of the metropolitan class shall be subject to removal by the city
12 council under such rules and regulations as may be adopted, and whenever
13 the city council shall consider and declare such removal necessary for
14 the proper management or discipline, or for the more effective working or
15 service of the fire department.

16 (2) No member or officer of the fire department shall be discharged
17 for political reasons, nor shall a person be employed by ~~or taken into~~
18 such department for political reasons.

19 (3) Before a firefighter ~~fireman~~ can be discharged, charges must be
20 filed against such firefighter ~~him~~ before the city council and a hearing
21 had on such charges ~~thereon~~, and an opportunity given such firefighter
22 ~~member~~ to defend against such charges, but this provision shall not be
23 construed to prevent peremptory suspension of such member by such
24 member's ~~his~~ superiors in case of misconduct or neglect of duty or
25 disobedience to orders. Whenever any such suspension is made, charges
26 shall be at once filed before the city council by the person ordering
27 such suspension, and a trial had on such charges ~~thereon~~.

28 (4) The city council shall have the power to enforce the attendance
29 of witnesses and the production of books and papers, and to administer
30 oaths to such witnesses ~~them~~ in the same manner and with like effect and
31 under the same penalties as in the case of magistrates exercising civil

1 and criminal jurisdiction under the statutes of the State of Nebraska.
2 The city council ~~It~~ shall have such other powers and perform such other
3 duties as may be authorized or defined by ordinance.

4 Sec. 218. Section 14-709, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-709 (1) Any person who is a sworn member of an organized and
7 paid fire department of any city of the metropolitan class and who is an
8 authorized arson investigator for such city in order to determine the
9 cause, origin, and circumstances of fires shall be classified as a peace
10 officer while on duty and in the course of any such investigation. Such
11 person shall possess the same powers of arrest, search, ~~and seizure,~~ and
12 the securing and service of warrants as police officers of such city.

13 (2) While on duty and in the course of any such investigation, an
14 arson investigator ~~such person~~ may carry such weapons as may be necessary
15 but only if such investigator ~~that person~~ has satisfactorily completed a
16 training program offered or approved by the Nebraska Police Standards
17 Advisory Council or equivalent training offered by such city and
18 certified by the city council. Such training need not include exposure to
19 vehicle and traffic law, traffic control and accident investigation, or
20 first aid.

21 (3) An arson investigator ~~Such person~~ shall, in addition to having
22 have been an active member of an organized fire department for a minimum
23 of six years, ~~and shall~~ meet the minimum qualifications and training
24 standards established by the city for all firefighters.

25 (4) Any arson investigator ~~person~~ granted the powers enumerated in
26 this section may exercise such powers only while on duty and during the
27 course of investigating the cause, origin, and circumstances of a fire.

28 Sec. 219. Section 14-804, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-804 Before any claim against a the city of the metropolitan
31 class, except officers' salaries earned within twelve months or interest

1 on the public debt is allowed, the claimant or the claimant's ~~his~~ agent
2 or attorney shall verify such claim ~~the same~~ by ~~his~~ affidavit, stating
3 that the several items ~~therein~~ mentioned in such affidavit are just and
4 true and the services charged ~~therein~~ or articles furnished, as the case
5 may be, were rendered or furnished as ~~therein~~ charged in such affidavit,
6 and that the amount ~~therein~~ charged and claimed in such affidavit is due
7 and unpaid, allowing all just credits. The city comptroller and the
8 comptroller's ~~his~~ deputy shall have authority to administer oaths and
9 affirmations in all matters required by this section. All claims against
10 the city must be filed with the city clerk ~~comptroller~~. When the claim of
11 any person against the city is disallowed, in whole or in part, by the
12 city council, such person may appeal from the decision of such ~~said~~ city
13 council to the district court of the same county, as provided in section
14 14-813.

15 Sec. 220. Section 14-805, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 14-805 Upon the rejection or disallowance of any claim against a
18 city of the metropolitan class, it shall be the duty of the city clerk to
19 notify the claimant or the claimant's ~~his~~ agent or attorney of such fact,
20 unless such notice is waived in writing. Such notice may be served by any
21 person authorized by the city clerk and must be served within ten days
22 from the rejection of such claim. The notice and return of such notice
23 shall ~~thereon must~~ be filed with the city clerk ~~comptroller~~.

24 Sec. 221. Section 14-806, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-806 No bill or claim for labor, salary, or material, or for extra
27 service or overtime or account of any kind against a the city of the
28 metropolitan class, after such bill or claim ~~it~~ has been adversely
29 reported on and rejected by the city administration ~~under which it has~~
30 ~~been incurred~~, and no bill, account, or claim, not presented or claimed
31 within eighteen months after such bill, account, or claim ~~it~~ was incurred

1 and payable, shall be allowed or authorized to be paid by the any mayor
2 and city council except through the judgment of a court of competent
3 jurisdiction. These provisions shall apply equally to any modification of
4 the same account in whatever form such account ~~it~~ may be presented.

5 Sec. 222. Section 14-807, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 14-807 In all cases of damage arising under the provisions of
8 sections 14-101 to 14-2004, ~~this act~~ the party or parties whose property
9 is damaged or sought to be taken by the provisions of such sections ~~this~~
10 ~~act~~ shall have the right to appeal from such assessment of damages, but
11 such appeal shall not delay the appropriation of the property sought to
12 be taken, ~~or~~ delay the improvement proposed, or retard the change of
13 grade sought to be made. In no case shall a the city of the metropolitan
14 class be liable for the costs or interest on such appeal, unless the
15 party appealing shall be adjudged entitled, upon the appeal, to a greater
16 amount of damage than was awarded. The remedy by appeal ~~herein~~ allowed by
17 this section shall be ~~deemed and held to be~~ exclusive.

18 Sec. 223. Section 14-808, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-808 The corporate name of each city of the metropolitan class
21 ~~city~~ shall be The City of, and all process or notice
22 whatever affecting any such city shall be served in the manner provided
23 for service of a summons in a civil action.

24 Sec. 224. Section 14-809, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-809 The city attorney of a city of the metropolitan class shall
27 have the power to:

28 (1) Intervene ~~intervene~~ in any suit or proceeding when the rights of
29 the city are involved, or where the city is a proper party; -

30 (2) Waive ~~He shall also have power to waive~~ the issuance and service
31 of summons and may enter a voluntary appearance when in the city

1 ~~attorney's~~ ~~his~~ opinion the interests of the city may require it; and -

2 (3) ~~Confess~~ He shall have power to confess judgment, but only when
3 authorized by the city council, ~~and not otherwise.~~

4 Sec. 225. Section 14-810, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-810 If ~~a~~ the city of the metropolitan class shall refuse or
7 neglect to defend any suit at law or in equity brought against such city
8 ~~it~~, any resident taxpayer may defend such ~~said~~ suit on ~~its~~ behalf of such
9 city at the cost of the city, not including attorney's fees.

10 Sec. 226. Section 14-811, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-811 Any ordinance or resolution granting, extending, changing, or
13 modifying the terms and conditions of a franchise in a city of the
14 metropolitan class shall not be passed until at least four weeks shall
15 have elapsed after its introduction or proposal, and not until such
16 resolution or ordinance has been published daily for at least two weeks
17 in the official newspaper of the city. Such ordinance or resolution ~~it~~
18 shall not become effective or binding until submitted to the electors and
19 approved by a majority vote of such electors ~~thereof~~. Submission to the
20 electors shall be made as provided in section 14-202. A new franchise
21 shall not hereafter be granted or any modification or extension of any
22 existing franchise made unless an annuity or royalty be provided and
23 reserved to the city to be based either upon a fixed reasonable amount
24 per year or a fixed percentage of the earnings under the operation of the
25 franchise so granted, and not then until such franchise ~~the same~~ has been
26 submitted to a vote and approved by the electors at a general city
27 election or special election called for that purpose.

28 Sec. 227. Section 14-812, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-812 Lands, houses, money, debts due to a city of the metropolitan
31 class ~~the city~~, and property, and assets of every description belonging

1 to any such ~~metropolitan~~ city, shall be exempt from taxation, execution,
2 and sale. Judgments against such ~~the said~~ city shall be paid out of the
3 judgment fund, or out of a special fund created for such ~~the~~ purpose.

4 Sec. 228. Section 14-813, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-813 (1) Whenever the right of appeal is conferred by sections
7 14-101 to 14-2004 ~~this act~~, the procedure, unless otherwise provided,
8 shall be substantially as provided in this section. ~~follows:~~

9 (2) The claimant or appellant shall, within twenty days after the
10 date of the order complained of, execute a bond to the such city of the
11 metropolitan class with sufficient surety to be approved by the city
12 clerk, conditioned for the faithful prosecution of such appeal, and the
13 payment of all costs adjudged against the appellant. Such bond shall be
14 filed in the office of the city clerk.

15 (3) Upon the request of the appellant and the payment by the
16 appellant to the city clerk or his or her designee of the estimated cost
17 of preparation of the transcript, the city clerk shall cause a complete
18 transcript of the proceedings of the city relating to its decision to be
19 prepared. The cost of preparing the transcript shall be calculated in the
20 same manner as the calculation of the fee for a court reporter for the
21 preparation of a bill of exceptions as specified by rules of practice
22 prescribed by the Supreme Court. At such time as the completed transcript
23 is presented to the appellant, the appellant shall pay the amount of the
24 cost of preparation in excess of the estimated amount already paid or
25 shall receive a refund of any amount in excess of the actual cost.

26 (4)(a) An appellant determined to be indigent shall not be required
27 to pay a bond or any costs associated with such transcript preparation.

28 (b) For purposes of this section, indigent means the inability to
29 financially pursue the appeal without prejudicing the appellant's ability
30 to provide economic necessities for the appellant or the appellant's
31 family. Indigency shall be determined by the court having jurisdiction

1 over the appeal upon motion of the appellant. The court shall make a
2 reasonable inquiry to determine the appellant's financial condition and
3 shall consider such factors as the appellant's income, the availability
4 to the appellant of other resources, including real and personal
5 property, bank accounts, social security benefits, and unemployment or
6 other benefits, the appellant's normal living expenses, the appellant's
7 outstanding debts, the number and age of the appellant's dependents, and
8 other relevant circumstances.

9 (5) It shall be the duty of the claimant or appellant to file a
10 petition in the district court as in the commencement of an action within
11 thirty days after the date of the order or award appealed from, and he or
12 she shall also file such transcript before answer day. The proceedings of
13 the district court shall thereafter be the same as on appeal from the
14 county board.

15 (6) Any taxpayer may appeal from the allowance of any claim against
16 the city by giving a bond and complying with this section.

17 (7) This section shall not be so construed as to prevent the city
18 council from once reconsidering its action on any claim or award upon ten
19 days' notice to the interested parties ~~interested~~.

20 Sec. 229. Section 14-814, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 14-814 A city of the metropolitan class shall not be liable for any
23 tort or act of negligence of the metropolitan utilities district or of
24 any other utility board or body with full and independent powers of
25 control, or for torts or acts of negligence of any of the officers or
26 employees of such metropolitan utilities district or other board or body
27 which may in any way result from, grow out of, or be connected with the
28 maintenance, management, control, or operation of any water system or
29 plant, any gas system or plant, or any other public utility system or
30 plant which the city may acquire or own but which has been placed in the
31 control of and is maintained and operated by any such metropolitan

1 utilities district or other board or body. The city shall not be liable
2 for the debts and obligations of any such metropolitan utilities district
3 or other board or body incurred in connection with or in any way
4 pertaining to the maintenance, management, control, or operation of any
5 such plant or system by such district, board, or body of control with
6 full authority over the revenue and earnings of such system or plant.

7 Sec. 230. Section 14-816, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-816 All citizens of this state and other persons interested in
10 the examination of the records kept by any officer of a the city of the
11 metropolitan class, are ~~hereby fully empowered and~~ authorized to examine
12 such records ~~the same~~ free of charge during the hours the respective
13 offices may be kept open for the ordinary transaction of business. The
14 city council shall have the power to require from any officer of the city
15 at any time a report in detail of the transactions in such person's ~~his~~
16 office, or any matter connected with such transactions ~~therewith~~.

17 Sec. 231. Section 14-817, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-817 No bond for cost, appeal, supersedeas, injunction, or
20 attachment shall be required of any city of the metropolitan class or of
21 any officer, board, commission, head of any department, agent, or
22 employee of any such city in any proceeding or court action in which such
23 ~~said~~ city of the metropolitan class or its officer, board, commission,
24 head of department, agent, or employee is a party litigant in such
25 person's or entity's ~~its or his~~ official capacity.

26 Sec. 232. Section 14-818, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-818 After July 19, 1980, no person shall establish a paunch
29 manure, rendering, or sewage treatment plant or facility, or an area
30 where refuse, garbage, or rubbish is disposed of within three thousand
31 three hundred feet of a residential area in a metropolitan-class city of

1 ~~the metropolitan class.~~ For purposes of this section, residential area
2 ~~means shall mean~~ an area designated as residential under the zoning
3 ~~ordinances authority of such the~~ city.

4 Sec. 233. Section 14-1201, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-1201 (1) Any city of the metropolitan class, including one
7 governed under a home rule charter, is hereby authorized and empowered
8 to:

9 (a) ~~Acquire~~ acquire by purchase, condemnation, bargain and sale,
10 lease, sublease, gift or otherwise, any bridge or viaduct, including
11 approaches and avenues, rights-of-way, or easements of access to
12 approaches, necessary real and personal property incident to such bridges
13 or viaducts, thereto and franchises, special privileges, leases, and
14 contracts in connection with such bridges or viaducts; -

15 (b) ~~Construct~~ It is also authorized and empowered to construct and
16 contract for the construction of bridges or viaducts, including all of
17 aforesaid appurtenances to such bridges or viaducts, facilities, and
18 property; and -

19 (c) ~~Repair~~ It is also authorized and empowered thereafter to repair,
20 maintain, extend, renew, reconstruct, replace, or enlarge, and to
21 mortgage or lease, and to use and operate any such bridges or viaducts as
22 toll or free bridges, either or both from time to time for public use and
23 travel of all kinds by railroads, street railways, bus lines, vehicles,
24 and pedestrians, and other uses, any or all as may be determined by the
25 governing body of the city council.

26 (2) The city It may use such bridges or viaducts same for public
27 utility purposes, and fix the rates of toll or the charges for the use of
28 such bridges or viaducts same, and grant nonexclusive franchises for use
29 of such bridges or viaducts same for public utility purposes upon such
30 terms and conditions as may be prescribed by ordinance.

31 (3) The city It may exercise all such powers within the city limits

1 and five miles outside the city limits thereof within the State of
2 Nebraska, and any adjoining state, and across any navigable or
3 nonnavigable stream forming the boundary between such states after having
4 obtained authority, if any be necessary, from such states and from the
5 United States.

6 (4) The city ~~It~~ may exercise such powers directly through the
7 ~~governing body of the city~~ council or any committee of the city council
8 ~~thereof~~ or through a bridge commission created as provided in sections
9 14-1227 and 14-1244 to 14-1246, or part any one and part any other.

10 Sec. 234. Section 14-1202, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-1202 Any power granted by sections 14-1201 to 14-1252 to a such
13 city of the metropolitan class may be exercised by the city independently
14 or in cooperation with or aid of similar action by any other city or any
15 county in Nebraska, ~~or~~ any city or county in an adjoining state, ~~or~~ the
16 State of Nebraska, ~~or~~ any adjoining ~~states,~~ ~~or~~ state, or the government
17 of the United States, when such other political unit has been authorized
18 by law to exercise the necessary powers. Such joint action may be
19 directly by the ~~governing body of the city~~ council through the medium of
20 a joint bridge commission subject to the same conditions provided in such
21 ~~said~~ sections for independent action.

22 Sec. 235. Section 14-1203, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-1203 A city of the metropolitan class ~~The cities specified in~~
25 ~~section 14-1201,~~ through its city council ~~the governing bodies thereof,~~
26 is ~~are~~ authorized and empowered to grant franchises for the nonexclusive
27 use of ~~the~~ bridges acquired under sections 14-1201 to 14-1252 to public
28 utilities upon such terms, conditions, and for such consideration as such
29 city ~~cities~~ may impose, whether incident to or part of the purchase of an
30 existing bridge and rights of utilities in connection with such bridge
31 ~~therewith,~~ or otherwise, and ~~thereafter~~ to extend the duration or to

1 amend the terms and conditions of such franchise ~~thereof~~. In the case of
2 interstate bridges, any such grant shall be made by the ~~governing body of~~
3 ~~such~~ city council by ordinance and no vote of the electors of the city
4 shall be required. In no case shall such a grant be made by any bridge
5 commission.

6 Sec. 236. Section 14-1204, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-1204 In the event that the State of Nebraska, an adjoining state,
9 the government of the United States, either, any or all of them, should
10 agree to take over any bridge acquired by a the city of the metropolitan
11 class or in course of construction under sections 14-1201 to 14-1252 and
12 thereafter maintain and operate such bridge ~~same~~ as a free bridge at its
13 or their expense, then such city is authorized to convey such bridge on
14 such conditions to such party or parties. Such conveyance shall not be
15 made unless and until all outstanding bonds issued to finance the bridge
16 have been paid and canceled.

17 Sec. 237. Section 14-1205, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-1205 (1) Any ~~such~~ city of the metropolitan class may grant the
20 exclusive right to purchase an existing bridge or to construct a new
21 bridge, and to maintain any such bridge within a distance not exceeding
22 one mile on each side of the bridge to be so purchased or constructed,
23 for the period necessary to reimburse cost plus not exceeding eight
24 percent of such cost ~~thereof~~ for financing charges, together with
25 interest upon such ~~said~~ cost and charges, but in no event to exceed ten
26 years, subject to the condition that at the termination of such period,
27 such bridge shall become the sole property of the public and thereafter
28 be maintained and operated by the city as a toll or free bridge as such
29 city may determine from time to time in harmony with the other provisions
30 of sections 14-1201 to 14-1252 and the laws of the United States.

31 (2) Such grant shall be made in the same manner and subject to the

1 same conditions as may be provided in the home rule charter of such city
2 for the granting of franchises. Any such grant or assignment shall by
3 operation of law be subject to the following conditions:

4 (a) The number of officers and employees and the salaries, wages,
5 and compensation of such officers and employees thereof shall be
6 reasonable;

7 (b) No ~~no~~ person shall be permitted free use of the bridge or use at
8 discriminatory toll;

9 (c) Tolls ~~tolls~~ shall be both adequate to hasten payment for the
10 bridge and reasonable to the public;

11 (d) Financing ~~financing~~ costs shall be reasonable and the city may
12 impose requirements and safeguards as to the conservation of funds and
13 insurance of property;

14 (e) Complete ~~complete~~ statements of operations and finances shall be
15 filed with the city clerk on bond interest dates upon completion of the
16 bridge and upon delivery of such bridge ~~same~~ to the city; and

17 (f) The ~~the~~ city shall have power to require or itself perform
18 audits and examine the books and call for any reports at any time.

19 (3) The city may enforce these obligations in any court of competent
20 jurisdiction.

21 (4) Any such assignment shall by operation of law be subject to the
22 conditions that the plans and specifications, the location, size, type,
23 and method of construction, the boundaries and approaches and the
24 estimates of cost of construction and acquisition shall be first be
25 submitted to the ~~governing body of the city~~ council and receive its
26 approval before any construction may commence ~~shall be commenced~~ or any
27 contract for construction or for financing such construction ~~shall~~ be
28 entered into.

29 Sec. 238. Section 14-1206, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-1206 (1) If any such city of the metropolitan class desires

1 ~~shall desire~~ to purchase, lease, or sublease any existing bridge and
2 shall have received any such authority as may be necessary from the
3 government of the United States, the ~~governing body of such city council~~
4 may determine the fair value of such bridge thereof, the appraised value
5 of which shall not exceed two million dollars, including all interests of
6 any nature in such bridge therein, and may by written resolution
7 tentatively offer the owners of such bridge thereof jointly the price so
8 determined, ~~and~~

9 (2) If ~~if~~ all such owners within ninety days thereafter shall file
10 with the city clerk of such city a duly authorized and properly executed
11 written tentative acceptance of such offer, binding themselves to accept
12 such offer ~~the same~~ and to assign such lease or sublease or convey good
13 and complete title by warranty deed when and if the necessary funds shall
14 be provided for such offer ~~therefor~~, then upon the filing of such
15 acceptance, the ~~governing body of the city council~~ may submit to the
16 electors of such city thereof, at a special election called for that
17 purpose or at any general election of such city or of the State of
18 Nebraska within one hundred and twenty days after the filing of such
19 acceptance, the question whether such purchase shall be made at the price
20 stated on the ballot and the ~~governing body of the city council~~ be
21 authorized to issue bonds of the kind or kinds stated in the proposition
22 and in any such amount as may be required to provide the necessary funds.
23 The proposition so submitted shall be carried if the majority of the
24 electors voting on such proposition shall vote in favor of such
25 proposition. ~~thereof; Provided,~~

26 (3) No ~~no~~ election and no vote of electors shall be required upon
27 the question of acquiring by purchase, lease, or sublease any existing
28 bridge or issuing revenue bonds, in an amount not to exceed two million
29 dollars as authorized by section 14-1217, for the acquisition by
30 purchase, lease, or sublease of any existing bridge, if the ~~governing~~
31 ~~body of such city council determines~~ shall determine by a vote of a

1 majority of its members to dispense with such election or vote of
2 electors as to such question.

3 (4) If the proposition shall be carried at the election, or if the
4 city council determines ~~governing body shall so determine~~ to dispense
5 with such election, the tentative acceptance of the owners of such bridge
6 shall then become final and binding upon such owners ~~them~~ and may be
7 enforced in any court of competent jurisdiction.

8 (5) Such purchase may also be made subject to existing mortgages and
9 the assumption of outstanding bonds.

10 (6) If repairs, reconditioning, or reconstruction shall be necessary
11 to place any bridge so purchased or to be purchased in safe, efficient,
12 or convenient condition, the ~~governing body of the city~~ council may shall
13 ~~be empowered to~~ issue additional revenue bonds to provide funds for such
14 ~~that~~ purpose in an amount not to exceed fifteen percent of the purchase
15 price of such bridge.

16 (7) Any proposition submitted to the electors shall be published on
17 three consecutive days in the official newspaper of the city to be
18 completed not less than ten days before the date of the election.

19 (8) ~~If and when the governing body of any such city council~~
20 determines shall determine to dispense with such election or vote of the
21 electors, or if a proposition is shall have been submitted to a vote of
22 the electors ~~thereof~~ and carried at such election, the city council may
23 ~~such governing body is hereby authorized and empowered to~~ exercise all
24 power and authority reasonably necessary and incidental to the exercise
25 of the powers ~~herein~~ granted in this section.

26 Sec. 239. Section 14-1207, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-1207 If any ~~such~~ city of the metropolitan class desires shall
29 ~~desire~~ to acquire any existing bridge or lease of such bridge ~~thereof~~ or
30 all interests in such bridge ~~therein~~ by the exercise of the power of
31 eminent domain, and has shall have received any such authority as ~~may be~~

1 necessary from the government of the United States, such city ~~it~~ may
2 exercise such power in such manner as Congress may require. ~~If , and if~~
3 the manner is not prescribed by Congress, the procedure to condemn
4 property shall be exercised in the manner set forth in sections 76-704 to
5 76-724.

6 Sec. 240. Section 14-1211, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-1211 (1) Within ninety days after a final condemnation award
9 pursuant to section 14-1207 has been made, ~~the governing body of the city~~
10 council of such city of the metropolitan class shall, if such city
11 council ~~it~~ elects to proceed further, introduce an ordinance providing
12 for the submission to the electors of the city the question whether such
13 award shall be confirmed and the property be taken and bonds of the kind
14 or kinds determined by the ~~governing body of the city council,~~ and stated
15 upon the ballot, shall be issued in the amount of the award.

16 (2) Such proposition shall be submitted within ninety days after the
17 ordinance becomes effective at a special election called for that purpose
18 or at any general city or state election, and shall be carried if a
19 majority of the electors voting on such proposition ~~thereon~~ shall vote in
20 favor of such proposition ~~thereof~~.

21 (3) No election and no vote of electors shall be required upon the
22 question of acquiring by condemnation any bridge or issuing revenue bonds
23 as authorized by section 14-1217 for the acquisition by condemnation of
24 any existing bridge, if the ~~governing body of such city council~~
25 determines shall determine by a vote of a majority of its members to
26 dispense with such election or vote of electors as to such question.

27 Sec. 241. Section 14-1212, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-1212 If ~~a such~~ proposition is carried pursuant to section
30 14-1211, or if the city council of a city of the metropolitan class
31 determines ~~governing body shall so determine~~ to dispense with such

1 election, title to the property to be appropriated shall at once vest in
2 such said city, and the right to possession shall vest in such said city
3 as soon as money in the amount of such said award is on deposit with the
4 county judge.

5 Sec. 242. Section 14-1215, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 14-1215 (1) Notwithstanding any limitation or requirement contained
8 in the city home rule charter of a city of the metropolitan class or
9 imposed by other laws upon the limit of indebtedness, the issuance of
10 bonds, the vote of the electors, or the exercise of the power of eminent
11 domain in or by such city, the city council of such city may governing
12 body thereof is authorized and empowered to issue and dispose of general
13 obligation bonds to the amount of fifty thousand dollars, or any part
14 thereof, in any one calendar year, to finance preliminary work, including
15 investigation, soundings, employment of engineers and architects, and any
16 other useful work, or appropriate expenses in connection with the
17 proposed acquisition or construction of any bridge, bridges, or viaducts,
18 and the preliminary financing of such bridges or viaducts thereof.

19 (2) Such bonds shall be short-term bonds not to exceed three years,
20 redeemable at par on any semiannual interest date upon ten days' notice
21 by publication once in the official newspaper, and may be sold at a
22 discount of not more than two percent. The proceeds of the sale of such
23 bonds may be advanced by the governing body of the city council to a
24 bridge commission created as provided in sections 14-1227 and 14-1244 to
25 14-1246, to be expended by such commission in preliminary work or for
26 costs of operation and maintenance or interest charges as may be
27 necessary.

28 (3) Whether expended by the governing body of the city council or by
29 a bridge commission, the amount so expended shall constitute a prior and
30 first lien upon revenue derived from the operation of the bridge in
31 connection with which such expenditures have been made had, and shall be

1 repaid as soon as possible and used by the ~~governing body of the city~~
2 council to purchase or redeem such ~~said~~ short-term bonds.

3 (4) The amount of such bonds shall be included as a part of the cost
4 of the bridge and shall be repaid out of the proceeds of any bonds issued
5 for permanent financing.

6 Sec. 243. Section 14-1216, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-1216 (1) To finance any of the purposes or powers provided for
9 in sections 14-1201 to 14-1252, the ~~governing body of any such city~~
10 council of a city of the metropolitan class shall in the first instance
11 determine whether any purchase, condemnation, or construction authorized
12 by such ~~said~~ sections shall be financed by bonds which are general
13 obligations of the city and which may also be supported by a lien or
14 mortgage on the bridge itself or upon the collection of tolls to be
15 derived from the use of such bridge ~~therefrom~~, or both, or by revenue
16 bonds as provided for in section 14-1217 and which are charged solely
17 against the revenue to be derived from such bridge through the collection
18 of tolls, or part one kind of bonds and part the other.

19 (2) The city council ~~It~~ shall not have authority to purchase,
20 condemn, nor construct any bridge nor to issue any bonds, except the
21 preliminary bonds specially authorized by section 14-1215, until first
22 authorized by the majority vote of the electors voting on such
23 proposition, which proposition shall indicate the method of acquiring the
24 bridge and the kind or kinds of bonds, at a special election called for
25 that purpose or at any general city or state election. ~~No ; Provided, no~~
26 election and no vote of electors shall be required upon the question of
27 acquiring or constructing any bridge or issuing revenue bonds as
28 authorized by section 14-1217, for the acquisition or construction of any
29 bridge located more than one mile from any existing bridge, other than a
30 railroad bridge, if the ~~governing body of such city~~ council determines
31 ~~shall determine~~ by a vote of the majority of its members to dispense with

1 such election or vote of electors as to such question.

2 (3) This grant of power to issue bonds is in addition to any other
3 power which may now have been or hereafter may be conferred upon such
4 city, and shall be free from the restrictions now imposed by the home
5 rule charter of the city upon the issuance of bonds and incurring of
6 indebtedness, and subject only to the provisions of the Constitution of
7 Nebraska.

8 (4) At an such election under subsection (2) of this section, the
9 proposition shall be separate as to the bonds for each bridge to be
10 acquired or constructed and the amount of bonds may be either a specific
11 amount equal to the estimated total cost of every nature plus not to
12 exceed twenty-five percent, or may be general and authorize the issuance
13 of bonds in such amount as may be found necessary from time to time to
14 complete the acquisition, construction, and equipment of the bridge and
15 all costs incident to such bridge thereto, or may be part one and part
16 the other.

17 (5) For all purposes of financing, the total cost of any improvement
18 authorized by sections 14-1201 to 14-1252 may include every item of
19 expense in connection with the project, and among other items shall also
20 include the cost of acquiring every interest of every nature and of every
21 person in any existing bridge; the cost of constructing the
22 superstructure, roadway, and substructure of any bridge; the approaches
23 and avenues or rights-of-way of access to such bridge; thereto and
24 necessary real estate in connection with such bridge; therewith, toll
25 houses; and equipment thereof and of such the bridge; the franchises,
26 easements, rights, or damages incident to or consequent upon the complete
27 project expenses preliminary to construction, including investigation and
28 expenses incident to such construction; thereto, and prior to and during
29 construction the proper traffic estimates; the interest upon bonds; and all
30 such other expenses as after the beginning of operation would be properly
31 chargeable as cost of operation, maintenance, and repairs.

1 Sec. 244. Section 14-1217, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-1217 A city ~~Cities~~ of the metropolitan class is ~~are~~ hereby
4 authorized to provide funds for the purposes of sections 14-1201 to
5 14-1252 by the issuance of revenue bonds of such city cities, the
6 principal and interest of which bonds shall be payable solely from the
7 special funds ~~herein~~ provided in such sections for such payment and as to
8 which, as shall be recited in such bonds ~~therein~~, the city shall incur no
9 indebtedness of any kind or nature and to support which the city shall
10 not pledge its credit nor its taxing power nor any part of such credit or
11 taxing power thereof. Such bonds may, at the option of the ~~governing body~~
12 ~~of such city council~~, be supported by mortgage or by deed of trust.

13 Sec. 245. Section 14-1218, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-1218 Revenue ~~Such revenue~~ bonds issued pursuant to section
16 14-1217 shall bear interest payable semiannually, and shall mature in not
17 more than twenty years from their date or dates and may be made
18 redeemable at the option of the city of the metropolitan class issuing
19 such bonds ~~the same~~ at not more than the par value of such bonds thereof
20 plus a premium of five percent, under such terms and conditions as the
21 ~~governing body of the city council~~ may fix prior to the issuance of such
22 bonds.

23 Sec. 246. Section 14-1219, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-1219 The ~~governing body of the city council~~ of a city of the
26 metropolitan class shall provide the form of any such bonds issued
27 pursuant to section 14-1217, including coupons to be attached to such
28 bonds ~~thereto~~ to evidence interest payments, which bonds shall be signed
29 by the mayor and countersigned and registered by the city comptroller,
30 under the city's seal, and which coupons shall bear the facsimile
31 signature of such ~~said~~ mayor and the city clerk, and shall fix the

1 denomination or denominations of such bonds and the place or places of
2 payment of the principal and interest of such bonds thereof which may be
3 at the office of the city treasurer, or any bank or trust company in the
4 State of Nebraska ~~or in the city of New York, State of New York~~. All
5 bonds authorized by sections 14-1215 to 14-1217 and 14-1223 shall be and
6 shall have and are hereby declared to have all the qualities and
7 incidents of negotiable instruments under the Uniform Commercial Code of
8 the state without, however, constituting the revenue bonds herein
9 authorized in such sections an indebtedness of the city issuing such
10 bonds the same. The ~~governing body of the city council~~ may provide for
11 the registration of such bonds in the name of the owner as to the
12 principal alone or as to both principal and interest.

13 Sec. 247. Section 14-1220, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-1220 Revenue ~~Such~~ bonds issued pursuant to section 14-1217 by a
16 city of the metropolitan class may be sold in such manner as the
17 ~~governing body of the city council~~ may determine to be for the best
18 interests of the city, taking into consideration the financial
19 responsibility of the purchaser, and the terms and conditions of the
20 purchase, and the availability of the proceeds of the bonds when required
21 for payment of the costs. Any such sale shall be at not less than
22 ninety-two cents on the dollar and accrued interest.

23 Sec. 248. Section 14-1221, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-1221 The proceeds of any revenue ~~such~~ bonds issued by a city of
26 the metropolitan class pursuant to section 14-1217 shall be deposited in
27 the first instance with the city treasurer and thereafter with such
28 depositories as the bridge commission shall direct and the ~~governing body~~
29 ~~of the city council~~ shall approve, shall be secured in such manner and to
30 such extent as the ~~governing body of the city council~~ and the bridge
31 commission shall require, shall be used solely for the payment of the

1 cost of ~~such the~~ bridges and costs incident ~~to such bridges thereto~~, and
2 shall be drawn upon over the signatures of the ~~chairperson chairman~~ or
3 ~~vice-chairperson vice-chairman~~ of the bridge commission and the secretary
4 and treasurer ~~of the bridge commission thereof~~, and under such further
5 restrictions, if any, as the ~~governing body of the city council~~ may
6 provide. If the face amount of such bonds, less any discount on the sale
7 ~~of such bonds thereof~~, shall exceed such cost, the surplus shall be paid
8 into ~~such funds the fund~~ hereinafter provided for the payment of the
9 principal and interest of such bonds.

10 Sec. 249. Section 14-1222, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-1222 The ~~governing body of the city council of a city of the~~
13 ~~metropolitan class~~ shall have the right to purchase for investment of
14 other funds, and the bridge commission and the ~~governing body of the city~~
15 ~~council~~ shall have the right to purchase for retirement and cancellation,
16 any of such bonds that may be outstanding, at the market price, but at
17 not exceeding one hundred ~~and~~ five percent and accrued interest and not
18 exceeding the price, if any, at which such bonds ~~the same~~ shall in the
19 same year be redeemable, but all bonds redeemed or purchased out of funds
20 provided by the sale of bridge bonds shall ~~forthwith~~ be canceled and
21 shall not ~~again~~ be reissued ~~issued~~.

22 Sec. 250. Section 14-1223, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-1223 Prior to the preparation of definitive bonds issued pursuant
25 to sections 14-1201 to 14-1222, ~~the governing body of the city council of~~
26 a city of the metropolitan class may, under like restrictions, issue
27 temporary bonds with or without coupons, exchangeable for definitive
28 bonds upon the issuance of the latter.

29 Sec. 251. Section 14-1224, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-1224 (1) ~~The governing body of the city council of a city of the~~

1 metropolitan class may enter into an agreement with any competent bank or
2 trust company as trustee for the holders of ~~such~~ bonds issued pursuant to
3 sections 14-1201 to 14-1224, setting forth the duties of the city and the
4 bridge commission in respect to the construction, maintenance, operation,
5 and insurance on all funds, the insurance of money on hand or on deposit
6 and the rights and remedies of such ~~said~~ trustee and the holders of such
7 bonds, and restricting the individual right of action of bondholders as
8 is customary in trust agreements respecting bonds of corporations.

9 (2) Such ~~Said~~ trust agreement may:

10 (a) Contain ~~contain~~ such provisions for protecting and enforcing the
11 rights and remedies of the trustee and approval by the original bond
12 purchasers of the appointment of consulting engineers and of the security
13 given by the bridge contractors and by any bank or trust company in which
14 the proceeds of bonds or bridge tolls or other money of the bridge
15 commission shall be deposited, and may provide that no contract for
16 construction shall be made without the approval of the consulting
17 engineers; -

18 (b) Contain ~~Said trust agreement may further contain~~ provisions and
19 covenants that all or any deposited money shall be secured, as may be
20 ~~therein~~ provided in such agreement, by surety company bonds or otherwise,
21 and that investments of any or all money shall be prohibited, except as
22 ~~therein~~ provided in such agreement, or shall be regulated as ~~therein~~
23 provided in such agreement, and that insurance upon the bridge and all
24 property connected with such bridge ~~therewith~~, also use and occupancy
25 insurance, shall be carried to the extent and under the conditions
26 ~~therein~~ provided in such agreement; and -

27 (c) Include ~~Such trust agreement may also include~~ a covenant that
28 until the revenue bonds secured by such agreement and the interest on
29 such bonds ~~thereon shall~~ have been paid, the city will charge and collect
30 for transit over any or all other bridges, then or thereafter owned by
31 such city, rates of tolls which may be fixed in such covenant or may be

1 based upon principles and premises set forth in such covenant. The tolls
2 ~~thereafter~~ collected pursuant to such covenant shall be applied as
3 provided in section 14-1226, or for the acquisition or construction or
4 the maintenance and operation, in whole or in part, of any bridge or
5 bridges now owned or hereafter acquired or constructed by such city or as
6 may be otherwise provided by law.

7 Sec. 252. Section 14-1225, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-1225 Neither the State of Nebraska nor any political subdivision
10 thereof shall:

11 (1) Limit ~~limit~~ or restrict the rights and powers granted in
12 sections 14-1201 to 14-1252 to the detriment of owners of outstanding
13 bonds; or

14 (2) Authorize ~~nor shall such state or political subdivision~~
15 ~~authorize~~ the construction or itself construct any competing bridge
16 within a distance of one mile on either side of the bridge unless and
17 until all of such bonds, together with the interest on such bonds
18 ~~thereon~~, have been fully paid and canceled, unless other adequate
19 provisions ~~shall~~ have been made for the protection and guaranty of such
20 bonds thereof.

21 Sec. 253. Section 14-1226, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-1226 (1) The rates of tolls to be charged for the use of any
24 bridge acquired or constructed under the provisions of sections 14-1201
25 to 14-1252 shall be fixed and adjusted as may be required by any law of
26 the United States, and shall be so fixed and adjusted as to provide a
27 fund sufficient to pay the interest and principal of any bonds issued
28 under sections 14-1215 to 14-1217 and 14-1223 and to provide an
29 additional fund to pay the cost of maintaining, repairing, and operating
30 such bridge. Such ~~The~~ rates may also be so fixed and adjusted as to
31 provide a reserve fund reasonably sufficient to provide for the cost of

1 the continued operation, supervision, maintenance, and repair of such
2 ~~said~~ bridge or bridges for a period not to exceed twenty-five years after
3 the removal of toll charges.

4 (2) After the provision of such ~~said~~ funds has been completed, such
5 bridge or bridges shall ~~thereafter~~ be maintained and operated free of
6 toll unless or until the charging of reasonable tolls is continued or
7 resumed by the ~~governing body of the city council or bridge~~ its
8 commission in order to finance reconstruction, extension, enlargement,
9 replacement, or renewal of that particular bridge or in aid of the
10 acquisition, construction, reconstruction, extension, enlargement,
11 replacement, or renewal of any other bridge owned in whole or in part by
12 such ~~said~~ city.

13 (3) The owners of outstanding bonds issued to finance the bridge, or
14 the authorized trustee for such owners ~~therefor~~, shall have the right to
15 compel the fixing of adequate tolls by application to any court of
16 competent jurisdiction.

17 (4) In case the city is at the same time providing for the payment
18 of more than one bridge through the collection of tolls, the tolls upon
19 such bridges may be maintained and adjusted so that each bridge shall
20 assist the financing of the other.

21 Sec. 254. Section 14-1227, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-1227 (1) When it has been determined by the ~~governing body of~~
24 ~~any such~~ city council of a city of the metropolitan class ~~,~~ by resolution
25 or ordinance in the exercise of its discretion, that in the exercise of
26 the powers conferred by sections 14-1201 to 14-1252 ~~,~~ it is expedient to
27 create a bridge commission, the mayor of such city, with the approval of
28 the ~~governing body of the city council~~, shall appoint four persons, who,
29 with the mayor ~~,~~ as an ex officio member, shall constitute a bridge
30 commission which shall be a public body corporate and politic under the
31 name of (insert name of city) Bridge Commission ~~bridge commission~~. Such

1 bridge commission It shall have power to contract, to sue and be sued,
2 and to adopt a seal and alter such seal ~~same at pleasure~~, but shall not
3 have power to pledge the credit or taxing power of the city.

4 (2) No officer or employee of such ~~said~~ city, except the mayor
5 thereof, whether holding a paid or unpaid office, shall be eligible to
6 hold an appointment on such bridge ~~said~~ commission. Such appointees shall
7 be originally appointed for terms of four years. Upon the expiration of
8 such terms, appointments shall be made in like manner except that the
9 term of the four appointees shall be for one year, two years, three
10 years, and four years, respectively. Not more than two of such appointees
11 shall be members of the same political party. Vacancies shall be filled
12 for any unexpired term in the same manner as the original appointment.
13 Such bridge ~~Said~~ commission shall elect a chairperson ~~chairman~~ and vice-
14 chairperson ~~vice-chairman~~ from its members, and a secretary and treasurer
15 who need not be a member of such commission. The members of the bridge
16 commission shall receive no compensation and shall give such bonds as may
17 be required from time to time by the ~~governing body of the city~~ council.
18 The bridge commission shall fix the compensation of the secretary and
19 treasurer.

20 (3) The bridge commission shall have the power to establish bylaws,
21 rules, and regulations for its own government, and to make and enter into
22 all contracts or agreements necessary or incidental to the performance of
23 its duties and the execution of its powers. The bridge commission may
24 employ engineering, architectural, and construction experts and
25 inspectors and attorneys, and such other employees as may be necessary in
26 its opinion, and fix their compensation, and such employees ~~all of whom~~
27 shall do such work as the bridge commission shall direct. All salaries
28 and compensation for such employees shall be obligations against and be
29 paid solely from funds provided under the authority of sections 14-1201
30 to 14-1252. The office, records, books, and accounts of the bridge
31 commission shall always be maintained in the city which the bridge

1 commission represents. Such bridge commission may be charged by the
2 ~~governing body of the city council~~ with the construction of new bridges
3 or the operation, maintenance, repair, renewal, reconstruction,
4 replacement, extension, or enlargement of existing bridges, ~~or bridges~~
5 hereafter constructed.

6 Sec. 255. Section 14-1228, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-1228 (1) Except as provided in subsection (2) of this section,
9 the bridge The commission of a city of the metropolitan class is hereby
10 authorized to:

11 (a) Prepare ~~prepare~~ the necessary and proper plans and
12 specifications for the construction of such bridges as may be designated
13 by the ~~governing body of the city council~~; 7

14 (b) Select ~~to select~~ the location for such bridges ~~same~~, determine
15 the size, type and method of construction of such bridges ~~thereof~~, and ~~to~~
16 plan and fix the their boundaries and approaches of such bridges; 7

17 (c) Make ~~to make~~ the necessary estimates of the probable cost of
18 construction and the acquisition of the land and rights for the sites of
19 the abutments and approaches and avenues or easements of access to such
20 ~~the~~ bridges in the a manner hereinafter provided by law; 7

21 (d) Enter ~~to enter~~ into the necessary contracts to build and equip
22 the entire bridges and the approaches and avenues or easements of access
23 to such bridges; ~~thereto~~;

24 (e) Build ~~to build~~ the superstructures and substructures and all
25 parts of such bridges; ~~thereof~~;

26 (f) Obtain ~~to obtain~~ and exercise such consent or authority as may
27 be necessary from the government of the United States and the approval of
28 the Secretary of the Army and Chief of Engineers; and 7

29 (g) Cause ~~and to cause~~ a survey and map to be made of all lands,
30 structures, rights-of-way, franchises, easements, or other interests in
31 lands, including lands under water and riparian rights owned by any

1 ~~person persons~~, corporation, or municipality, the acquisition of which
2 may be deemed necessary for the construction of such bridges, and to
3 cause such map and survey to be filed in its office. The members of the
4 bridge commission, or its agents and employees, may enter upon such lands
5 and structures and upon lands under water notwithstanding any interests
6 in such lands or structures, for the purpose of making such surveys and
7 maps. ~~; Provided,~~

8 (2) ~~The bridge that~~ the commission shall not proceed to exercise or
9 carry out any authority or power granted by this section ~~herein given it~~
10 to bind such bridge ~~said~~ commission beyond the extent to which money has
11 been provided.

12 Sec. 256. Section 14-1229, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-1229 No contract or agreement for the acquisition, construction,
15 reconstruction, repair, enlargement, extension, renewal, replacement, or
16 equipment of any bridge as provided in section 14-1228 ~~such bridges~~
17 exceeding ~~in amount the sum of~~ twenty-five hundred dollars shall be made
18 without advertisement for public bids, ~~which shall be opened publicly,~~
19 and an award made to the best bidder. The bridge ~~, with power in the~~
20 commission shall have the authority to reject any or all bids.

21 Sec. 257. Section 14-1230, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-1230 The plans and specifications, the location, size, type, and
24 method of construction, the boundaries and approaches, and the estimates
25 of cost of construction and acquisition, provided for in sections 14-1228
26 and 14-1229, shall be first submitted to the ~~governing body of the city~~
27 council and receive the its approval of the city council before final
28 adoption by the bridge commission, which shall have no power to proceed
29 further until such approval has been given ~~had~~.

30 Sec. 258. Section 14-1231, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-1231 No contract for acquisition, construction, or incidents
2 thereto, and no liabilities in connection with such contract therewith
3 shall be entered into or incurred by a bridge commission of a city of the
4 metropolitan class until bonds to finance the project have been
5 authorized by the electors of the city in the method provided in section
6 14-1251, or until revenue bonds, as authorized by section 14-1217, have
7 been issued ~~and disposed of~~ by the ~~governing body of the city council~~.

8 Sec. 259. Section 14-1232, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 14-1232 (1) The bridge commission of a city of the metropolitan
11 class shall:

12 (a) Operate ~~operate~~, manage, and control the bridges under the its
13 charge of such commission in their entirety; ~~τ~~

14 (b) Fix ~~fix~~ the rate of tolls of such bridges; ~~τ~~

15 (c) Establish ~~establish~~ bylaws and rules and regulations for the use
16 and operation of such bridges; ~~τ~~

17 (d) Provide ~~provide~~ for the lighting and policing of such bridges;
18 ~~thereof,~~

19 (e) Select ~~and select~~ such employees as the bridge commission ~~it~~
20 deems necessary and fix their compensation; ~~τ~~ and

21 (f) If ~~if~~ and when authorized by the ~~governing body of the city~~
22 council, shall have the power to renew, replace, reconstruct, extend, and
23 enlarge bridges. ~~τ~~

24 (2) The bridge commission ~~but~~ shall not have the power to create
25 liens upon or to mortgage any property unless first authorized by the
26 ~~governing body of the city council~~.

27 Sec. 260. Section 14-1233, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-1233 The bridge commission of a city of the metropolitan class
30 shall keep an accurate record of all its acts, the property entrusted to
31 the bridge commission ~~it~~, the cost of the bridge or bridges, and

1 incidents thereto, the expenditures for maintaining, repairing, and
2 operating such bridges same, and the daily tolls collected. Such ~~, which~~
3 records shall be public records and the property of the city. A
4 semiannual statement shall be published on each bond interest date in the
5 official newspaper of the city. The ~~governing body of the city council~~
6 shall have the power to examine such ~~the~~ accounts at any time, to call
7 for any reports at any time in its discretion, and to require the bridge
8 commission and its employees to appear before the city council ~~it~~ to
9 report or testify at any time.

10 Sec. 261. Section 14-1234, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-1234 The ~~governing body of the city council of a city of the~~
13 metropolitan class, after reasonable notice and hearing, may at any time
14 remove any member of a bridge ~~the~~ commission or discharge any employee of
15 such bridge commission for good cause shown, but not arbitrarily nor for
16 political reasons.

17 Sec. 262. Section 14-1235, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-1235 The accounts and statements of the bridge commission of a
20 city of the metropolitan class shall be audited by or under the direction
21 of the city comptroller semiannually and finally upon the completion of
22 the work of the bridge commission and at such other times as may be
23 directed by the ~~governing body of the city council~~. ~~The~~ ~~, the~~ cost of
24 such audit shall ~~thereof to~~ be charged against the funds provided for in
25 sections 14-1201 to 14-1252.

26 Sec. 263. Section 14-1236, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 14-1236 The ~~governing body of the city council of a city of the~~
29 metropolitan class, and in the absence of action by the city council ~~it~~,
30 the bridge commission of such city, shall have the power to require bonds
31 of officers and employees to require guarantees of deposited money, and

1 to insure the bridges and all property connected with such bridges
2 ~~therewith~~ against every manner of loss or injury.

3 Sec. 264. Section 14-1237, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-1237 Funds under control of the bridge commission of a city of
6 the metropolitan class may be invested in certificates of deposit in
7 national banks, capital stock financial institutions, or qualifying
8 mutual financial institutions or in bonds or other evidences of
9 indebtedness which are general obligations of the United States, the
10 State of Nebraska, ~~or~~ other states, or the city or the cities cooperating
11 as provided in section 14-1202, but only in such a manner as to be
12 immediately available for recapture when needed for the purposes
13 authorized in sections 14-1201 to 14-1252. Section 77-2366 shall apply to
14 deposits in capital stock financial institutions. Section 77-2365.01
15 shall apply to deposits in qualifying mutual financial institutions.

16 Sec. 265. Section 14-1238, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 14-1238 The bridge commission of a city of the metropolitan class is
19 ~~hereby~~ authorized to purchase in the State of Nebraska and in any
20 adjoining state when authorized by such state or the government of the
21 United States, if such authority be necessary, solely from funds provided
22 under the authority of sections 14-1201 to 14-1252, such lands,
23 structures, rights-of-way, franchises, easements, ~~or~~ other interests in
24 lands, including lands under water and riparian rights of any person,
25 railroad, or other public or private corporation, necessary or convenient
26 for the acquisition, construction, extension, ~~or~~ enlargement of such said
27 bridges and approaches to such bridges thereto, upon such terms, prices, ~~or~~
28 or consideration as may be considered by such bridge commission ~~it~~ to be
29 reasonable and can be agreed upon between such bridge commission ~~it~~ and
30 the owner or owners, title to such property thereto to be taken in the
31 name of and to vest in the city.

1 Sec. 266. Section 14-1239, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 14-1239 Whenever it shall be necessary to condemn property in the
4 State of Nebraska for the purpose of constructing, extending, or
5 enlarging any portion of a bridge ~~the bridges~~ or the approaches to such
6 bridge thereto, or securing avenues of access or rights-of-way leading to
7 such ~~the~~ approaches, the bridge commission of a city of the metropolitan
8 class may condemn any interests, franchises, easements, rights, ~~or~~
9 privileges, land, or improvements which may, in the its opinion of such
10 commission, be necessary for the purpose of constructing such bridge ~~the~~
11 ~~bridges~~ or approaches ~~thereto~~, or necessary for rights-of-way or avenues
12 of access leading to such ~~the~~ approaches. Condemnation shall be certified
13 to the ~~governing body of the city~~ council for its action. The procedure
14 to condemn property shall be exercised in the manner set forth in
15 sections 76-704 to 76-724. The bridge commission is further empowered to
16 exercise in any adjoining state such powers of eminent domain as may be
17 conferred upon the bridge commission by any act of Congress of the United
18 States or as may be authorized by the law of that state. No payments of
19 award in any condemnation proceedings ~~proceeds~~ or for the costs of such
20 proceedings or the expense of such proceedings ~~thereof~~, shall be made
21 except from funds provided under the authority of sections 14-1201 to
22 14-1252. Title to property condemned under this section shall be taken in
23 the name of and vest in the city.

24 Sec. 267. Section 14-1240, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-1240 Any individual ~~All individuals~~ or corporation ~~corporations~~
27 having buildings, structures, works, conduits, mains, sewers, wires,
28 tracks, or other obstructions in, over, upon, or adjacent to the public
29 streets, lanes, alleys, or highways or in, under, over or adjacent to the
30 river over which a bridge is ~~the bridges are~~ to be constructed by a city
31 of the metropolitan class, and which shall interfere with or impede the

1 progress of such bridge ~~the bridges~~ and approaches when in process of
2 construction and establishment, shall upon reasonable notice from the
3 bridge commission temporarily so shift, adjust, accommodate, or remove
4 any such interference or impediment ~~the same~~, as fully to meet the
5 exigencies occasioning such action. Upon completion of such construction,
6 the actual cost of such measures ~~thereof~~, if reasonable, otherwise the
7 reasonable cost of such measures ~~thereof~~, and other incidental damages,
8 shall be promptly paid to such person by the bridge commission. In case
9 of disagreement as to reasonable cost, the damages sustained shall be
10 ascertained and determined as provided in sections 76-704 to 76-724 and
11 shall be paid at once by the bridge commission out of funds provided for
12 in sections 14-1201 to 14-1252. Similar powers may be exercised in an
13 adjoining state if and in the manner authorized by an act of Congress or
14 the law of that state.

15 Sec. 268. Section 14-1241, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 14-1241 The ~~governing body of the city~~ council of a city of the
18 metropolitan class shall cause to be assessed the damages to property by
19 reason of the construction and operation of any ~~the complete~~ bridge
20 property and appurtenances and to pay such damages ~~same~~ out of funds
21 provided for in sections 14-1201 to 14-1252. The damages sustained shall
22 be ascertained and determined as provided in sections 76-704 to 76-724.
23 Similar powers may be exercised in an adjoining state if and in the
24 manner authorized by an act of Congress or the law of that state.

25 Sec. 269. Section 14-1242, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-1242 Any public ways or public works, including those of a ~~the~~
28 metropolitan utilities district, damaged or destroyed by reason of the
29 construction ~~building~~ of a bridge ~~such bridges~~ or approaches as provided
30 in sections 14-1201 to 14-1252 shall be restored or repaired by or at the
31 expense of the bridge commission created by a city of the metropolitan

1 class and placed in their original condition as near as practicable, or,
2 at the option of the owner ~~owners~~ of such property, such property the
3 ~~same~~ may be repaired or restored by the owner and the bridge commission
4 shall reimburse the owner for the reasonable cost of such repair or
5 restoration thereof.

6 Sec. 270. Section 14-1243, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-1243 Any bridge ~~local~~ commission of a city of the metropolitan
9 class provided for in sections 14-1227 and 14-1244 may be dissolved by
10 the ~~governing body of the city~~ council at any time after the acquisition,
11 construction, and equipment of any the complete bridge or bridges under
12 ~~within~~ its care have been completed and all the costs of such bridges
13 ~~thereof~~ have been paid from the funds provided by the bond issues
14 provided for in sections 14-1215 to 14-1217 and 14-1223. ~~The Thereupon~~
15 ~~the governing body of the city~~ council shall assume the further duties in
16 connection with any such bridges ~~bridge~~, including the operation,
17 maintenance, and repair of such bridges ~~thereof~~, the administration of
18 funds, the collection of tolls, and all other necessary or proper acts.
19 At any time the city council ~~thereafter~~ it may create a new bridge
20 commission to effect any of the purposes ~~or objects~~ authorized by
21 sections 14-1201 to 14-1252.

22 Sec. 271. Section 14-1244, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-1244 (1) In case the ~~governing body of any city~~ council of a
25 city of the metropolitan class ~~designated in section 14-1201~~, having been
26 authorized by the electors as required in section 14-1251, shall at any
27 stage of the proceedings determine to cooperate with any such properly
28 authorized political subdivision in this or an adjoining state in the
29 joint acquisition and operation of any a bridge or bridges, a joint
30 bridge commission shall be created.

31 (2) Such joint bridge commission shall be created and the members

1 selected by the action of each political unit cooperating, in the same
2 manner provided for the creation of a local bridge commission by the
3 statutes applicable to each political unit, and upon which representation
4 may be proportioned to the respective contribution of funds by the
5 political units cooperating for the purpose of such acquisition except ;
6 ~~Provided,~~ that the total membership shall not exceed ten members. The
7 joint bridge commission shall select a chairperson ~~chairman~~ and a vice-
8 chairperson ~~vice-chairman~~ to represent each political subdivision
9 cooperating in the enterprise and shall maintain a single office at the
10 place selected by the joint bridge commission but for legal purposes
11 shall be domiciled within the jurisdiction of each political unit
12 cooperating and shall have the power to sue and be sued. The joint bridge
13 ~~This~~ commission shall constitute a public body corporate and politic,
14 shall select and adopt its own name, and shall be vested with such powers
15 and subject to such conditions as may be conferred and imposed by the
16 government of the United States and such powers and conditions in the
17 State of Nebraska as are conferred and imposed in sections 14-1201 to
18 14-1252 upon a local bridge commission, and such powers and subject to
19 such conditions in an adjoining state as may be conferred and imposed by
20 the laws of such state.

21 (3) The plans and specifications, the location, size, type, and
22 method of construction, the boundaries and approaches, and the estimates
23 of the costs of construction, acquisition of property, and financing,
24 shall be first submitted to the governing bodies of the political units
25 cooperating and receive their approval by resolution before final
26 adoption by the joint bridge commission, which shall not enter into
27 contracts and shall have no power to proceed further unless and until
28 such approval has been given ~~had~~.

29 (4) If such joint bridge commission is created after any work has
30 been done, any funds provided, or any liabilities incurred by the
31 ~~governing body of the city council~~ or by a local bridge commission, such

1 joint bridge commission shall take over, succeed to, assume and be liable
2 for such work, funds, or liabilities therefor.

3 Sec. 272. Section 14-1245, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-1245 A city of the metropolitan class is ~~The cities specified in~~
6 ~~section 14-1201~~ are authorized and empowered to authorize or require a
7 ~~said~~ joint bridge commission created pursuant to section 14-1244 to
8 conduct and to complete the sale of bonds provided for in sections
9 14-1215 to 14-1217 and 14-1223 at the same time and to the same purchaser
10 under the best conditions obtainable, together with the bonds of the
11 political subdivision with which such joint bridge commission ~~it~~ is
12 cooperating so that the benefits of a joint offering and sale may be
13 obtained. The funds derived from the sale of the bonds of all political
14 subdivisions cooperating may be mingled and shall be administered and
15 expended by the joint bridge commission as one common fund. As nearly as
16 may be, and subject to any rules and regulations which may be adopted by
17 the joint bridge commission for that purpose, the fund shall be deposited
18 and maintained in equitable proportions within the territory of each
19 political subdivision, and applied to the purchase or redemption of the
20 separate bond issues in an equitable manner. All contracts, evidences of
21 indebtedness, and payment vouchers shall be signed by the treasurer and
22 countersigned by each vice-chairperson ~~vice-chairman~~.

23 Sec. 273. Section 14-1246, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 14-1246 Title to all real and personal property and to a ~~the~~
26 ~~completed~~ bridge constructed by a joint bridge commission and all ~~its~~
27 appurtenances and incidents to such bridge shall vest in the political
28 subdivisions cooperating as tenants in common in the same proportion as
29 the contributions made to the joint fund as provided in section 14-1245.
30 In the event of the inability of the governing bodies of the political
31 subdivisions cooperating or the their joint bridge commission to agree,

1 the specific controversy may be submitted to arbitration in such manner
2 as may be agreed upon by the parties.

3 Sec. 274. Section 14-1247, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-1247 Any city of the metropolitan class exercising specified in
6 ~~section 14-1201 desiring to exercise~~ the power as granted in section
7 14-1202 to jointly purchase by bargain and sale any existing bridge may
8 do so either when the electors have authorized such joint purchase or
9 have authorized any independent purchase of such bridge. The ~~governing~~
10 ~~body of the city council may is authorized to~~ enter into a joint contract
11 with the other political unit as to all the conditions of purchase and
12 the conditions of subsequent reconditioning, operation, toll charges,
13 repair, maintenance, renewal, replacement, enlargement, and extension of
14 such bridge. Title to the bridge shall vest in the political units
15 cooperating as tenants in common and operation shall be by the joint
16 bridge commission provided for in section 14-1244 and subject to the
17 conditions provided with reference to such joint bridge commission.

18 Sec. 275. Section 14-1248, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-1248 (1) Any city of the metropolitan class specified in section
21 ~~14-1201~~ may acquire an existing bridge by entering into joint
22 condemnation proceedings with other political units, as authorized by in
23 section 14-1202. Where the property to be condemned is situated within
24 the jurisdiction of more than one political unit or partly in the State
25 of Nebraska and partly in an adjoining state, the political units
26 cooperating shall first enter into a contract electing in what
27 jurisdiction and in which state a single joint proceeding to condemn the
28 property as an entirety shall be instituted and the proceedings shall be
29 conducted subject to the law of and in the manner provided for that
30 jurisdiction, or such proceedings may be conducted subject to the law and
31 in the manner provided by an act of Congress conferring the power of

1 condemnation where the property to be acquired is situated in more than
2 one state.

3 (2) For purposes of this section ~~this purpose,~~ cities of the
4 metropolitan class in this state ~~and specified in section 14-1201~~ are
5 authorized to become parties to a single proceeding in an adjoining state
6 and to subject themselves to the law of that state governing such
7 proceedings. In the event of such joint proceedings in this state, the
8 procedure to condemn property shall be exercised in the manner set forth
9 in sections 76-704 to 76-724.

10 (3) The contract provided for in this section ~~provided for~~ shall be
11 similar to the contract provided for in section 14-1247, ~~and shall also~~
12 fix the proportionate contribution to be made by each political unit
13 cooperating, ~~and shall also~~ provide for the creation of a joint bridge
14 commission to take over the operation of the property in the event of its
15 acquisition, subject to the conditions provided in sections 14-1244 to
16 14-1250 with reference to such joint bridge commission.

17 (4) Title to the property condemned under this section shall vest in
18 the political units cooperating as tenants in common when, as, and if the
19 approval of the electors has been given ~~had~~ as provided in section
20 14-1251.

21 Sec. 276. Section 14-1249, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 14-1249 Whenever the electors of any city of the metropolitan class
24 ~~city shall~~ have authorized the construction of a bridge as provided in
25 section 14-1201, the ~~governing body of the city~~ council shall have the
26 power to construct such bridge independently or jointly with any state or
27 political unit as authorized in section 14-1202. Such cities are
28 authorized to enter into any contract which may be necessary to
29 effectuate this purpose. The title to all property thus acquired shall
30 vest in the political units cooperating as tenants in common. The actual
31 control of all construction and subsequent operation, including all

1 property necessary to the ~~completed~~ bridge, and all maintenance and
2 repair of such bridge thereof, and all funds and the collection and
3 custody of tolls, shall vest in a joint bridge commission as provided in
4 section 14-1244. Such joint bridge, ~~which~~ commission and its control
5 shall not be terminated until such tenancy in common is ~~shall be~~
6 terminated.

7 Sec. 277. Section 14-1250, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-1250 Any city in an adjoining state which has been properly
10 authorized by the laws of that state or the United States, may exercise
11 in the State of Nebraska any and all of the powers granted in sections
12 14-1201 to 14-1252 to cities in Nebraska, subject to the conditions and
13 requirements of such ~~said~~ sections.

14 Sec. 278. Section 14-1251, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-1251 (1) Elections on propositions arising in connection with
17 the exercise of any of the powers granted by sections 14-1201 to 14-1252
18 may be submitted by the ~~governing body of the city~~ council of a city of
19 the metropolitan class to the electors of such city thereof at any
20 general, city, or state election or at any special election called for
21 that purpose. Any, ~~and any~~ proposition shall be carried if a majority of
22 the electors voting on such proposition ~~thereon~~ vote in favor of such
23 proposition thereof.

24 (2) No bridge shall be finally or irrevocably acquired, whether by
25 purchase, ~~or by~~ condemnation, or by construction, until such action and
26 the necessary financing ~~shall~~ have been approved by a majority of the
27 electors voting on the proposition at a general city or state election or
28 at a special election called for that purpose, or ~~shall~~ have been
29 approved by the ~~governing body of the city~~ council, as authorized by such
30 ~~said~~ sections.

31 (3) Two or more propositions or questions may be submitted at the

1 same election and on the same ballot provided each is so presented that
2 the electors may vote separately upon each proposition. A vote of the
3 electors authorizing independent action shall be held to also authorize
4 joint action for the purpose so authorized but a vote on a proposition of
5 joint action shall not be held to authorize independent action.

6 ~~(4) The governing body of the city council is hereby~~ authorized to
7 determine what shall be included in the proposition to be stated in
8 notices of election and upon the ballots in its full discretion, except
9 that any proposition must indicate whether the bridge shall be acquired
10 by ~~the purchase, or~~ by the condemnation of an existing bridge, or by the
11 construction of a new bridge, and the kind of bonds to be issued to
12 finance such bridge ~~the same~~ and the amount of such bonds may be set
13 forth in any manner authorized in such said sections.

14 Sec. 279. Section 14-1252, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 14-1252 Any ~~If any such~~ city of the metropolitan class that has
17 ~~shall have~~ adopted a home rule charter ~~it~~ may exercise any powers granted
18 in sections 14-1201 to 14-1251 in the method ~~herein~~ provided by this
19 section or by ~~in~~ such other method, in whole or in part, as may from time
20 to time be provided in whole or in part by such said home rule charter.
21 The powers ~~hereby~~ conferred by such sections shall ~~are to~~ be exercised
22 without any restriction or limitation under the home rule city charter or
23 laws of the state except the provisions of the Constitution of Nebraska
24 ~~the state~~, and are supplementary and additional to powers which have been
25 or may hereafter be conferred upon the city by the laws of the state or
26 such home rule charter of the city. All powers granted or provided to be
27 conferred upon ~~the~~ bridge commissions authorized by such said sections
28 are likewise granted to and conferred upon and may be exercised by the
29 ~~governing body of the city council and such the governing body of the~~
30 city council may delegate to any bridge commission created for such city
31 under such said sections, in the discretion of such city council

1 ~~governing body~~, any or all of the powers, privileges, and rights of
2 approval and restraint conferred upon it by such said sections.

3 Sec. 280. Section 14-1702, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-1702 The Legislature finds and declares that ~~It is hereby~~
6 ~~determined and declared as a matter of legislative finding and policy:~~

7 (1) Traffic ~~That the traffic~~ in the streets of the business section
8 of ~~metropolitan~~ cities of the metropolitan class has become congested by
9 the great number of motor vehicles entering and traversing such streets,
10 and the trend is for an ever-increasing number of vehicles on such
11 streets and that, unless appropriate action is taken, the congestion will
12 become worse and constitute a public nuisance;

13 (2)(a) Such ~~(2) That (a)~~ the traffic congestion has created a hazard
14 to life, limb, and property of those using such streets, (b) the free
15 circulation of traffic of all kinds is necessary to the health, safety,
16 and general welfare of the public, and (c) any impeding of the free flow
17 of traffic might seriously affect the rapid and effective fighting of
18 fires and the disposition of the police force and emergency vehicles;

19 (3) There ~~That there~~ is insufficient space, on the streets or places
20 adjacent to such streets ~~thereto~~, to provide the required parking and
21 that convenient offstreet parking would facilitate the free flow of
22 traffic. The space below the surface of property, owned by the county for
23 courthouse sites or other public uses, and the space below the surface of
24 the streets could properly and beneficially be used for parking areas and
25 such use would promote public safety, convenience, and welfare; and

26 (4) Providing ~~That providing~~ for the relieving of traffic congestion
27 is a matter of public welfare, of general public interest, of statewide
28 concern, and within the powers reserved to the state.

29 Sec. 281. Section 14-1703, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-1703 As used in sections 14-1701 to 14-1725, unless the context

1 otherwise requires:

2 (1) Authority ~~means a parking authority shall mean the body politic~~
3 ~~and corporate~~ created pursuant to the Parking Authority Law sections
4 ~~14-1701 to 14-1725;~~

5 (2) Board means the governing body of such authority, constituted as
6 is provided by section 14-1705;

7 (2) ~~Facilities shall mean the entire subsurface parking area and all~~
8 ~~improvements therein or appurtenances used in connection therewith,~~
9 ~~including entrances and exits, and all equipment, machinery, and~~
10 ~~accessories necessary or convenient for the parking of vehicles;~~

11 (3) City means ~~shall mean~~ the city of the metropolitan class which
12 requested the Governor to establish a parking authority within the city;

13 (4) County means ~~shall mean~~ the county in Nebraska where the
14 authority is located; and

15 (5) Facilities means the entire subsurface parking area and all
16 improvements in such parking area or appurtenances used in connection
17 with such parking area, including entrances and exits, and all equipment,
18 machinery, and accessories necessary or convenient for the parking of
19 vehicles.

20 (5) ~~The authority shall be deemed located in the county where the~~
21 ~~city requesting the establishment of the authority is located; and~~

22 (6) ~~Board shall mean the governing body of such authority,~~
23 ~~constituted as is provided by section 14-1705.~~

24 Sec. 282. Section 14-1704, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 14-1704 The Governor shall establish a parking authority whenever
27 requested by the city council ~~governing body~~ of a city of the
28 metropolitan class in which the county seat is located. The authority
29 shall be established by the Governor issuing a proclamation declaring the
30 existence of such an authority and filing a copy of such proclamation
31 thereof with the Secretary of State. The authority shall be a body

1 corporate and politic to be known as Parking Authority,
2 therein inserting the name of the city requesting the authority. Such an
3 authority shall be a governmental subdivision of the State of Nebraska
4 with the powers and authority provided by the Parking Authority Law
5 ~~sections 14-1701 to 14-1725~~. Such authority is declared to be an
6 instrumentality of the state exercising public and essential governmental
7 functions in the performance of the powers conferred upon it by the
8 Parking Authority Law, and shall be deemed located in the county where
9 the city requesting the establishment of the parking authority is located
10 ~~sections 14-1701 to 14-1725~~.

11 Sec. 283. Section 14-1705, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-1705 (1) The governing body of the authority shall be a board
14 consisting of seven members, two of whom shall, ~~ex officio,~~ be the mayor
15 of the city requesting the establishment of the authority and the
16 chairperson ~~chairman~~ of the board of county commissioners of the county
17 in which ~~wherein~~ the authority is located, both serving as ex officio
18 members. Each of these ex officio members shall serve without bond during
19 their respective terms as mayor and chairperson ~~chairman~~.

20 (2) The remaining five members shall be residents of the county in
21 which the authority is located. Two of such these members shall be
22 originally appointed for a term of two years and three for a term of four
23 years from the date of their appointment, and thereafter the members
24 shall hold office for a term of four years and until their successors are
25 appointed and have qualified. The Governor, in making the original
26 appointments, shall designate the term of each appointee. Any vacancy, ~~in~~
27 the appointed members of the board for any reason, ~~shall be filled for~~
28 the unexpired term by an appointment by the Governor. No appointive
29 member shall hold office for more than three successive full terms.

30 (3) Each appointive member, before entering upon the duties of his
31 office, shall file with the Secretary of State an oath that such person

1 he will duly and faithfully perform to the best of such person's ~~his~~
2 ability all duties of such ~~his~~ office, as provided in the Parking
3 Authority Law sections 14-1701 to 14-1725, and a bond in the penal sum of
4 five thousand dollars executed by one or more qualified sureties for the
5 faithful performance of all such person's ~~his~~ duties as a member of the
6 board of such authority. If any appointive member fails to file such oath
7 and bond with the Secretary of State within thirty days after written
8 notice of such appointment, the office shall be deemed to be vacant and a
9 new appointment made.

10 Sec. 284. Section 14-1706, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-1706 The board authority shall annually elect a chairperson and
13 vice-chairperson from its members and a secretary and treasurer who shall
14 not be a member of the board authority. A quorum for the transaction of
15 business shall consist of four members of the board authority. The
16 affirmative vote of four members shall be necessary for any action taken
17 by the board authority. No vacancy in the membership shall impair the
18 right of the quorum to exercise all the rights and perform all the duties
19 of the board authority. The members of the board authority shall receive
20 no compensation for services rendered, but shall be reimbursed for all
21 expenses incurred by them in the exercise of their duties in the same
22 manner as provided in section 23-1112 for county officers and employees
23 and for the cost of their bonds. The secretary and treasurer may be
24 compensated in such amounts as the board shall fix ~~authority~~ from time to
25 time ~~shall fix~~, and such persons ~~he or she~~ may be required to give bond,
26 in the amount prescribed by the board authority, before entering upon the
27 ~~his or her~~ duties of ~~as such~~ secretary or ~~and~~ treasurer. The premium of
28 such bond shall be paid for by the board authority.

29 Sec. 285. Section 14-1707, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 14-1707 (1) For the purpose of accomplishing the object and purpose

1 of the Parking Authority Law sections 14-1701 to 14-1725, the authority
2 shall possess all the necessary powers of a public body corporate and
3 governmental subdivision of the State of Nebraska, including the
4 following powers which shall not be construed as a limitation on the
5 general powers ~~herein~~ conferred by the Parking Authority Law:

6 (a) ~~(1)~~ To adopt bylaws for the regulation of its affairs and for
7 the conduct of its business;

8 (b) ~~(2)~~ To adopt the official seal of the authority and to alter
9 such seal the same at pleasure;

10 (c) ~~(3)~~ To maintain an office within the county where the authority
11 is located;

12 (d) ~~(4)~~ To sue and be sued in its own name;

13 (e) ~~(5)~~ To make and enter into any and all contracts and agreements
14 with any individual, public or private corporation, or agency of this
15 state or the United States, as may be necessary or incidental to the
16 performance of its duties and the execution of its powers under the
17 Parking Authority Law provisions of sections 14-1701 to 14-1725;

18 (f) ~~(6)~~ To acquire, lease, and hold such real or personal property
19 or any rights, interest, or easements in such property therein as may be
20 necessary or convenient for the purpose of the authority and to sell,
21 assign, and convey such property the same;

22 (g) ~~(7)~~ To (i) ~~(a)~~ employ a general manager, engineers, accountants,
23 attorneys, financial experts, and such other employees and agents as the
24 authority ~~it~~ may deem ~~to be~~ necessary, (ii) ~~(b)~~ fix the ~~their~~
25 compensation of such employees and agents, and (iii) ~~(c)~~ discharge such
26 employees and agents the same;

27 (h) ~~(8)~~ To borrow money and issue and sell negotiable bonds, notes,
28 or other evidence of indebtedness, to provide for the rights of the
29 holders of such bonds, notes, or other evidence of indebtedness thereof,
30 and to pledge all or any part of the income of the authority received, as
31 provided in the Parking Authority Law sections 14-1701 to 14-1725, to

1 secure the payment thereof, except that ~~;~~ ~~Provided,~~ the authority shall
2 not have the power to pledge the credit or taxing power of the state or
3 any political subdivision thereof or to place any lien or encumbrance on
4 property owned by the state, the county, or the city which requested the
5 establishment of ~~used by~~ the authority;

6 (i) ~~(9)~~ To receive and accept from the federal government, or any
7 agency thereof, the State of Nebraska, or any subdivision thereof, or
8 from any person or corporation, donations or grants for or in aid of the
9 construction of ~~the~~ parking facilities, and to hold, use, and apply such
10 donations or grants ~~the same~~ for the purpose for which such donations or
11 grants or donations may have been made; and

12 (j) ~~(10)~~ To have and exercise all powers usually granted to the
13 board of directors of corporations which are necessary or convenient to
14 carry out the powers given the authority under the Parking Authority Law.
15 ~~provisions of sections 14-1701 to 14-1725;~~

16 (2) ~~(11)~~ The authority shall operate only in the county in which it
17 is located. ~~;~~ ~~and~~

18 (3) ~~(12)~~ The authority shall have no rights of eminent domain.

19 Sec. 286. Section 14-1708, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-1708 Upon establishing an ~~the~~ authority, the county in which ~~;~~
22 ~~wherein~~ the authority is located, shall grant to the authority the right
23 to use any space below the plot of ground used as a courthouse site and
24 such portion of the surface of such ~~said~~ plot not then used by the county
25 for a courthouse ~~located thereon~~. The city shall likewise grant to the
26 authority the right to use the space below the surface of the streets
27 abutting on such ~~said~~ courthouse site including the street intersections
28 connecting such ~~said~~ streets. The governing bodies of the county and city
29 shall have the authority to execute the required grants without a vote of
30 the electorate or any authorization other than that contained in the
31 Parking Authority Law ~~sections 14-1701 to 14-1725~~. All such grants shall

1 be for a period of fifty years. The authority may also acquire by lease,
2 purchase, gift, grant, or any lawful manner, such adjoining privately
3 owned property as may be necessary or convenient for the exercise of its
4 powers for the construction of entrances to or exits from its ~~parking~~
5 facilities.

6 Sec. 287. Section 14-1709, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-1709 The authority shall construct and maintain ~~subsurface~~
9 ~~parking~~ facilities at the location acquired under section 14-1708, with
10 all necessary entrances, exits, air vents, and other appurtenances
11 required for an efficient facilities ~~subsurface parking~~ facility. In
12 constructing and maintaining the ~~parking~~ facilities, the surface above
13 such facilities ~~the facility~~ shall not be disturbed more than shall be
14 necessary. Any portion of such location ~~thereof~~ not required by the
15 facilities ~~facility~~ shall, on completion of the facilities ~~facility~~, be
16 restored to a good usable condition. If it is necessary to relocate or do
17 other work to protect any sewer line or utility, the authority shall do
18 the necessary work or bear the expense of such relocation or other work
19 ~~thereof~~ and the authority shall reimburse the county and city for any
20 expense or liability incurred as a result of the construction or
21 maintenance of the facilities ~~facility~~. The authority shall also protect
22 the owners of private property abutting the facility against loss of
23 lateral support for improvements erected on their property at the time of
24 the construction of the facilities or reimburse such owners ~~them~~ for
25 expenses incurred as a result of the removal of such ~~said~~ support, but
26 neither the state, county, city, nor authority shall be otherwise liable
27 to such owners. The county and city shall cooperate with the authority
28 and make available to the authority without cost any information such
29 county or city ~~it~~ has that would be useful to the authority in the
30 construction of the facilities. The ~~parking~~ authority shall not construct
31 any private entrances or grant the right to others to construct private

1 entrances to its ~~parking~~ facilities.

2 Sec. 288. Section 14-1710, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-1710 All purchases and all contracts relating to the
5 construction, maintenance, improvement, or extension of the authority's
6 facilities, except other than contracts relating to the acquiring of real
7 property or some interest in such real property ~~therein~~ or contracts of
8 employment or some specialized service, involving the expenditure of two
9 thousand dollars or more, shall be let to the lowest responsible bidder
10 after not less than twenty days' public notice of request for bids.

11 Sec. 289. Section 14-1711, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 14-1711 The authority shall lease or grant concessions for the use
14 of its ~~the~~ facilities or various portions of such facilities ~~thereof~~ to
15 one or more operators to provide for the efficient operation of the
16 facilities. All leases or concessions shall be let on a competitive basis
17 and no lease or concession shall run for a period in excess of thirty
18 years. In granting any lease or concession, the authority shall retain
19 such control of the facilities as may be necessary to insure that the
20 facilities will be properly operated in the public interest and that the
21 prices charged are reasonable.

22 Sec. 290. Section 14-1712, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 14-1712 (1) The authority may from time to time borrow such money,
25 as authorized in this section or subdivision (1)(h) ~~(8)~~ of section
26 14-1707, as it may require in the exercise of its powers and duties, and
27 to evidence such borrowings and to fund or refund any bonds or interest
28 on such bonds ~~thereon~~ or other indebtedness it may have outstanding,
29 issue its negotiable bonds as ~~herein~~ provided in this section. ÷

30 (2) ~~(1)~~ The principal and interest of the bonds shall be payable
31 only out of the revenue, income, and money of the authority, and shall

1 not constitute a debt or liability of the state or any political
2 subdivision thereof, other than of the ~~this~~ authority, and neither the
3 credit nor the taxing power of the state or any political subdivision
4 thereof, other than the ~~this~~ authority, shall be pledged for the payment
5 of such ~~said~~ bonds, and all bonds shall bear on their face a statement to
6 such ~~that~~ effect. The bonds shall mature at such time or times, not
7 exceeding twenty-five years from their date, as may be determined by the
8 authority. Such bonds may be redeemable before maturity at the option of
9 the authority at such price or prices, and under such terms and
10 conditions as may be fixed by the authority prior to the issuance of the
11 bonds. The authority shall determine the form of the bonds and fix the
12 denominations and place of payment, which may be at any bank or trust
13 company within or outside ~~without~~ the state. The bonds shall be signed by
14 the chairperson ~~chairman~~ of the authority, or bear the chairperson's ~~his~~
15 facsimile signature. The seal of the authority shall be impressed on such
16 bonds ~~thereon~~, and attested by the secretary and treasurer of the
17 authority. Any coupons attached to such bonds ~~thereto~~ shall bear the
18 facsimile signature of the chairperson ~~chairman~~ of the authority. In case
19 any officer, whose facsimile signature or signature shall appear on any
20 bond or coupon, shall cease to be such officer before the delivery of
21 such bonds, such signature or such facsimile shall nevertheless be valid
22 and sufficient for all purposes, the same as if such person ~~he~~ had
23 remained in office until such delivery;

24 (3) ~~(2)~~ The bonds issued under the Parking Authority Law ~~provisions~~
25 ~~of sections 14-1701 to 14-1725~~ in negotiable form shall have and are
26 hereby declared to have all the qualities and incidents of negotiable
27 instruments under the Uniform Commercial Code of the state. The bonds may
28 be issued in coupon or in registered form, or both. The authority may
29 sell such bonds in such a manner and for such price as it determines in
30 ~~may determine to be for~~ the best interests of the authority; and

31 (4) ~~(3)~~ Prior to the preparation of definitive bonds, the authority

1 may, under like restrictions, issue interim receipts or temporary bonds,
2 with or without coupons, exchangeable for definitive bonds when such
3 bonds shall have been executed and are available for delivery. The
4 authority may also provide for the replacement of any bonds which ~~shall~~
5 become mutilated, ~~or shall be destroyed,~~ or lost.

6 Sec. 291. Section 14-1713, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 14-1713 ~~At In~~ the discretion of the authority, any bonds issued
9 under the provisions of the Parking Authority Law ~~sections 14-1701 to~~
10 ~~14-1725~~ may be secured by trust agreement by and between the authority
11 and a corporate trustee which may be any trust company or bank having the
12 powers of a trust company within or outside ~~without~~ the state. Such trust
13 agreement may contain provisions which shall be deemed to be for the
14 benefit of the trustee or holders of the bonds as to:

15 (1) The pledging of all or any part of the income, receipts, and
16 revenue of the authority to secure the payment of the bonds or any issue
17 of bonds, subject to such agreement with bondholders as may then exist;

18 (2) Provisions for protecting and enforcing the rights and remedies
19 of the bondholders, including the establishment of reasonable charges,
20 construction, improvement, maintenance, and operation of the authority's
21 facilities and insurance upon its properties;

22 (3) The appointment of a trustee, fiduciary, or depository for the
23 collection, deposit, and disbursement of the funds of the authority;

24 (4) Limitations on the issuance of additional bonds and the terms
25 upon which additional bonds may be issued and secured and the issuance of
26 refunding bonds;

27 (5) The procedure by which any contract with the bondholders may be
28 amended or modified;

29 (6) The keeping of records and making reports to the trustee or
30 bondholders;

31 (7) The rights and remedies of the trustee and the bondholders and

1 restrictions on individual actions by the bondholders; and

2 (8) Any additional provisions which may be reasonable and proper for
3 the security of the bondholders.

4 Sec. 292. Section 14-1714, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-1714 Any pledge of revenue or other money of the authority made
7 by the authority, in accordance with the Parking Authority Law provisions
8 ~~of sections 14-1701 to 14-1725~~, shall be valid and binding from the time
9 when such ~~the~~ pledge is made, and ~~÷~~ the revenue or other money so pledged
10 and thereafter received by the authority shall immediately be subject to
11 the lien of such pledge without any ~~delivery thereof~~ or further act. The
12 lien of any such pledge shall be valid and binding as against all parties
13 having claims of any kind, sort, contract, or otherwise against the
14 authority, irrespective of whether or not such parties have notice of
15 such pledge ~~thereof~~. Neither the resolution nor any other instrument by
16 which a pledge is created need be recorded.

17 Sec. 293. Section 14-1715, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-1715 The holder of any bonds or coupons appertaining to such
20 bonds or coupons issued by the authority ~~thereto~~, unless the trust
21 agreement vests the right of action solely in the trustee, then the
22 trustee, may by civil action or proceedings, protect and enforce any and
23 all rights under the trust agreement covering the issuance of such ~~said~~
24 bonds, and may enforce and compel the performance of all duties required
25 by the Parking Authority Law ~~sections 14-1701 to 14-1725~~ or trust
26 agreement to be performed by the authority or any officer of the
27 authority ~~thereof~~ and the court having jurisdiction of the proceedings
28 may, if necessary for the protection of the bondholders, appoint a
29 receiver or other administrator to operate the facilities until such time
30 as the obligations to the bondholders have been paid in full. No
31 execution shall be levied upon, or sale made ~~had~~, of any properties

1 belonging to the authority which are necessary for the operation of the
2 facilities.

3 Sec. 294. Section 14-1716, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-1716 Nothing in the Parking Authority Law sections ~~14-1701 to~~
6 ~~14-1725~~ shall be construed (1) as granting to the authority any power to
7 alienate or encumber any real property belonging to the state or any of
8 its political subdivisions, (2) to grant to the authority any right or
9 power to pledge the credit of the State of Nebraska, or any of its
10 subdivisions, or (3) to give the authority any power to levy or assess
11 taxes.

12 Sec. 295. Section 14-1717, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 14-1717 Before delivering any bonds, the authority shall prepare a
15 written statement under oath setting forth its proceedings authorizing
16 the issuance of the bonds and a copy of the trust or other bond agreement
17 executed in connection with such bonds therewith.

18 Sec. 296. Section 14-1718, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-1718 Bonds issued by the authority under the Parking Authority
21 Law ~~provisions of sections 14-1701 to 14-1725~~ are hereby made securities
22 in which the state and all political subdivisions of the state, their
23 officers, boards, commissions, departments, or other agencies, all banks,
24 bankers, savings banks, trust companies, savings and loan associations,
25 investment companies, insurance associations, and other persons carrying
26 on an insurance business, and all administrators, executors, guardians,
27 trustees, and other fiduciaries, and all other persons who are now or may
28 hereafter be authorized to invest in bonds or other obligations of the
29 state, may properly and legally invest any funds, including capital
30 belonging to them or within their control. Such bonds or other securities
31 or obligations are hereby made securities which may properly and legally

1 be deposited with and received by any state or municipal officers or
2 agency of the state for any purpose for which the deposit of bonds or
3 other obligations of the state is now or may hereafter be authorized by
4 law.

5 Sec. 297. Section 14-1719, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 14-1719 All money received by the authority from whatever source,
8 including sale of its bonds, shall be deemed to be public trust funds to
9 be held and applied in the manner provided in the Parking Authority Law
10 and under such restrictions, if any, as the authority may provide in any
11 resolution authorizing the issuance of bonds or bond agreement executed
12 by the authority. Such ~~it.~~ The money shall be deposited in such banks,
13 capital stock financial institutions, qualifying mutual financial
14 institutions, or trust companies as may be selected by the authority from
15 time to time. Section 77-2366 shall apply to deposits in capital stock
16 financial institutions. Section 77-2365.01 shall apply to deposits in
17 qualifying mutual financial institutions.

18 Sec. 298. Section 14-1721, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-1721 The authority shall not be required to pay any taxes or
21 assessments upon its facilities or properties acquired by it and used for
22 a public purpose. Bonds issued under the Parking Authority Law, their
23 transfer and income from such bonds ~~therefrom~~, including any profits made
24 from the sale of such bonds ~~thereof~~, shall be exempt from taxation.

25 Sec. 299. Section 14-1722, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-1722 The authority shall keep a full set of books and records
28 showing all of its transactions according to the best business practices.
29 The Auditor of Public Accounts shall cause the books of the account to be
30 examined and audited annually by a certified public accountant under ~~his~~
31 direction of the Auditor of Public Accounts. The reports of all audits

1 made by the Auditor of Public Accounts shall be made and remain a part of
2 the public records in such ~~his~~ office. The expense of such audits shall
3 be paid out of the funds of the authority. The auditor shall be given
4 access to all books, papers, contracts, documents, and memoranda of every
5 kind and character and be furnished all additional information that may
6 be essential to the making of a comprehensive and correct audit.

7 Sec. 300. Section 14-1723, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-1723 The authority shall not be terminated by any act of the
10 state prior to the payment in full of all obligations incurred by the
11 authority. Unless terminated prior to such date ~~thereto~~, the authority
12 shall terminate at the end of fifty years from the date of its
13 establishment and ~~it~~ shall ~~forthwith~~ liquidate its affairs and convey to
14 the city and county respectively any improvements on the property
15 contributed by them. Any surplus funds shall be distributed to the county
16 and city in the manner provided by section 14-1720 ~~and thereupon the~~
17 ~~authority shall cease to exist.~~

18 Sec. 301. Section 14-1724, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-1724 In the event the authority fails to commence the
21 construction of the ~~parking~~ facilities within three years from the date
22 of the proclamation issued by the Governor under ~~, as provided for by~~
23 section 14-1704~~,~~ establishing the authority, the authority shall
24 terminate and any leases, grants, or rights obtained from the city or
25 county shall ~~forthwith~~ terminate and revert to the city and county
26 respectively.

27 Sec. 302. Section 14-1725, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 14-1725 The Parking Authority Law ~~provisions of sections 14-1701 to~~
30 ~~14-1725~~ shall be independent of and in addition to any other provisions
31 of law ~~provision of the laws~~ of the State of Nebraska with reference to

1 the matters covered by such law hereby and shall be considered as a
2 complete and independent act and not as amendatory of or limited by any
3 other provisions of law ~~provision of the laws~~ of the State of Nebraska.
4 If any provision of the Parking Authority Law ~~sections 14-1701 to 14-1725~~
5 is held unconstitutional or invalid, it shall not affect the other
6 provisions of such law ~~sections 14-1701 to 14-1725~~.

7 Sec. 303. Section 14-1726, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 14-1726 The Legislature finds and declares that ~~It is hereby~~
10 ~~determined and declared as a matter of legislative finding and policy:~~

11 (1) Traffic ~~That the traffic~~ in the streets of the business section
12 of ~~metropolitan~~ cities of the metropolitan class has become congested by
13 the great number of motor vehicles entering and traversing such streets,
14 and the trend is for an ever-increasing number of vehicles on such
15 streets and that, unless appropriate action is taken, the congestion will
16 become worse and constitute a public nuisance;

17 (2)(a) Traffic ~~(2) That (a) the traffic~~ congestion has created a
18 hazard to life, limb, and property of those using such streets, (b) the
19 free circulation of traffic of all kinds is necessary to the health,
20 safety, and general welfare of the public, and (c) any impeding of the
21 free flow of traffic might seriously affect the rapid and effective
22 fighting of fires and the disposition of the police force and emergency
23 vehicles;

24 (3) There ~~That there~~ is insufficient space, on the streets or places
25 adjacent to such streets ~~thereto~~, to provide the required parking and
26 that convenient offstreet parking would facilitate the free flow of
27 traffic. The space below the surface of property, owned by the county for
28 courthouse sites or other public uses, the space below the surface of the
29 streets, and the space above and below the surface of an area adjacent to
30 public buildings within the civic center of such city could properly and
31 beneficially be used for parking areas and such use would promote public

1 safety, convenience, and welfare; and

2 (4) ~~Providing That providing~~ for the relieving of traffic congestion
3 is a matter of public welfare, of ~~or~~ general public interest, of
4 statewide concern, and within the powers reserved to the state.

5 Sec. 304. Section 14-1727, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 14-1727 As used in sections 14-1726 to 14-1730, unless the context
8 otherwise requires:

9 (1) Parking facilities means ~~shall mean~~ the entire surface or
10 subsurface parking area and all improvements in such parking area ~~therein~~
11 or appurtenances used in connection with such parking area ~~therewith~~,
12 including entrances and exits, and all equipment, machinery, and
13 accessories necessary or convenient for the parking of vehicles; and

14 (2) Civic center means ~~shall mean~~ the area designated by the city
15 council of a city of the metropolitan class in the master plan of the
16 city as the site for city and county administrative, legislative, and
17 judicial headquarters, together with such other governmental functions
18 and subdivisions as may be deemed appropriate.

19 Sec. 305. Section 14-1728, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 14-1728 Any city of the metropolitan class, any county in which such
22 city is located, or such city and county jointly may construct parking
23 facilities in conjunction with a civic center. When constructed, such
24 parking facilities shall be leased for operation, in which case the lease
25 shall be granted to the highest and best bidder, after publication and
26 notice of such offering for lease in the same manner as required by law
27 for other contracts awarded by the city, ~~or~~ county, or city and county.
28 Such facilities shall not be operated by the city, ~~or~~ county, or city and
29 county.

30 Sec. 306. Section 14-1729, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 14-1729 For the purpose of constructing ~~such~~ parking facilities as
2 provided in section 14-1728, the city and county may jointly issue
3 revenue bonds. The principal and interest of such bonds shall be payable
4 only out of the revenue and income of such parking facilities.

5 Sec. 307. Section 14-1730, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 14-1730 (1) Each city of the metropolitan class shall have the
8 power to lease, upon such terms as the city deems ~~it shall deem~~
9 appropriate for a term not to exceed ninety-nine years, air space above
10 any street, alley, major traffic street, connecting link, controlled-
11 access facility, main thoroughfare, boulevard, or other property owned by
12 such city, to one or more of the owners of the fee title adjoining such
13 air space on either or both sides of such street, alley, major traffic
14 street, connecting link, controlled-access facility, main thoroughfare,
15 boulevard, or other city property, but only if the air space to be so
16 leased is not needed for and does not materially interfere with the use
17 of such street, alley, major traffic street, connecting link, controlled-
18 access facility, main thoroughfare, boulevard, or other city property.

19 (2) All leases of such air space shall provide (a) the minimum
20 clearances to be maintained at various points over the street, alley,
21 major traffic street, connecting link, controlled-access facility, main
22 thoroughfare, boulevard, or other city property, (b) ÷ the area of the
23 air space to be leased, (c) ÷ the location of supports, columns, pillars,
24 foundations or other similar or supporting structures within or on such
25 street, alley, major traffic street, connecting link, controlled-access
26 facility, main thoroughfare, boulevard, or other city property, ÷ and (d)
27 that such supporting structures shall be so located as not to materially
28 interfere with the use of the street, alley, major traffic street,
29 connecting link, controlled-access facility, main thoroughfare,
30 boulevard, or other city property. Such leases may contain such other
31 terms and conditions as shall be deemed appropriate by the city.

1 (3) In determining rental under any such lease, the city may take
2 into account the public purpose or use, if any, to be served by the
3 lessee.

4 Sec. 308. Section 14-1731, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 14-1731 (1) The Legislature hereby finds and declares that the great
7 increase in the number of motor vehicles, including buses and trucks, has
8 created hazards to life and property in cities of the metropolitan class
9 in Nebraska.

10 ~~(2) State recognition is hereby given to the hazard created in the~~
11 ~~streets of cities of the metropolitan class by the great increase in the~~
12 ~~number of motor vehicles, buses, and trucks. In order to remove or reduce~~
13 the hazards of life and property and the inconvenience of congested
14 traffic on the streets in such cities in this state, it is hereby deemed
15 necessary and of general benefit to the entire State of Nebraska to
16 provide means for such cities to own offstreet vehicle parking facilities
17 exclusively for the parking of motor vehicles.

18 Sec. 309. Section 14-1732, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-1732 Any city of the metropolitan class is hereby authorized to
21 own, purchase, construct, equip, lease, or operate within such city
22 offstreet motor vehicle parking facilities on property located beneath
23 any elevated segment of the National System of Interstate and Defense
24 Highways or portion thereof, or public property title to which is held by
25 ~~in~~ the city on May 7, 1971, or property owned by the city and used in
26 conjunction with and incidental to city-operated facilities, or on
27 property situated so as to serve business in the central business
28 district, or business in long-established outlying neighborhood business
29 districts for the use of the general public. The grant of power in this
30 section does not include the power to engage, directly or indirectly, in
31 the sale of gasoline, oil, or other merchandise or in the furnishing of

1 any service other than that of parking motor vehicles as provided in this
2 section herein. Any such city shall have the authority to acquire by
3 grant, contract, or purchase, as provided by law for such acquisition,
4 all real or personal property, including a site or sites on which to
5 construct such facilities, necessary or convenient in the carrying out of
6 this grant of power.

7 Sec. 310. Section 14-1733, Revised Statutes Cumulative Supplement,
8 2020, is amended to read:

9 14-1733 (1) In order to pay the cost required by any purchase,
10 construction, or lease of property and equipping of offstreet parking
11 such facilities under sections 14-1731 to 14-1740, or the enlargement of
12 presently owned facilities, a the city of the metropolitan class may:

13 (a) ~~(1)~~ Issue revenue bonds to provide the funds for such
14 improvements. Such revenue bonds shall be a lien only upon the revenue
15 and earnings of parking facilities and onstreet parking meters. Such
16 revenue bonds shall mature in no more than forty years and shall be sold
17 at public or private sale. Any such revenue bonds which may be issued
18 shall not be included in computing the maximum amount of bonds which the
19 issuing city of the metropolitan class may be authorized to issue under
20 its home rule charter or any statute of this state. Such revenue bonds
21 may be issued and sold or delivered to the contractor at par and accrued
22 interest for the amount of work performed. The city may pledge the
23 revenue from any facility or parking meters as security for the bonds;

24 (b) Upon ~~(2) upon~~ an initiative petition of the majority of the
25 record owners of taxable property included in a proposed parking
26 district, create, by ordinance, parking districts and delineate the
27 boundaries of such parking districts thereof. If the city council finds
28 that there are common benefits enjoyed by the public at large without
29 reference to the ownership of property, or that there is a common benefit
30 to the property encompassed within a parking district or districts, the
31 city may assess the costs of such improvement or improvements as special

1 assessments against all the property included in such district or
2 districts, according to such rules as the city council, sitting as a
3 board of equalization, shall adopt for the distribution or adjustment of
4 the costs of such improvement or improvements. All such special
5 assessments shall be equalized, levied, and collected as special
6 assessments. Special assessments levied pursuant to this section shall be
7 due, payable, and bear interest as the city council shall determine by
8 ordinance. Installment payments shall not be allowed for any period in
9 excess of twenty years; or

10 (c) Use ~~(3) use~~, independently or together with revenue derived
11 pursuant to subdivision (1)(a) (1) or (b) (2) of this section, gifts,
12 leases, devises, grants, federal or state funds, or agreements with other
13 public entities.

14 (2) No real property shall be included in any parking district
15 created pursuant to this section when the zoning district in which such
16 property is located is a residential zoning district or a district where
17 the predominant type of land use authorized is residential in nature.

18 Sec. 311. Section 14-1734, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 14-1734 Before the issuance of any revenue bonds for improvements as
21 provided under section 14-1733, a the city of the metropolitan class
22 shall have an independent and qualified firm of engineers prepare plans
23 and specifications for the such improvements financed with such bonds. In
24 the preparation of such the plans and specifications, the independent
25 engineer shall collaborate and counsel with any city engineering or
26 traffic department so as to coordinate the program with the program for
27 the control of traffic within such city.

28 Sec. 312. Section 14-1735, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 14-1735 The city council governing body of a any such city of the
31 metropolitan class shall make all necessary rules and regulations

1 governing the use, operation, and control of the facilities authorized by
2 sections 14-1731 to 14-1740. In the exercise of the grant of power set
3 forth in sections 14-1731 to 14-1740, the city of the metropolitan class
4 shall make contracts with others, if such contracts are necessary and
5 needed for the payment of the revenue bonds authorized in sections
6 14-1731 to 14-1740 and for the successful operation of the parking
7 facilities. If the city is unable to secure a reasonable lease with
8 another party for operation of the facility, the city may operate the
9 facility itself. The city council ~~governing body~~ may also make any other
10 agreements with the purchasers of the bonds for the security of the
11 ~~issuing~~ city and the purchasers of such bonds not in contravention with
12 ~~of the provisions of~~ sections 14-1731 to 14-1740.

13 Sec. 313. Section 14-1737, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 14-1737 On the creation of a such motor vehicle parking facility for
16 the use of the general public under sections 14-1731 to 14-1740, a the
17 city of the metropolitan class shall lease such facility to one or more
18 operators to provide for the efficient operation of the facility. Such
19 lease shall be let on a competitive basis and no lease shall run for a
20 period in excess of four years except ; ~~Provided~~, that leases of
21 facilities in conjunction with office buildings, shopping centers, public
22 facilities, or redevelopment areas may be for any period not to exceed
23 twenty years. In granting any lease, the city shall retain such control
24 of the facility as may be necessary to insure that the facility will be
25 properly operated in the public interest and that the prices charged are
26 reasonable. If the city is unable to secure a reasonable lease with
27 another party for operation of the facility, the city may operate the
28 facility itself. Sections ~~The provisions of sections~~ 14-1731 to 14-1740
29 shall not be construed to authorize the city or the lessee of the
30 facility to engage in the sale of any commodity, product, or service, or
31 to engage in any business other than the purposes set forth in section

1 14-1732.

2 Sec. 314. Section 14-1738, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 14-1738 Multilevel parking structures now used or hereafter acquired
5 for offstreet motor vehicle parking by a private operator within a city
6 of the metropolitan class shall not be subject to eminent domain for the
7 purpose of creating a parking facility pursuant to sections 14-1733,
8 14-1735, 14-1737, and 14-1738 when such multilevel structure has a
9 capacity of more than two hundred automobiles.

10 Sec. 315. Section 14-1739, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 14-1739 Sections ~~The provisions of sections 14-1731 to 14-1740 and~~
13 of any ordinance authorizing the issuance of bonds under such ~~the~~
14 ~~provisions of sections 14-1731 to 14-1740~~ shall constitute a contract
15 with the holders of such bonds, and any holder of a bond or bonds or any
16 of the coupons of any bond or bonds of a city of the metropolitan class
17 ~~such municipality~~, issued under such ~~the provisions of sections 14-1731~~
18 ~~to 14-1740~~, may either in law or in equity, by suit, action, mandamus, or
19 other proceedings, enforce and compel the performance of all duties
20 required by such ~~the provisions of sections 14-1731 to 14-1740~~ or by the
21 ordinance authorizing the bonds, including the making and collection of
22 sufficient charges and fees for service and the use of such charges and
23 fees ~~thereof~~, and the application of income and revenue from such charges
24 and fees ~~thereof~~.

25 Sec. 316. Section 14-2001, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 14-2001 Any city of the metropolitan class may by ordinance provide
28 for the creation and establishment of landmark heritage preservation
29 districts and a landmark heritage preservation commission for the purpose
30 of preserving buildings, lands, areas, or districts within any such city
31 which are determined by the landmark heritage preservation commission to

1 possess particular historical, architectural, cultural, or educational
2 value.

3 Sec. 317. Section 14-2002, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-2002 (1) The powers and duties of any landmark heritage
6 preservation commission created pursuant to sections 14-2001 to 14-2004
7 shall be such as are delegated or assigned by the ordinance establishing
8 the landmark heritage preservation ~~such~~ commission. The city council
9 shall specifically state in such ordinance which powers the landmark
10 heritage preservation commission shall be allowed to exercise.

11 (2) The powers of a landmark heritage preservation commission shall
12 not be repugnant to any other provision of law and shall be exercised
13 only in the manner prescribed by the ordinance. No action of the landmark
14 heritage preservation commission shall contravene any provision of a
15 ~~municipal~~ zoning or planning ordinance unless such action is expressly
16 authorized by the city council.

17 Sec. 318. Section 14-2003, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 14-2003 (1) Each city of the metropolitan class may exercise its
20 power of eminent domain to maintain or preserve buildings, lands, areas,
21 or districts which have been determined by the landmark heritage
22 preservation commission created by such city to be of historical,
23 architectural, cultural, or educational value.

24 (2) Within a landmark heritage preservation district, a city of the
25 metropolitan class shall not exercise its power of eminent domain to
26 acquire property for the purpose of demolition and reconveyance for
27 private use. This subsection shall not be applicable to any eminent
28 domain action filed by such city prior to September 6, 1991.

29 (3) Whenever it becomes necessary to take control of property
30 pursuant to and for the purposes stated in this section, the purpose and
31 necessity for such control shall be declared by ordinance. The procedure

1 to condemn property shall be exercised in the manner set forth in
2 sections 76-704 to 76-724.

3 Sec. 319. Section 14-2004, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 14-2004 (1) A landmark heritage preservation commission created
6 pursuant to sections 14-2001 to 14-2004 shall have nine members. If
7 available, one of the members shall be an architect, one member shall be
8 a curator or director of an art or other museum, one member shall be a
9 professional artist or historian, three members shall be interested and
10 qualified persons chosen, as far as possible, from any existing
11 historical society, preservation group, architectural, landscape
12 architectural, interior design, or planning association, or cultural
13 organization, two members shall be laypersons, and one member shall be an
14 owner or operator of a business or property within a landmark heritage
15 preservation district, which business or property may be owned or
16 operated by a corporation of which such member is an officer, by a
17 partnership in which such member is a partner, or by a limited liability
18 company in which such member is a member.

19 (2) Members of the landmark heritage preservation commission shall
20 be appointed by the mayor and approved by the city council and shall
21 serve for terms of three years. Members shall serve until their
22 successors are appointed and qualified. Members may be appointed to
23 successive terms.

24 (3) The landmark heritage preservation commission shall select one
25 of its members as chairperson. The director of the planning department of
26 the city shall act as the executive director of the landmark heritage
27 preservation such commission, and staff assistance for the landmark
28 heritage preservation commission shall be provided by the planning
29 department of such city.

30 Sec. 320. Section 19-414, Revised Statutes Cumulative Supplement,
31 2020, is amended to read:

1 19-414 The executive and administrative powers, authorities, and
2 duties in cities adopting the commission plan of government shall be
3 distributed into and among departments as follows:

4 In cities of the metropolitan class, (1) ~~finance department of~~
5 ~~public affairs, (2) fire department of accounts and finances, (3) human~~
6 ~~resources department of police, sanitation, and public safety, (4) human~~
7 ~~rights and relations department of fire protection and water supply, (5)~~
8 ~~law department of street cleaning and maintenance, (6) parks, recreation,~~
9 ~~and public property department of public improvements, and (7) planning,~~
10 ~~(8) police, and (9) public works department of parks and public property;~~

11 In cities of the primary class, (1) department of public affairs,
12 (2) department of accounts and finances, (3) department of public safety,
13 (4) department of streets and public improvements, and (5) department of
14 parks and public property; and

15 In cities containing two thousand or more and not more than forty
16 thousand inhabitants as determined by the most recent federal decennial
17 census or the most recent revised certified count by the United States
18 Bureau of the Census, (1) department of public affairs and public safety,
19 (2) department of accounts and finances, (3) department of streets,
20 public improvements, and public property, (4) department of public works,
21 and (5) department of parks and recreation.

22 The city council shall provide, as nearly as possible, the powers
23 and duties to be exercised and performed by, and assign them to, the
24 appropriate departments. The city council may prescribe the powers and
25 duties of all officers and employees of the city and may assign
26 particular officers, or employees, to more than one of the departments,
27 may require any officer or employee to perform duties in two or more of
28 the departments, and may make such other rules and regulations as may be
29 necessary or proper for the efficient and economical management of the
30 business affairs of the city.

31 Sec. 321. Section 19-415, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 19-415 ~~In cities of the metropolitan class under the commission~~
3 ~~plan of government, the city council shall consist of the mayor who shall~~
4 ~~be superintendent of the department of public affairs, one city council~~
5 ~~member to be superintendent of the department of accounts and finances,~~
6 ~~one city council member to be superintendent of the department of police,~~
7 ~~sanitation, and public safety, one city council member to be~~
8 ~~superintendent of the department of fire protection and water supply, one~~
9 ~~city council member to be superintendent of the department of street~~
10 ~~cleaning and maintenance, one city council member to be superintendent of~~
11 ~~the department of public improvements, and one city council member to be~~
12 ~~superintendent of parks and public property.~~

13 In cities under the commission plan of government containing at
14 least forty thousand and less than three hundred thousand inhabitants as
15 determined by the most recent federal decennial census or the most recent
16 revised certified count by the United States Bureau of the Census, the
17 city council shall consist of the mayor who shall be superintendent of
18 the department of public affairs, one city council member to be
19 superintendent of the department of accounts and finances, one city
20 council member to be superintendent of the department of public safety,
21 one city council member to be superintendent of the department of streets
22 and public improvements, and one city council member to be superintendent
23 of the department of parks and public property.

24 In cities under the commission plan of government containing at
25 least two thousand and less than forty thousand inhabitants as determined
26 by the most recent federal decennial census or the most recent revised
27 certified count by the United States Bureau of the Census, the city
28 council shall consist of the mayor who shall be commissioner of the
29 department of public affairs and public safety, one city council member
30 to be commissioner of the department of streets, public improvements, and
31 public property, one city council member to be commissioner of the

1 department of public accounts and finances, one city council member to be
2 commissioner of the department of public works, and one city council
3 member to be commissioner of the department of parks and recreation.

4 In all of such cities, the commissioner of the department of
5 accounts and finances shall be vice president of the city council and
6 shall, in the absence or inability of the mayor to serve, perform the
7 duties of the mayor. In case of vacancy in the office of mayor by death
8 or otherwise, the vacancy shall be filled as provided in section 32-568.

9 Sec. 322. Section 77-3523, Revised Statutes Supplement, 2021, is
10 amended to read:

11 77-3523 The county treasurer and county assessor shall, on or before
12 November 30 of each year, certify to the Tax Commissioner the total tax
13 revenue that will be lost to all taxing agencies within the county from
14 taxes levied and assessed in that year because of exemptions allowed
15 under sections 77-3501 to 77-3529. The county treasurer and county
16 assessor may amend the certification to show any change or correction in
17 the total tax that will be lost until May 30 of the next succeeding year.
18 If a homestead exemption is approved, denied, or corrected by the Tax
19 Commissioner under subsection (2) of section 77-3517 after May 1 of the
20 next year, the county treasurer and county assessor shall prepare and
21 submit amended reports to the Tax Commissioner and the political
22 subdivisions covering any affected year and shall adjust the
23 reimbursement to the county and the other political subdivisions by
24 adjusting the reimbursement due under this section in later years. The
25 Tax Commissioner shall, on or before January 1 next following such
26 certification or within thirty days of any amendment to the
27 certification, notify the Director of Administrative Services of the
28 amount so certified to be reimbursed by the state. Reimbursement of the
29 funds lost shall be made to each county according to the certification
30 and shall be distributed in six as nearly as possible equal monthly
31 payments on the last business day of each month beginning in January. The

1 Director of Administrative Services shall, on the last business day of
2 each month, issue payments by electronic funds transfer. Out of the
3 amount so received the county treasurer shall distribute to each of the
4 taxing agencies within his or her county the full amount so lost by such
5 agency, except that one percent of such amount shall be deposited in the
6 county general fund and that the amount due a Class V school district
7 shall be paid to the district and the county shall be compensated one
8 percent of such amount pursuant to section 14-554. Each taxing agency
9 shall, in preparing its annual or biennial budget, take into account the
10 amount to be received under this section.

11 Sec. 323. Original sections 14-102.01, 14-102.02, 14-104, 14-106,
12 14-107, 14-108, 14-110, 14-111, 14-112, 14-113, 14-115, 14-116, 14-118,
13 14-120, 14-121, 14-122, 14-123, 14-124, 14-125, 14-136, 14-201,
14 14-201.03, 14-202, 14-204, 14-205, 14-206, 14-207, 14-210, 14-211,
15 14-212, 14-213, 14-214, 14-215, 14-216, 14-217.02, 14-218, 14-219,
16 14-220, 14-221, 14-224, 14-225, 14-226, 14-227, 14-228, 14-229, 14-230,
17 14-360, 14-361, 14-362, 14-365, 14-365.01, 14-365.02, 14-365.03,
18 14-365.04, 14-365.05, 14-365.06, 14-365.07, 14-365.08, 14-365.09,
19 14-365.10, 14-365.11, 14-365.12, 14-365.13, 14-366, 14-367, 14-372,
20 14-373, 14-373.01, 14-373.02, 14-374, 14-375, 14-376, 14-383, 14-384,
21 14-385, 14-386, 14-387, 14-388, 14-389, 14-390, 14-391, 14-393, 14-394,
22 14-395, 14-396, 14-397, 14-399, 14-3,100, 14-3,101, 14-3,105, 14-3,108,
23 14-3,109, 14-3,111, 14-3,112, 14-3,113, 14-3,114, 14-3,115, 14-3,116,
24 14-3,117, 14-3,118, 14-3,119, 14-3,120, 14-3,121, 14-3,122, 14-3,123,
25 14-3,124, 14-3,125, 14-3,126, 14-3,128, 14-401, 14-402, 14-404, 14-405,
26 14-406, 14-408, 14-409, 14-410, 14-411, 14-412, 14-413, 14-414, 14-416,
27 14-417, 14-418, 14-501, 14-501.01, 14-503, 14-504, 14-505, 14-506,
28 14-507, 14-508, 14-509, 14-510, 14-511, 14-512, 14-513, 14-514, 14-515,
29 14-516, 14-517, 14-518, 14-519, 14-520, 14-521, 14-522, 14-523, 14-524,
30 14-525, 14-526, 14-527, 14-528, 14-529, 14-530, 14-531, 14-532, 14-533,
31 14-534, 14-535, 14-536, 14-538, 14-539, 14-540, 14-541, 14-542, 14-543,

1 14-544, 14-545, 14-546, 14-547, 14-548, 14-549, 14-550, 14-556, 14-557,
2 14-558, 14-559, 14-560, 14-562, 14-563, 14-564, 14-565, 14-566, 14-568,
3 14-601, 14-602, 14-603, 14-604, 14-605, 14-606, 14-609, 14-702, 14-704,
4 14-709, 14-804, 14-805, 14-806, 14-807, 14-808, 14-809, 14-810, 14-811,
5 14-812, 14-813, 14-814, 14-816, 14-817, 14-818, 14-1201, 14-1202,
6 14-1203, 14-1204, 14-1205, 14-1206, 14-1207, 14-1211, 14-1212, 14-1215,
7 14-1216, 14-1217, 14-1218, 14-1219, 14-1220, 14-1221, 14-1222, 14-1223,
8 14-1224, 14-1225, 14-1226, 14-1227, 14-1228, 14-1229, 14-1230, 14-1231,
9 14-1232, 14-1233, 14-1234, 14-1235, 14-1236, 14-1237, 14-1238, 14-1239,
10 14-1240, 14-1241, 14-1242, 14-1243, 14-1244, 14-1245, 14-1246, 14-1247,
11 14-1248, 14-1249, 14-1250, 14-1251, 14-1252, 14-1702, 14-1703, 14-1704,
12 14-1705, 14-1706, 14-1707, 14-1708, 14-1709, 14-1710, 14-1711, 14-1712,
13 14-1713, 14-1714, 14-1715, 14-1716, 14-1717, 14-1718, 14-1719, 14-1721,
14 14-1722, 14-1723, 14-1724, 14-1725, 14-1726, 14-1727, 14-1728, 14-1729,
15 14-1730, 14-1731, 14-1732, 14-1734, 14-1735, 14-1737, 14-1738, 14-1739,
16 14-2001, 14-2002, 14-2003, and 14-2004, Reissue Revised Statutes of
17 Nebraska, sections 14-101, 14-101.01, 14-102, 14-103, 14-105, 14-109,
18 14-117, 14-363, 14-364, 14-392, 14-398, 14-3,102, 14-3,103, 14-3,106,
19 14-3,107, 14-403, 14-415, 14-419, 14-420, 14-502, 14-553, 14-567, 14-607,
20 14-1733, 19-414, and 19-415, Revised Statutes Cumulative Supplement,
21 2020, and sections 14-137 and 77-3523, Revised Statutes Supplement, 2021,
22 are repealed.

23 Sec. 324. The following sections are outright repealed: Sections
24 14-114, 14-126, 14-223, and 14-554, Reissue Revised Statutes of Nebraska.