

LEGISLATIVE BILL 1454

Approved by the Governor April 8, 1972

Introduced by John S. Savage, 10th District

AN ACT to amend section 18-405, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages, all; to eliminate the restriction on the size of water mains the cost of which may be recovered by assessment against property fronting upon such mains as prescribed; to change the method of assessment; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 18-405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

18-405. Upon the completion of an extension or enlargement of any water or gas main, or other utility service, in any such district, the actual cost thereof shall be duly certified to the council or directors of such city or village or metropolitan water or utilities district when done by contract, but when done by utilizing the equipment and employees of any such city or village or metropolitan water or utilities district the average cost, based upon the average cost per foot to such city, village or metropolitan water or utilities district in the previous calendar year, of installing water or gas distribution mains, as the case may be, shall be thus certified. Thereupon it shall be the duty of such council or directors to assess, to the extent of special benefits, such the cost, not exceeding the actual cost or average cost, as the case may be, of installing a six-inch such water main or a four-inch gas main, or other utility service, ~~as the case may be~~; upon all real estate in said district, in proportion to the frontage of said real estate upon said main or utility service. The cost of any such extension or enlargement in excess of the estimated actual or average cost of installing a cast iron six-inch the water main or four-inch gas main, or other utility service, as the case may be, heretofore authorized to be assessed and levied against the real estate in said district, shall be paid out of the water fund or gas fund, or other utility fund, as the case may be, of such city, village, metropolitan water district, or metropolitan utilities district, if there be such fund; and if such city or village has no water fund or gas fund, then the same shall be paid out of the general

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fund; Provided, that no real estate in any city, village, or metropolitan water or utilities district shall be subject to more than one special tax assessment for the same extension or enlargement of water or gas mains, or other utility service.

Sec. 2. That original section 18-405, Reissue Revised Statutes of Nebraska, 1943, is repealed.