

ORDINANCE RECORD

No. 728-REFFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1465

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 30.15, 30.41 and 30.47; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 30.15 of the La Vista Municipal Code is amended to read as follows:

§ 30.15 SELECTION AND DUTIES.

The Mayor shall be elected to serve a four-year term of office. The Mayor shall preside at all the meetings of the City Council and shall have the right to vote when his or her vote will provide the additional vote required to create a number of votes equal to a majority of the number of members elected to the Council. He or she shall have the superintending control of all the officers and affairs of the city and shall take care that ordinances of the city and provisions of law relating to cities of the first class are complied with. He or she may administer oaths and shall sign the commissions and appointments of all the officers appointed in the city. The Mayor shall have the power to approve or veto any ordinance passed by the City Council and to approve or veto any order, by-law, resolution, award or vote to enter into any contract or the allowance of any claim; provided, that any ordinance, order, by-law, resolution, award or vote to enter into any contract, or the allowance of any claim vetoed by the Mayor may be passed over his or her veto by a vote of two-thirds of all the members elected to the City Council. If the Mayor neglects or refuses to sign any ordinance, order, by-law, resolution, award or vote to enter into any contract or the allowance of any claim and returns the same with his or her objection in writing at the next regular meeting of the Council, the same shall become law without his or her signature. The Mayor may veto any item or items of any appropriation bill and approve the remainder thereof. The item or items so vetoed may be passed by the Council over his or her veto as in other cases. The Mayor shall from time to time communicate to the Council such information and recommend such measures as in his or her opinion may tend to improve the finances of the city, the police, health, comfort, and general prosperity of the city, and may have such jurisdiction as may be vested in him or her by ordinance over all places within two miles of the corporate limits of the city for the enforcement of health or quarantine laws and the regulation thereof. The Mayor shall have the power after the conviction of any person to remit fines and forfeitures and to grant reprieves and pardons for all offenses arising under the laws of the city. In the event that there is a vacancy in the office of Mayor, the vacancy shall be filled in accordance with applicable provisions of the Election Act, as amended from time to time, including without limitation Neb. Rev. Stat. §32-568. (Neb. RS 16-217, 16-312, 16-313, 16-314, and 16-316) ('79 Code, § 1-204) § 30.16 Emergency Authority

SECTION 2. Section 30.41 of the La Vista Municipal Code is amended to read as follows:

§ 30.41 RULES AND REGULATIONS.

All ordinances shall be passed pursuant to such rules and regulations as the City Council may provide, and all such ordinances may be proved by the certificate of the Clerk under the seal of the city. When printed or published in book, pamphlet, or electronic 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 ordinances shall be sufficiently proved by a certificate under seal of the city, from the Clerk, showing that the ordinance was passed and approved, and when and in what paper it was published, and when and by whom and where it was posted. When ordinances are published in book, pamphlet, or electronic form, purporting to be published by authority of the City Council, it need not be otherwise published and the book, pamphlet, or electronic form shall be received as evidence of the passage and legal publication of the ordinances, as of the dates mentioned in the book, pamphlet, or electronic form in all courts, without further proof. (Neb. RS 16-403) ('79 Code, § 1-702)

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SECTION 3. Section 30.47 of the La Vista Municipal Code is amended to read as follows:

§ 30.47 PUBLICATION.

(A) All ordinances of a general nature shall, within 15 days after they are passed, be published one time:

(1) In a legal newspaper in or of general circulation within the city; or

(2) In book, pamphlet, or electronic form. Publication is in the Papillion Times and on the City of La Vista website with the Omaha World Herald being the backup newspaper needed.

(B) Every ordinance fixing a penalty or forfeiture for its violation shall, before the same takes effect, be published for at least one week in some manner prescribed in this section. (Neb. RS 16-405) ('79 Code, § 1-705) (Am. Ord. 406, passed 12-3-85; Am. Ord. 697, passed 10-7-97; Am. Ord. 1346, passed 7-2-19)

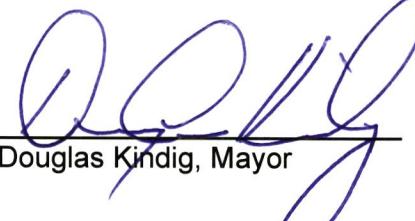
SECTION 4. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF DECEMBER 2022

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, MMC
City Clerk