

ORDINANCE RECORD

REDFIELD DIRECT E2401275KV

ORDINANCE NO. 1523

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO AMEND MUNICIPAL CODE SECTIONS 30.15, 30.43 AND 30.46; 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. Municipal Code Section 30.15 is hereby 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. The Mayor may vote on any matter that requires either a majority vote of the Council members or a majority vote of all the elected members of the Council if (a) the Mayor's vote is required due to the Council members being equally divided or (b) a majority of the Council members or majority vote of all the elected members cannot be reached due to absence, vacancy, or abstention of one or more Council members. For purposes of such vote, the Mayor is deemed to be a member of the Council. The Mayor 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, bylaw, resolution, award or vote to enter into any contract or the allowance of any claim; provided, that any ordinance, order, bylaw, 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, bylaw, 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. RS 32-568.

(Neb. RS 16-312, 16-313, 16-314, and 16-316) ('79 Code, § 1-204) (Am. Ord. 1465, passed 12-6-22)

SECTION 2. Municipal Code Section 30.43 is hereby amended to read as follows:

§ 30.43 APPROPRIATION OR PAYMENT OF MONEY.

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 elected members to the Council. The Mayor may vote on any such matter if (a) the Mayor's vote is required due to the Council members being equally divided or (b) a majority vote of all the elected members cannot be reached due to absence, vacancy, or abstention of one or more Council members. For purposes of such vote the Mayor deemed to be a member of the Council.

(Neb. RS 16-404) ('79 Code, § 1-703) (Am. Ord. 496, passed 2-6-90)

SECTION 3. Municipal Code Section 30.46 is hereby amended to read as follows:

§ 30.46 READING AND PASSAGE.

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(A) Ordinances of a general or permanent nature shall be read by title on three different days unless three-fourths of the members of the City Council vote to suspend this requirement.

(B) Such requirement shall not be suspended (i) for any ordinance for the annexation of territory or redrawing of wards, or (ii) as otherwise provided by applicable law.

(C) In the case such requirement is suspended, the ordinance shall be read by title or number and then moved for final passage.

(D) Three-fourths of the members of the City Council may require a reading of any ordinance in full before enactment under either procedure set out in this section.

(Neb. RS 16-404) ('79 Code, § 1-704) (Am. Ord. 627, passed 9-5-95; Am. Ord. 1346, passed 7-2-19; Am. Ord. 1440, passed 2-1-22)

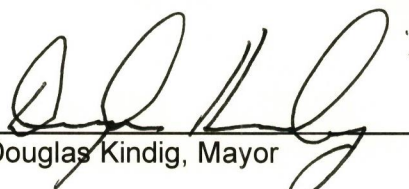
SECTION 4. Repeal of Conflicting Ordinances. Sections 30.15, 30.43, 30.46 as originally enacted, and all ordinances and parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof, are hereby repealed.

SECTION 5. Severability Clause. 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 of the remaining portions of this ordinance. The Mayor and City Council 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 4. Effective Date. This Ordinance shall be in force and take effect from and after passage, approval and publication in pamphlet form as provided by law.


PASSED AND APPROVED THIS 15TH DAY OF OCTOBER 2024

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Bueche, MMC
City Clerk