

Administrative

§1-701

Article 7 Ordinances

§1-703

§1-701 ORDINANCES; RULES AND REGULATIONS. All ordinances shall be passed pursuant to such rules and regulations as the Council may provide. All ordinances may be proven by the certificate of the Municipal Clerk under the seal of the Municipality. When printed or published in book or pamphlet form and purporting to be published by authority of the City, such ordinances shall be read and received in evidence in all courts and places without further proof. The passage, approval, and publication or posting of any ordinance shall be sufficiently proven by a certificate under the seal of the City from the Clerk showing that such ordinance was passed and approved, and when and in what paper the same was published. When ordinances are published in book or pamphlet form, purporting to be published by authority of the City Council, the same need not be otherwise published; and such book or pamphlet shall be received as evidence of passage and legal publication of such ordinances as of the dates mentioned in such book or pamphlet. (Ref. 16-403 RS Neb.)

§1-702 ORDINANCES; APPROPRIATION OF MONEY. All ordinances, resolutions, or orders for the appropriation or payment of money shall require for their passage or adoption the concurrence of a majority of all members elected to the Council. The Mayor may vote on such matter when his vote shall be decisive and the Council is equally divided, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the Council. (Ref. 16-404 RS Neb.)

§1-703 ORDINANCES; READING. All ordinances and resolutions or orders for the appropriation or payment of money shall require for their passage or adoption the concurrence of a majority of all members elected to the Council. Ordinances of a general or permanent nature shall be read by title on three (3) different days unless three-fourths (3/4) of the Council members vote to suspend this requirement, except that such requirement shall not be suspended for any ordinance for the annexation of territory. In the case such requirement is suspended, the ordinance shall be read by title or number and then moved for final passage. Three-fourths (3/4) of the Council members may require a reading of any such ordinance in full before enactment under either procedure set out in this section. (Ref. 16-404 RS Neb.)

§1-704 ORDINANCES; PUBLICATION. All ordinances of a general nature shall be published one (1) time within fifteen (15) days after they are passed in some newspaper published within the City or in pamphlet form to be distributed or sold as may be provided by ordinance, and every ordinance fixing a penalty or forfeiture for its violation shall, before the same takes effect, be published for at least one (1) week in some manner above prescribed. (*Ref. 16-405 RS Neb.*)

§1-705 ORDINANCES; STYLE. The style of all Municipal ordinances shall be:

"Be it ordained by the Mayor and Council of the City of Crete."

(*Ref. 16-405 RS Neb.*)

§1-706 ORDINANCES; TITLE. No ordinance shall contain a subject not clearly expressed in its title. (*Ref. 16-404 RS Neb.*)

§1-707 ORDINANCES; EFFECTIVE DATE; EMERGENCY ORDINANCES.

(1) Except as provided in Section 1-704 and subsection (2) of this section, an ordinance for the government of the Municipality which has been adopted by the Governing Body without submission to the voters of the Municipality shall not go into effect until fifteen (15) days after the passage of the ordinance.

(2) In the case of riots, infectious diseases, or other impending danger or other emergency requiring its immediate operation, an ordinance shall take effect upon the proclamation of the Mayor immediately upon the first publication of the ordinance. (*Ref. 16-405, 19-3701 RS Neb.*) (*Ord. No. 1459, 8/17/99*)

§1-708 ORDINANCES; AMENDMENTS AND REVISIONS. No ordinance or section thereof shall be revised or amended unless the new ordinance contains the entire ordinance or section as revised or amended, and the ordinance or section so amended is repealed, except that an ordinance revising all the ordinances of the Municipality and modifications to zoning or building districts may be adopted as other wise provided by law. (*Ref. 16-404 RS Neb.*)

§1-709 ORDINANCES, RESOLUTIONS AND MOTIONS. Resolutions and motions shall be introduced in one of the methods prescribed for the introduction of ordinances. After their introduction they shall be fully and distinctly read one (1) time in the presence and hearing of a majority of the members elected to the Council. The issue raised by said resolutions or motions shall be disposed of in accordance with the usage of parliamentary law adopted for the guidance of the Council. A majority vote shall be required to pass any resolution or motion. The Mayor may vote on any such matter when his vote shall be decisive and the Council is equally divided, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the Council. The vote on any resolution or motion shall be viva voce and "yeas" and "nays" thereon shall be recorded by the Clerk. (Ref. 16-503 RS Neb.)

§1-710 ORDINANCES; PROCEDURE; PUBLICATION PAMPHLET FORM. The ordinance to be published in pamphlet form shall provide in the title of the ordinance and in a section of the ordinance that such ordinance shall be published in pamphlet form. The number and title of the ordinance shall be entered in the minutes of the meeting at which said ordinance is duly passed and approved by the Mayor and Council. Upon the Mayor declaring the ordinance adopted and signing the same, the City Clerk shall attest to the passage and adoption by fixing her signature and seal of the City thereto and the Clerk shall thereupon enter into the minutes of the meeting that the ordinance by its number is published in pamphlet form. The Clerk shall enter under oath a certificate in written form of such publication in pamphlet form in the ordinance records of the City.

§1-711 ORDINANCES, RULES, AND RESOLUTIONS; GRANT OF POWER. The Governing Body may make all ordinances, bylaws, rules, regulations, and resolutions, not inconsistent with the laws of the State of Nebraska, as may be necessary or expedient for maintaining the peace, good government, and welfare of the Municipality and its trade, commerce, and manufactures, for preserving order and securing persons or property from violence, danger, and destruction, for protecting public and private property, and for promoting the public health, safety, convenience, comfort, and morals and the general interests and welfare of the inhabitants of the Municipality. (Ref. 16-246 RS Neb.)

§1-712 ORDINANCES; INTRODUCTION: Ordinances shall be introduced by members of the Governing Body in one of the following ways:

(1) With the recognition of the Mayor, a member may, in the presence and hearing of a majority of the members elected to the Governing Body, read aloud the substance of the proposed ordinance and file a copy with the Municipal Clerk for future consideration; or

(2) With the recognition of the Mayor, a member may present the proposed ordinance to the Clerk who, in the presence and hearing of a majority of the members elected to the Governing Body, shall read aloud the substance of the ordinance and file it for future consideration.

(Ord. No. 1555, 04/15/03)