

## LEGISLATIVE BILL 282

Approved by the Governor May 4, 1971

Introduced by Fern Hubbard Orme, 29th District; Wally Barnett, Jr., 26th District; William F. Swanson, 27th District

AN ACT relating to ordinances; to shorten the period for publication and effectiveness of certain ordinances; to eliminate application to cities of the metropolitan and primary classes; to amend sections 16-405, 17-613, and 18-130, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections.

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

Section 1. That section 16-405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-405. The style of ordinances shall be: "Be it ordained by the mayor and council of the city of ....., and all ordinances of a general nature shall, within ~~one-month~~ fifteen days after they are passed, be published in some newspaper published within the city, or in pamphlet form, to be distributed or sold, as may be provided by ordinance; and 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 above prescribed; Provided, in cases of riots, infectious diseases or other impending danger, or any other emergency requiring its immediate operation, such ordinance shall take effect upon the proclamation of the mayor immediately upon its first publication as above provided.

Sec. 2. That section 17-613, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-613. The style of all ordinances shall be: Be it ordained by the mayor and council of the city of ....., or the chairman and board of trustees of the village of ....., All ordinances of a general nature shall, before they take effect, be published, within one month fifteen days after they are passed, (1) in some newspaper published in such city or village, but if no paper is published in the city or village, then by

posting a written or printed copy thereof in each of three public places in the city or village, or (2) by publishing the same in book or pamphlet form; Provided, in case of riot, infectious or contagious diseases, or other impending danger, failure of public utility, or any other emergency requiring its immediate operation, such ordinance shall take effect upon the proclamation of the mayor or chairman of the board of trustees, posted in at least three of the most public places in the city or village. Such emergency ordinance shall recite the emergency and be passed by a three-fourths vote of the council or board of trustees, and entered of record on the clerk's minutes. The passage, approval, and publication or posting of all ordinances shall be sufficiently proved by a certificate under seal of the city or village from the clerk thereof, showing that such 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. When ordinances are printed in book or pamphlet form, purporting to be published by authority of the board of trustees or city council, the same need not be otherwise published, and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances as of the dates mentioned in such book or pamphlet, in all courts without further proof.

Sec. 3. That section 18-130, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~18-430-~~ All ordinances for the government of any city ~~aforesaid-in-this-state~~ of the first or second class or of any village, adopted by the voters of said city after submission to them by either initiative or referendum petition shall become immediately effective thereafter; but no ordinance for the government of any ~~city-aforesaid-in--this--state;--except--as--hereinafter~~ provided, which has been adopted by the mayor and council of that city without submission to the voters of said city, shall go into effect until thirty days after the passage of the same such city or village except as provided in sections 16-405 and 17-613, which has been adopted by such city or village without submission to the voters of such city or village, shall go into effect until fifteen days after the passage of such ordinance.

Sec. 4. That original sections 16-405, 17-613, and 18-130, Reissue Revised Statutes of Nebraska, 1943, are repealed.