

Chapter 1

ADMINISTRATIVE

Article 6. Ordinances

§1-601 ORDINANCES, RULES, AND RESOLUTIONS; GRANT OF POWER. The Governing Body may make all ordinances, by-laws, rules, regulations, and resolutions, not inconsistent with the law of the State of Nebraska, as may be expedient for maintaining the peace, good government, and welfare of the Municipality and its trade, commerce, and manufactories. *(Ref. 17-505 RS Neb.)(Amended by Ord. 383, 7/8/97)*

§1-602 ORDINANCES; INTRODUCTION. Ordinances shall be introduced by members of the Governing Body in one of the following ways:

- (1) With the recognition of the Chairman, 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 Chairman, 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. *(Amended by Ord. No. 384, 7/8/97)*

§1-603 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 Board. 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 Board. A majority vote shall be required to pass any resolution or motion. The vote on any resolution or motion shall be by roll call vote.

§1-604 ORDINANCES; STYLES. The style of all Municipal ordinances shall be:
"Be it ordained by the Chairman and Board of Trustees of the Village of Bertrand, Nebraska:" *(Ref. 17-613 RS Neb.)*

§1-605 ORDINANCES; TITLE. No ordinance shall contain a subject not clearly expressed in its title; provided, for an ordinance revising all the Ordinances of the Village, the title need only state that the Ordinance revises all the Ordinances of the Village. Under such title, all the Ordinances may be revised in sections and Chapters or otherwise, and corrected, added to, and any parts suppressed, and may be repealed with or without saving clause as to the whole or any part, without the title. *(Ref. 17-614 RS Neb.)*

§1-606 ORDINANCES, RESOLUTIONS, ORDERS, BYLAWS; READING; PASSAGE.

- (1) Ordinances of a general or permanent nature shall be read by title on three different days unless three-fourths (3/4) of the Governing Body vote to suspend this requirement, except that such requirement shall not be suspended for any ordinance for the annexation of territory. In case such requirement is suspended, the ordinance shall be read by title and then moved for final passage. A reading of any ordinance in full may be required by three-fourths (3/4) of the Governing Body before

enactment under either procedure set out in this section. All ordinances and resolution 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 Governing Body.

(2) On the passage or adoption of every bylaw or ordinance, and every resolution or order to enter into such a contract by the Governing Body, the yeas and nays shall be called and recorded. TO pass or adopt any bylaw, ordinance, or any such resolution or order a concurrence of a majority of the whole number of members elected to the Governing Body shall be required. All appointments of the officers by the Governing Body shall be made via voce, and the concurrence of a like majority shall be required, and the names of those, and for whom the voted, on the vote resulting in an appointment, shall be recorded. The requirements of a roll call or viva voce vote shall be satisfied by a municipality which utilizes an electronic voting device which allows the yeas and nays of each member of the governing body to be readily seen by the public. *(Ref. 17-614, 17-616 RS Neb.)(Ord. No. 339, 3/14/95)(Amended by Ord. No. 385, 7/8/97)*

§1-607 ORDINANCES; PUBLICATION OR POSTING. All ordinances of a general nature shall, before they take effect, be published one (1) time within fifteen (15) days after they are passed; (1) In some newspaper published in the Municipality or, if no paper is published in the Municipality, then by posting a written or printed copy thereof in each of three (3) public places in the Municipality; or (2) In book or pamphlet form. *(Ref. 17-613 RS Neb.)(Amended by Ord. No. 386, 7/8/97)*

§1-608 ORDINANCES; CERTIFICATE OF PUBLICATION OR POSTING. The passage, approval, and publication or posting of all ordinances shall be sufficiently proven by a certificate under the Seal of the Municipality from the Municipal Clerk showing that the said ordinance was passed and approved, and when, and in what paper the same was published, or when and by whom, and where the same was posted. *(Ref. 17-613 RS Neb.)*

§1-609 ORDINANCES; EFFECTIVE DATE; EMERGENCY ORDINANCES.

(1) Except as provided in 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 riot, infectious or contagious diseases, or other impending danger, failure of a public utility, or other emergency requiring its immediate operation, such ordinance shall take effect upon the proclamation of the Chairman and the posting thereof in at least three (3) of the most public places in the Municipality. Such emergency notice shall recite the emergency, be passed by three-fourths (3/4) vote of the Governing Body and be entered upon the Municipal Clerk's minutes. *(Ref. 17-613, 19-3701 RS Neb.)(Amended by Ord. No. 387, 7/8/97)*

§1-610 ORDINANCES; AMENDMENTS AND REVISIONS. No ordinance or section 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 otherwise provided by law. *(Ref. 17-614 RS Neb.)(Amended by Ord. No. 388, 7/8/97)*