

LEGISLATIVE BILL 52

Approved by the Governor March 20, 2003

Introduced by D. Pederson, 42; Hartnett, 45

AN ACT relating to municipalities; to amend sections 16-6,109, 19-2408 to 19-2411, 19-2414, and 19-2415, Reissue Revised Statutes of Nebraska; to change provisions relating to combined improvements; to harmonize provisions; and to repeal the original sections. Be it enacted by the people of the State of Nebraska,

Section 1. Section 16-6,109, Reissue Revised Statutes of Nebraska, is amended to read:

16-6,109. The powers granted by sections 16-6,106 to 16-6,109 are independent of and in addition to all other grants of powers on the same or related subjects but may be exercised jointly with or supplemented by the powers granted by existing legislation, including, but not limited to, sections 16-667 to 16-672.11, 16-680, 16-683, 16-693, 18-401 to 18-411, 18-501 to 18-512, 19-1305, ~~19-2408 to 19-2415~~, 23-320.07 to 23-320.13, and 31-501 to 31-553 and the Combined Improvement Act.

Sec. 2. Section 19-2408, Reissue Revised Statutes of Nebraska, is amended to read:

19-2408. ~~It is hereby found, determined, and declared that it would be~~ The Legislature finds that it is advantageous to cities of the first class, cities of the second class, and villages and to the inhabitants thereof to authorize such cities and villages to make various street improvements and install water mains and sewer lines as a single project where when the aggregate cost of the individual improvement does not exceed fifteen fifty thousand dollars and where the aggregate cost of all improvements in a single project does not exceed fifty two hundred thousand dollars, in lieu of the cities and villages making such improvements as separate projects.

Sec. 3. Section 19-2409, Reissue Revised Statutes of Nebraska, is amended to read:

19-2409. Any city of the first class, city of the second class, or village may pave, repave, macadamize, gravel, curb, and gutter streets, avenues, or alleys and do any grading or work incidental in connection therewith and install water mains and sewer lines, either sanitary or storm or a combination sewer, in any improvement district or make any one, or a combination, of the above improvements, as a single project by following the provisions of sections 19-2408 to 19-2415 Combined Improvement Act, if the total estimated cost of any single improvement does costs do not exceed fifteen thousand dollars, subject to a limitation of fifty thousand dollars of all improvements in a single project the dollar limitations in section 19-2408.

Sec. 4. Section 19-2410, Reissue Revised Statutes of Nebraska, is amended to read:

19-2410. Whenever a petition, signed by sixty percent of the owners of all real property in the proposed improvement district, is presented to the city council or board of trustees of the village setting forth (1) the property to be included in the improvement district, (2) the improvement or improvements authorized by ~~sections 19-2408 to 19-2415~~ the Combined Improvement Act which they desire made in such district in reasonable detail and stating the location of each, and (3) an estimate of the cost of the improvement, which estimate does not exceed fifteen thousand dollars for any single improvement or fifty thousand dollars for any single project the dollar limitations in section 19-2408, the city council or board of trustees of the village shall cause the petition to be examined and the estimate of cost of the improvement verified. If the petition is found correct, the city council or board of trustees of the village shall by ordinance create an improvement district consecutively numbered, known as Improvement District No., and cause the improvements to be made if such can be done within the ~~fifty thousand dollar limitation provided in section 19-2409~~ such dollar limitations.

Sec. 5. Section 19-2411, Reissue Revised Statutes of Nebraska, is amended to read:

19-2411. The city council or board of trustees of a village may without petition create an improvement district and cause one or more of the improvements specified in section 19-2409 to be made in ~~said~~ the district. The ordinance shall designate the property included within the district or the outer boundaries thereof, the improvement or improvements to be made in the

district, and the total estimated cost of ~~said~~ the improvements, which shall not exceed ~~fifteen thousand dollars for any single improvement or fifty thousand dollars for any single project~~ the dollar limitations in section 19-2408. After passage, approval, and publication of the ordinance the city or village clerk shall cause notice of the creation of such district to be published for two consecutive weeks in a newspaper published or of general circulation in the city or village, or in lieu of publication cause such notice to be served personally or by certified mail on all owners of real property located within the district. If a majority of the owners of all the real property in the district file written objections to the creation of the district with the city or village clerk within twenty days after the first publication of such notice or within twenty days after the date of mailing or service of written notice on the property owners in the district, the city or village shall not proceed further and shall repeal such ordinance. If no such objections are filed, the city shall proceed with making the improvements.

Sec. 6. Section 19-2414, Reissue Revised Statutes of Nebraska, is amended to read:

19-2414. After the completion and acceptance of the improvement or improvements, the city or village may issue and sell its negotiable coupon bonds to be known as public improvement bonds in an amount not exceeding the balance of the unpaid cost of the improvement or improvements. The bonds shall be payable in not to exceed twenty years from date and bear interest payable annually or semiannually. All money collected from the special assessments shall be placed in a sinking fund to pay the cost of the improvement or improvements and the bonds issued under ~~sections 19-2408 to 19-2415~~ the Combined Improvement Act.

Sec. 7. Section 19-2415, Reissue Revised Statutes of Nebraska, is amended to read:

19-2415. Sections 19-2408 to 19-2415 shall be known and may be cited as the Combined Improvement Act. ~~for cities of the first class, cities of the second class, and villages.~~

Sec. 8. Original sections 16-6,109, 19-2408 to 19-2411, 19-2414, and 19-2415, Reissue Revised Statutes of Nebraska, are repealed.