

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2013 AGENDA**

Subject:	Type:	Submitted By:
AMEND CHAPTER 34 OF MUNICIPAL CODE - ADD SECTION 34.12 - INTERLOCAL COOPERATION	RESOLUTION ♦ ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

An ordinance has been prepared to amend Chapter 34 of the La Vista Municipal Code adding a new section regarding Interlocal Cooperation Agreements for Fire Services.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A new section of Chapter 34 of the Municipal Code authorizes the City to enter into agreements and delegate fire protection authority to other agencies.

The City Attorney has prepared an ordinance to add Section 34.12 to the La Vista Municipal Code.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 34 OF THE LA VISTA MUNICIPAL CODE REGARDING FIRE DEPARTMENT TO ADD NEW SECTION 34.12; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. New Section 34.12. Section 34.12 of the La Vista Municipal Code is hereby added to read as follows:

"§ 34.12 COOPERATION AUTHORIZED. Notwithstanding anything in Sections 34.01 through 34.11 or any other ordinance, resolution, rule, requirement or authorization of the City to the contrary, the Mayor and City Council, as permitted from time to time by applicable State law, shall be authorized to enter any interlocal cooperation agreements, joint public agency agreements or any other agreements or understandings and thereby delegate to any fire protection districts, cities or other public or nonpublic bodies, persons or entities, and retain, any or all of the rights and obligations described in Sections 34.01 through 34.11 above or specified by other authority to be exercised or carried out by the City, fire department, ambulance service, Fire Chief or any other firefighter, volunteer or person of or for the City."

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any parts hereof are hereby repealed.

SECTION 3. 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 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 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form or as otherwise provided by law.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST, 2013.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk