

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 798

Introduced by Urban Affairs Committee: McGill, 26, Chairperson;
Ashford, 20; Coash, 27; Krist, 10; Lambert, 2; Smith,
14.

Read first time January 05, 2012

Committee: Revenue

A BILL

1 FOR AN ACT relating to special assessments; to amend sections 2-3254,
2 10-405, 14-105, 14-363, 14-365.03, 14-392, 14-398,
3 14-3,102, 14-3,103, 14-3,107, 14-537, 14-1733, 15-211,
4 15-709, 15-713, 15-718, 15-732, 16-207, 16-250, 16-615,
5 16-630, 16-631, 16-652, 16-664, 16-669, 16-672, 16-708,
6 17-149.01, 17-510, 17-511, 17-512, 17-539, 17-555,
7 17-557.01, 17-913, 17-921, 17-971, 17-972, 18-406,
8 18-1719, 18-1751, 19-2404, 19-2407, 19-2418, 19-2427,
9 23-129, 23-316, 23-317, 23-3618, 31-202.03, 31-230,
10 31-509, 31-740, 31-749, 39-1622, 39-1623, 39-1636.01, and
11 46-544, Reissue Revised Statutes of Nebraska, and
12 sections 15-268, 16-230, and 17-563, Revised Statutes
13 Cumulative Supplement, 2010; to clarify that certain
14 assessments levied by a natural resources district,
15 sanitary drainage district, sanitary and improvement
16 district, special improvement district, county, city, or

1 village are levied and collected as special assessments;
2 and to repeal the original sections.
3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-3254, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-3254 (1) The board shall hold a hearing upon the
4 question of the desirability and necessity, in the interest of the
5 public health, safety, and welfare, of the establishment of or
6 altering the boundaries of an existing improvement project area and
7 the undertaking of such a project, upon the question of the
8 appropriate boundaries describing affected land, upon the propriety
9 of the petition, and upon all relevant questions regarding such
10 inquiries. When a hearing has been initiated by petition, such
11 hearing shall be held within one hundred twenty days of the filing of
12 such petition. Notice of such hearing shall be published prior
13 thereto once each week for three consecutive weeks in a legal
14 newspaper published or of general circulation in the district.
15 Landowners within the limits of the territory described in the
16 petition and all other interested parties, including any appropriate
17 agencies of state or federal government, shall have the right to be
18 heard. If the board finds, after consultation with such appropriate
19 agencies of state and federal government and after the hearing, that
20 the project conforms with all applicable law and with the district's
21 goals, criteria, and policies, it shall enter its findings in the
22 board's official records and shall, with the aid of such engineers,
23 surveyors, and other assistants as it may have chosen, establish an
24 improvement project area or alter the boundaries of an existing
25 improvement project area, proceed to make detailed plans and cost

1 estimates, determine the total benefits, and carry out the project as
2 provided in subsections (2) and (3) of this section. If the board
3 finds that the project does not so conform, the findings shall be
4 entered in the board's records and copies of such findings shall be
5 furnished to the petitioners and the commission.

6 (2) When any such special project would result in the
7 provision of revenue-producing continuing services, the board shall,
8 prior to commencement of construction of such project, determine, by
9 circulation of petitions or by some other appropriate method, if such
10 project can be reasonably expected to generate sufficient revenue to
11 recover the reimbursable costs thereof. If it is determined that the
12 project cannot be reasonably expected to generate sufficient revenue,
13 the project and all work in connection therewith shall be suspended.
14 If it is determined that the project can be reasonably expected to
15 generate sufficient revenue, the board shall divide the total
16 benefits of the project as provided in sections 2-3252 to 2-3254. If
17 the proposed project involves the supply of water for any beneficial
18 use, all plans and specifications for the project shall be filed with
19 the secretary of the district and the Director of Natural Resources,
20 except that if such project involves a public water system as defined
21 in section 71-5301, the filing of the information shall be with the
22 Department of Health and Human Services rather than the Director of
23 Natural Resources. No construction of any such special project shall
24 begin until the plans and specifications for such improvement have
25 been approved by the Director of Natural Resources and the Department

1 of Health and Human Services, if applicable, except that if such
2 special project involves a public water system as defined in section
3 71-5301, only the Department of Health and Human Services shall be
4 required to review such plans and specifications and approve the same
5 if in compliance with the Nebraska Safe Drinking Water Act and
6 departmental rules and regulations adopted and promulgated under the
7 act. All prescribed conditions having been complied with, each
8 landowner within the improvement project area shall, within any
9 limits otherwise prescribed by law, subscribe to a number of benefit
10 units in proportion to the extent he or she desires to participate in
11 the benefits of the special project. As long as the capacity of the
12 district's facilities permit, participating landowners may subscribe
13 to additional units, within any limits otherwise prescribed by law,
14 upon payment of a unit fee for each such unit. The unit fees made and
15 charged pursuant to this section shall be levied and fixed by rules
16 and regulations of the district. The service provided may be withheld
17 during the time such charges levied upon such parcel of land are
18 delinquent and unpaid. Such charges shall be cumulative, and the
19 service provided by the project may be withheld until all delinquent
20 charges for the operation and maintenance of such works of
21 improvement are paid for past years as well as for the current year.
22 All such charges, due and delinquent according to the rules and
23 regulations of such district and unpaid on June 1 after becoming due
24 and delinquent, may be certified by the governing authority of such
25 district to the county clerk of such county in which are situated the

1 lands against which such charges have been levied, and when so
2 certified such charges shall be entered upon the tax list and spread
3 upon the tax roll ~~the same as other special assessment taxes are~~
4 ~~levied and assessed~~ assessments upon real estate, shall become a lien
5 upon such real estate along with other real estate taxes, and shall
6 be collectible ~~at the same time, in the same manner, and in the same~~
7 ~~proceeding as other real estate taxes are levied.~~ as special
8 assessments.

9 (3) When the special project would not result in the
10 provision of revenue-producing continuing services, the board shall
11 apportion the benefits thereof accruing to the several tracts of land
12 within the district which will be benefited thereby, on a system of
13 units. The land least benefited shall be apportioned one unit of
14 assessment, and each tract receiving a greater benefit shall be
15 apportioned a greater number of units or fraction thereof, according
16 to the benefits received. Nothing contained in this section shall
17 prevent the district from establishing separate areas within the
18 improvement project area so as to permit future allocation of costs
19 for particular portions of the work to specific subareas. This
20 subarea method of allocation shall not be used in any improvement
21 project area which has heretofore made a final apportionment of units
22 of benefits and shall not thereafter be changed except by compliance
23 with the procedure prescribed in this section.

24 (4) A notice shall be inserted for at least one week in a
25 newspaper published or of general circulation in the improvement

1 project area stating the time when and the place where the directors
2 shall meet for the purpose of hearing all parties interested in the
3 apportionment of benefits by reason of the improvement, at which time
4 and place such parties may appear in person or by counsel or may file
5 written objections thereto. The directors shall then proceed to hear
6 and consider the same and shall make the apportionments fair and just
7 according to benefits received from the improvement. The directors,
8 having completed the apportionment of benefits, shall make a detailed
9 report of the same and file such report with the county clerk. The
10 board of directors shall include in such report a statement of the
11 actual expenses incurred by the district to that time which relate to
12 the proposed project and the actual cost per benefit unit thereof.
13 Thereupon the board of directors shall cause to be published, once
14 each week for three consecutive weeks in a newspaper published or of
15 general circulation in the improvement project area, a notice that
16 the report required in this subsection has been filed and notice
17 shall also be sent to each party appearing to have a direct legal
18 interest in such apportionment, which notice shall include the
19 description of the lands in which each party notified appears to have
20 such interest, the units of benefit assigned to such lands, the
21 amount of actual costs assessable to date to such lands, and the
22 estimated total costs of the project assessable to such lands upon
23 completion thereof, as provided by sections 25-520.01 to 25-520.03.
24 If the owners of record title representing more than fifty percent of
25 the estimated total assessments file with the board within thirty

1 days of the final publication of such notice written objections to
2 the project proposed, such project and work in connection therewith
3 shall be suspended, such project shall not be done in such project
4 area, and all expenses relating to such project incurred by and
5 accrued to the district may, at the direction of the board of
6 directors, be assessed upon the lands which were to have been
7 benefited by the completion of such improvement project in accordance
8 with the apportionment of benefits determined and procedures
9 established in this section. Upon completing the establishment of an
10 improvement project area or altering the boundaries of an existing
11 improvement project area as provided in this subsection and upon
12 determining the reimbursable cost of the project and the period of
13 time over which such cost shall be assessed, the board of directors
14 shall determine the amount of money necessary to raise each year by
15 special assessment within such improvement project area and apportion
16 the same in dollars and cents to each tract benefited according to
17 the apportionment of benefits as determined by this section. The
18 board of directors shall also, from time to time as it deems
19 necessary, order an additional assessment upon the lands and property
20 benefited by the project, using the original apportionment of
21 benefits as a basis to ascertain the assessment to each tract of land
22 benefited, to carry out a reasonable program of operation and
23 maintenance upon the construction or capital improvements involved in
24 such project. The chairperson and secretary shall thereupon return
25 lists of such tracts with the amounts chargeable to each of the

1 county clerks of each county in which assessed lands are located, who
2 shall place the same on duplicate tax lists against the lands and
3 lots so assessed. Such assessments shall be collected and accounted
4 for by the county treasurer at the same time as general real estate
5 taxes, and such assessments shall be and remain a perpetual lien
6 against such real estate until paid. All provisions of law for the
7 sale, redemption, and foreclosure in ordinary tax matters shall apply
8 to such special assessments.

9 Sec. 2. Section 10-405, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 10-405 It shall be the duty of the proper officers of
12 such county or city to cause to be annually levied, collected, and
13 paid to the holders of such bonds a special ~~tax-assessment~~ on all
14 taxable property within ~~said~~ such county or city sufficient to pay
15 the annual interest as the ~~same~~ interest becomes due. When the
16 principal of ~~said~~ such bonds becomes due, such officers shall in like
17 manner levy and collect an additional amount sufficient to pay the
18 ~~same principal~~ as it becomes due, ~~except that no ; Provided, not more~~
19 than twenty percent of the principal of ~~said~~ such bonds shall be
20 collected in any one year.

21 Sec. 3. Section 14-105, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 14-105 The city council ~~shall have power to~~ may require
24 any and all lots or pieces of ground within the city to be drained,
25 filled, or graded, and upon the failure of the owners of such lots or

1 pieces of ground to comply with such requirements, after thirty days'
2 notice in writing, the council may cause the ~~same~~ lots or pieces of
3 ground to be drained, filled, or graded, and the cost and expense
4 thereof shall be levied upon the property so filled, drained, or
5 graded and shall be equalized, assessed, and collected as ~~either a~~
6 special ~~assessments.~~ assessment.

7 Sec. 4. Section 14-363, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 14-363 The city council may provide for the sprinkling or
10 armor coating of the streets of the city and, for the purpose of
11 accomplishing such work, may by ordinance create suitable districts
12 to be designated sprinkling or armor-coating districts and may order
13 and direct the work, including preparatory grading, to be done upon
14 any or all of the streets in the districts. The work shall be done
15 upon contract in writing let upon advertisement to the lowest
16 responsible bidder. Such advertisement shall specify the district or
17 districts proposed to be so worked, especially describing ~~the same,~~
18 such district or districts, and bids shall be made and contracts let
19 with reference to such district or districts so specified. For the
20 purpose of paying the cost of the work contemplated and contracted
21 for, the city council may levy and assess the cost upon all lots,
22 lands, and real estate in the district, such tax or assessment to be
23 equal and uniform upon all front footage or property within or
24 abutting upon the streets within the district so created. The
25 assessment shall be a lien upon all such lots, lands, and real estate

1 and shall be enforced and collected as ~~are other special assessments.~~
2 a special assessment.

3 Sec. 5. Section 14-365.03, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 14-365.03 The governing body of such municipality may
6 make all necessary rules and regulations governing the use,
7 operation, and control thereof. The governing body may establish just
8 and equitable rates or charges to be paid to it for the use of such
9 disposal plant and sewerage system by the owner of the property
10 served or by the person, firm, or corporation using the services. If
11 any service charge so established is not paid when due, such sum may
12 (1) be recovered by the municipality in a civil action, or it may (2)
13 be certified to the tax assessor and assessed against the premises
14 served, and collected or returned in the same manner as other
15 municipal taxes are certified, assessed, collected, and returned, or
16 it may (3) be assessed against the premises served in the same manner
17 as a special taxes or assessments are assessed by such city
18 assessment and shall be certified, enforced, collected, and returned
19 as other a special taxes or assessments of such city. assessment.

20 Sec. 6. Section 14-392, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 14-392 For the purpose of covering in whole or in part
23 the costs of any of the improvements and costs incident thereto,
24 authorized in sections 14-384 to 14-3,127, including grading done in
25 combination with any other improvements, the city ~~is empowered to~~ may

1 assess the property within the improvement district or the property
2 benefited by change of grade or grading when not made in combination
3 with other improvements, to the full extent of the special benefits
4 thereby conferred upon the respective lots, tracts, and parcels of
5 land, or if the city council ~~shall find~~ finds that there are common
6 benefits enjoyed by the public at large without reference to the
7 ownership of property abutting or adjacent to the improvement or
8 improvements, or that there is a common benefit to the property
9 embraced within the district or districts, the city ~~is empowered to~~
10 may assess the costs of such improvement or improvements against all
11 the property included in such district or districts, according to
12 such rules as the city council sitting as a board of equalization,
13 shall adopt for the distribution or adjustment of the costs of the
14 improvement or improvements. All such assessments shall be equalized,
15 levied, and collected as ~~provided by law for the equalization,~~
16 ~~levying, and collection of special assessments.~~

17 Sec. 7. Section 14-398, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 14-398 Under the methods provided in sections 14-384 to
20 14-3,127 to grade streets, boulevards, highways, main thoroughfares,
21 controlled-access facilities, connecting links, major traffic
22 streets, alleys, and parts thereof, any number of intersecting and
23 connecting streets reasonably required and proper and necessary to
24 the better and improved use of ~~said~~ such streets may be authorized to
25 be graded in one and the same proceeding. The cost thereof as

1 provided in sections 14-384 to 14-3,127 may be assessed upon property
2 specially benefited as a special assessment. In such instances, in
3 determining the sufficiency of either an authorized protest or
4 petition, the total frontage of taxable property on all sides on all
5 of the streets to be graded shall be taken into consideration.

6 Sec. 8. Section 14-3,102, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 14-3,102 Whenever it is desired to make any improvement
9 or improvements authorized in section 14-385, where the costs of such
10 improvement or improvements are to be assessed against the adjacent
11 and abutting property benefited thereby, and no petition has been
12 filed therefor in accordance with section 14-391, the city for that
13 purpose may propose such improvement or improvements stating the
14 specific character of the improvement or improvements thus to be
15 made. The city shall cause to be published in the official newspaper
16 a brief notice of such proposal stating the character of the
17 improvement or improvements proposed thereby, and shall give
18 additional notice to the property owners in the district or
19 districts, or proposed district or districts, as required by ~~the~~
20 ~~provisions of~~ section 25-520.01. If within thirty days thereafter the
21 owners of fifty-one percent of the taxable property abutting upon the
22 street or streets, or part or parts thereof proposed ~~thus~~ to be
23 improved protest against such project, such work shall not be done.
24 In the absence of such protest, the city shall be authorized to
25 proceed with the work as proposed. The cost and expense thereof, as

1 provided by law, may be assessed against the property within the
2 district or districts specially benefited to the extent of such
3 benefits as a special assessment. Where assessment against the
4 property within the district or districts specially benefited is not
5 made, or where the improvement or improvements are on a main
6 thoroughfare, major traffic street, or connecting link, or made
7 pursuant to sections 14-3,103 to 14-3,106, this section shall not
8 apply.

9 Sec. 9. Section 14-3,103, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 14-3,103 The city ~~shall have the power to~~ may construct
12 or repair sidewalks along any street or part thereof, or any
13 boulevard or part thereof, of such material and in such manner as it
14 deems necessary and assess the cost thereof upon abutting property.
15 Such assessments, except for temporary sidewalks and sidewalk
16 repairs, shall be equalized and levied as ~~other~~ special assessments.
17 The city shall cause the construction of sidewalks on at least one
18 side of every major traffic street and main thoroughfare in the city,
19 excluding freeways, expressways, controlled-access facilities, and
20 other streets deemed by the city to demonstrate no or very limited
21 demand for pedestrian use, and may assess the cost thereof upon
22 abutting property. Such construction shall be completed within a
23 reasonable time, based upon an annual review of construction program
24 priorities and available funding sources. , following either July 10,
25 1984, or the creation or annexation of such major traffic street or

1 ~~main thoroughfare, whichever is later.~~

2 Sec. 10. Section 14-3,107, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 14-3,107 (1) Except as provided in subsection (2) of this
5 section, the city may vacate or narrow any street, highway, main
6 thoroughfare, controlled-access facility, connecting link, boulevard,
7 major traffic street, or alley upon petition of the owners of
8 seventy-five percent of the taxable frontage feet abutting upon such
9 street or alley proposed to be vacated and asking for such vacation,
10 or the city, for purposes of construction of a controlled-access
11 highway or to conform to a master plan of the city, may, without
12 petition having been filed therefor, vacate any street or alley or
13 any part thereof in the city. Whenever a street is vacated or
14 narrowed, the part so vacated shall revert to the abutting owners on
15 the respective sides thereof, except that if part or all of the
16 vacated street lies within the State of Nebraska but one side or any
17 part of the street is adjacent to the boundary of the State of
18 Nebraska, all of the street lying within the State of Nebraska or
19 that part lying within the State of Nebraska shall revert to the
20 owner of the abutting property lying wholly within the State of
21 Nebraska. The city may open, improve, and make passable any street,
22 highway, boulevard, main thoroughfare, controlled-access facility,
23 connecting link, major traffic street, or alley. For purposes of this
24 subsection, open refers to the adaptation of the surface of the
25 street to the needs of ordinary travel but does not necessarily

1 require the grading to an established grade. The costs of any of the
2 improvements mentioned in this subsection, except as otherwise
3 provided in sections 14-384 to 14-3,127, to the extent of special
4 benefits thereby conferred, may be assessed against the property
5 specially benefited thereby ~~in the usual manner for assessing as~~
6 ~~special benefits.~~ assessments. When the city vacates all or any
7 portion of a street, highway, main thoroughfare, controlled-access
8 facility, connecting link, boulevard, major traffic street, or alley
9 pursuant to this subsection, the city shall, within thirty days after
10 the effective date of the vacation, file a certified copy of the
11 vacating ordinance or resolution with the register of deeds for the
12 county in which the vacated property is located to be indexed against
13 all affected lots.

14 (2) The city may vacate any minimal secondary right-of-
15 way in the manner described in this subsection. The city may vacate
16 any segment of such right-of-way by ordinance without petition and
17 without convening any committee for the purpose of determining any
18 damages if all affected abutting properties have primary access to an
19 otherwise open and passable public street right-of-way. An abutting
20 property shall not be determined to have primary access if such
21 abutting property has an existing garage and such garage is not
22 accessible without altering or relocating such garage. Title to such
23 vacated rights-of-way shall vest in the owners of abutting property
24 and become a part of such property, each owner taking title to the
25 center line of such vacated street or alley adjacent to such owner's

1 property subject to the following: (a) There is reserved to the city
2 the right to maintain, operate, repair, and renew sewers now existing
3 there and (b) there is reserved to the public utilities and cable
4 television systems the right to maintain, repair, renew, and operate
5 installed water mains, gas mains, pole lines, conduits, electrical
6 transmission lines, sound and signal transmission lines, and other
7 similar services and equipment and appurtenances above, on, and below
8 the surface of the ground for the purpose of serving the general
9 public or abutting properties, including such lateral connection or
10 branch lines as may be ordered or permitted by the city or such other
11 utility or cable television system and to enter upon the premises to
12 accomplish such purposes at any and all reasonable times. The city
13 shall, within thirty days after the effective date of the vacation,
14 file a certified copy of the vacating ordinance or resolution with
15 the register of deeds for the county in which the vacated property is
16 located to be indexed against all affected lots. For purposes of this
17 subsection, minimal secondary right-of-way means any street or alley
18 which either is unpaved, has substandard paving, or has pavement
19 narrower than sixteen feet and which is a secondary means of access
20 to or from any property abutting the portion to be vacated.

21 Sec. 11. Section 14-537, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 14-537 ~~The Special assessments of special taxes for~~
24 improving the streets, alleys, sewers, and sidewalks within any
25 improvement district, except where otherwise provided, shall be made

1 in accordance with this section. The total cost of improvements shall
2 be levied at one time upon the property and become delinquent as
3 provided in this section. The city may require that the total amount
4 of such assessment be paid in less than ten years if, in each year of
5 the payment schedule, the maximum amount payable, excluding interest,
6 is five hundred dollars. If the total amount is more than five
7 thousand dollars, then it shall become delinquent as follows: One-
8 tenth of the total amount shall be delinquent in fifty days after
9 such levy; one-tenth in one year; one-tenth in two years; one-tenth
10 in three years; one-tenth in four years; one-tenth in five years;
11 one-tenth in six years; one-tenth in seven years; one-tenth in eight
12 years; and one-tenth in nine years. Each of the installments except
13 the first shall draw interest at a rate not to exceed the rate of
14 interest specified in section 45-104.01, as such rate may from time
15 to time be adjusted by the Legislature, from the time of levy until
16 the ~~same~~ installment becomes delinquent and, after the ~~same~~
17 installment becomes delinquent, shall draw interest at the rate
18 specified in section 45-104.01, as such rate may from time to time be
19 adjusted by the Legislature, payable in advance, as in ~~case of other~~
20 cases of special taxes. assessments. Such special assessments shall
21 also be collected and enforced as in other cases of special
22 assessments.

23 Sec. 12. Section 14-1733, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 14-1733 In order to pay the cost required by any

1 purchase, construction, or lease, of property and equipping of such
2 facilities, or the enlargement of presently owned facilities, the
3 city may: (1) Issue revenue bonds to provide the funds for such
4 improvements. Such revenue bonds shall be a lien only upon the
5 revenue and earnings of parking facilities and onstreet parking
6 meters. Such revenue bonds shall mature in ~~not to exceed no more than~~
7 forty years and shall be sold at public or private sale. Any such
8 revenue bonds which may be issued shall not be included in computing
9 the maximum amount of bonds which the issuing city of the
10 metropolitan class may be authorized to issue under its charter or
11 any statute of this state. Such revenue bonds may be issued and sold
12 or delivered to the contractor at par and accrued interest for the
13 amount of work performed. The city may pledge the revenue from any
14 facility or parking meters as security for the bonds; (2) upon an
15 initiative petition of the majority of the record owners of taxable
16 property included in a proposed parking district, ~~the city council~~
17 ~~may~~ create, by ordinance, parking districts and delineate the
18 boundaries thereof. If, ~~and if~~ the city council ~~shall find~~ finds
19 that there are common benefits enjoyed by the public at large without
20 reference to the ownership of property, or that there is a common
21 benefit to the property encompassed within a parking district or
22 districts, the city may assess the costs of such improvement or
23 improvements as a special assessment against all the property
24 included in such district or districts, according to such rules as
25 the city council, sitting as a board of equalization, shall adopt for

1 the distribution or adjustment of the costs of such improvement or
2 improvements. All such special assessments shall be equalized,
3 levied, and collected as provided by law for the equalization,
4 levying, and collection of special assessments. Special assessments
5 levied pursuant to this section shall be due, payable, and bear
6 interest as the city council shall determine by ordinance.
7 Installment payments shall not be allowed for any period in excess of
8 twenty years; or (3) use, independently or together with revenue
9 derived pursuant to subdivision (1) or (2) of this section, gifts,
10 leases, devises, grants, federal or state funds, or agreements with
11 other public entities.

12 No real property shall be included in any parking
13 district created pursuant to this section when the zoning district in
14 which such property is located is a residential zoning district or a
15 district where the predominant type of land use authorized is
16 residential in nature.

17 Sec. 13. Section 15-211, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 15-211 A ~~primary city shall have power, of the primary~~
20 class may, by ordinance, ~~to~~ require any and all lots or pieces of
21 ground within the city to be drained or filled so as to prevent
22 stagnant water or any other nuisance accumulating thereon. Upon the
23 failure of the owners of such lots or pieces of ground to fill or
24 drain the ~~same lots or pieces~~ when so required, the council may cause
25 such lots or pieces of ground to be drained or filled, and the cost

1 and expenses thereof shall be levied upon the property so filled or
2 drained, and collected as ~~any other special tax.~~ a special
3 assessment.

4 Sec. 14. Section 15-268, Revised Statutes Cumulative
5 Supplement, 2010, is amended to read:

6 15-268 A city of the primary class may provide for the
7 destruction and removal of weeds and worthless vegetation growing
8 upon any lot or lots or lands within the corporate limits of such
9 city or upon the streets and alleys abutting upon any lot or lots or
10 lands, and such city may require the owner or owners of such lot or
11 lots or lands to destroy and remove ~~the same~~ such weeds and worthless
12 vegetation therefrom and from the streets and alleys abutting
13 thereon. If, after five days' notice by publication, by certified
14 United States mail, or by the conspicuous posting of the notice on
15 the lot or land upon which the nuisance exists, the owner or owners
16 fail, neglect, or refuse to destroy or remove the nuisance, the city,
17 through its proper officers, shall destroy and remove the nuisance,
18 or cause the nuisance to be destroyed or removed, from the lot or
19 lots or lands and streets and alleys abutting thereon and shall
20 assess the cost thereof against such lot or lots or lands, ~~as~~
21 ~~provided by ordinance.~~ a special assessment.

22 Sec. 15. Section 15-709, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 15-709 The city council may order the owner of lots
25 abutting on a street that is to be paved, to lay sewer, gas, and

1 water service pipes to connect mains. If the owner fails to lay such
2 pipes, ; ~~and if he neglects so to do,~~ after five days' notice by
3 publication in a newspaper of general circulation in the city, or in
4 place thereof by personal service of such notice, as the council in
5 its discretion may direct, the council ~~shall have power to~~ may cause
6 the ~~same sewer, gas, and water service pipes~~ to be laid, ~~along with~~
7 ~~and~~ as part of the work of the improvement district, and assess the
8 cost thereof on the property of such owner as a special assessment.
9 Such , ~~along with and in the manner as provided, for making the~~
10 assessment to pay the cost of the pavement or improvements in the
11 improvement district ~~and to~~ shall be collected and enforced as
12 ~~special taxes.~~ a special assessment.

13 Sec. 16. Section 15-713, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 15-713 To pay the cost of curbing and guttering public
16 ways the city council may issue bonds called curbing gutter bonds,
17 district No., payable in not ~~ever~~ more than twenty years or at
18 the option of the city at any interest-paying date, and assess the
19 cost, not exceeding the special benefits, on abutting property as
20 special assessments. ~~Such , said assessments to~~ shall become due,
21 delinquent, draw interest, be subject to like penalty, and collected
22 as ~~other special taxes,~~ assessments and shall constitute a sinking
23 fund for the payment of such bonds. No paving bonds and no curbing
24 gutter bonds shall be sold or delivered until necessary to make
25 payments for work done on such improvements.

1 Sec. 17. Section 15-718, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 15-718 Special ~~taxes~~assessments may be levied by the
4 city council for the purpose of paying the cost of constructing such
5 sewers and drains within the city. Such ~~taxes~~assessments shall be
6 levied upon the real estate within the sewerage districts in which
7 such sewer or drain may be, to the extent of benefits to such
8 property by reason of such improvements. The benefits to such
9 property shall be determined by the city council as in other cases of
10 special assessments. All ~~taxes~~or assessments made for sewerage or
11 drainage purposes shall be levied and collected ~~in the same manner as~~
12 ~~other~~ special assessments.

13 Sec. 18. Section 15-732, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 15-732 Any street railway company which shall abandon the
16 use of and fail to use its line of railway or any material portion
17 thereof for railway purposes, or shall fail to pay its paving taxes
18 and assessments, shall be subject to forfeiture of its charter.
19 Upon ; ~~and upon~~ reasonable notice in writing served upon such
20 company, the city council ~~shall have power~~ may by ordinance ~~to~~
21 declare the charter of such company forfeited. The ; ~~and the~~ city
22 council may cause the ~~said~~ unused tracks to be taken up and the
23 street and paving repaired, may assess the cost ~~of the same~~ to the
24 ~~said~~ street railway company, and may collect the ~~said~~ costs as a
25 special ~~tax~~ assessment against ~~said~~ the company.

1 Sec. 19. Section 16-207, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 16-207 (1) A city of the first class may by ordinance
4 provide for the removal of all obstructions from the sidewalks,
5 curbstones, gutters, and crosswalks at the expense of the owners or
6 occupants of the grounds fronting thereon or at the expense of the
7 person placing the ~~same there~~ obstruction and may require and
8 regulate the planting and protection of shade trees in and along the
9 streets ~~and along the same~~ and the trimming and removing of the ~~same~~.
10 trees.

11 (2) A city of the first class may by ordinance declare it
12 to be a nuisance for a property owner to permit, allow, or maintain
13 any dead or diseased trees within the right-of-way of streets within
14 the corporate limits of the city. Notice to abate and remove such
15 nuisance and notice of the right to a hearing and the manner in which
16 it may be requested shall be given to each owner or owner's duly
17 authorized agent and to the occupant, if any, by personal service or
18 certified mail. Within thirty days after the receipt of such notice,
19 if the owner or occupant of the lot or piece of ground does not
20 request a hearing or fails to comply with the order to abate and
21 remove the nuisance, the city may have such work done and may levy
22 and assess all or any portion of the costs and expenses of the work
23 upon the lot or piece of ground so benefited ~~in the same manner as~~
24 ~~other a special taxes for improvements are levied and assessed.~~
25 assessment.

1 (3) The city may also regulate the building of bulkheads,
2 cellars, basements, ways, stairways, railways, windows, doorways,
3 awnings, hitching posts and rails, lampposts, awning posts, and all
4 other structures projecting upon or over any adjoining excavation
5 through and under the sidewalks in the city.

6 Sec. 20. Section 16-230, Revised Statutes Cumulative
7 Supplement, 2010, is amended to read:

8 16-230 (1) A city of the first class by ordinance may
9 require lots or pieces of ground within the city or within the city's
10 extraterritorial zoning jurisdiction to be drained or filled so as to
11 prevent stagnant water or any other nuisance accumulating thereon.
12 Except as provided in subsection (6) of this section, the city may
13 require the owner or occupant of all lots and pieces of ground within
14 the city to keep the lots and pieces of ground and the adjoining
15 streets and alleys free of any growth of twelve inches or more in
16 height of weeds, grasses, or worthless vegetation, and it may
17 prohibit and control the throwing, depositing, or accumulation of
18 litter on any lot or piece of ground within the city.

19 (2) Except as provided in subsection (6) of this section,
20 any city of the first class may by ordinance declare it to be a
21 nuisance to permit or maintain any growth of twelve inches or more in
22 height of weeds, grasses, or worthless vegetation or to litter or
23 cause litter to be deposited or remain thereon except in proper
24 receptacles.

25 (3) Any owner or occupant of a lot or piece of ground

1 shall, upon conviction of violating any ordinance authorized under
2 this section, be guilty of a Class V misdemeanor.

3 (4) Notice to abate and remove such nuisance shall be
4 given to each owner or owner's duly authorized agent and to the
5 occupant, if any, by personal service or certified mail. If notice by
6 personal service or certified mail is unsuccessful, notice shall be
7 given by publication in a newspaper of general circulation in the
8 city or by conspicuously posting the notice on the lot or ground upon
9 which the nuisance is to be abated and removed. Within five days
10 after receipt of such notice or publication or posting, whichever is
11 applicable, if the owner or occupant of the lot or piece of ground
12 does not request a hearing with the city or fails to comply with the
13 order to abate and remove the nuisance, the city may have such work
14 done. The costs and expenses of any such work shall be paid by the
15 owner. If unpaid for two months after such work is done, the city may
16 either (a) levy and assess the costs and expenses of the work upon
17 the lot or piece of ground so benefited ~~in the same manner as other~~
18 ~~special taxes for improvements are levied and assessed as a special~~
19 assessment or (b) recover in a civil action the costs and expenses of
20 the work upon the lot or piece of ground and the adjoining streets
21 and alleys.

22 (5) For purposes of this section:

23 (a) Litter includes, but is not limited to: (i) Trash,
24 rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood, plaster,
25 cement, brick, or stone building rubble; (iii) grass, leaves, and

1 worthless vegetation; (iv) offal and dead animals; and (v) any
2 machine or machines, vehicle or vehicles, or parts of a machine or
3 vehicle which have lost their identity, character, utility, or
4 serviceability as such through deterioration, dismantling, or the
5 ravages of time, are inoperative or unable to perform their intended
6 functions, or are cast off, discarded, or thrown away or left as
7 waste, wreckage, or junk;

8 (b) Weeds includes, but is not limited to, bindweed
9 (Convolvulus arvensis), puncture vine (Tribulus terrestris), leafy
10 spurge (Euphorbia esula), Canada thistle (Cirsium arvense), perennial
11 peppergrass (Lepidium draba), Russian knapweed (Centaurea picris),
12 Johnson grass (Sorghum halepense), nodding or musk thistle, quack
13 grass (Agropyron repens), perennial sow thistle (Sonchus arvensis),
14 horse nettle (Solanum carolinense), bull thistle (Cirsium
15 lanceolatum), buckthorn (Rhamnus sp.) (tourn), hemp plant (Cannabis
16 sativa), and ragweed (Ambrosiaceae); and

17 (c) Weeds, grasses, and worthless vegetation does not
18 include vegetation applied or grown on a lot or piece of ground
19 outside the corporate limits of the city but inside the city's
20 extraterritorial zoning jurisdiction expressly for the purpose of
21 weed or erosion control.

22 (6) A city of the first class by ordinance may declare it
23 to be a nuisance to permit or maintain any growth of eight inches or
24 more in height of weeds, grasses, or worthless vegetation on any lot
25 or piece of ground located within the corporate limits of the city

1 during any calendar year if, within the same calendar year, the city
2 has, pursuant to subsection (4) of this section, acted to remove
3 weeds, grasses, or worthless vegetation exceeding twelve inches in
4 height on the same lot or piece of ground and had to seek recovery of
5 the costs and expenses of such work from the owner.

6 Sec. 21. Section 16-250, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 16-250 A city of the first class may construct or repair
9 sidewalks, sewers, and drains on any highway in the city, ~~and~~
10 construct or repair iron railings or gratings for areaways, cellars,
11 or entrances to basements of buildings, and levy a special ~~tax~~
12 assessment on lots or parcels of land fronting on such sidewalk,
13 waterway, highway, ~~or~~ alley to pay the expense of such improvements,
14 to be assessed as ~~other~~ a special ~~assessments~~. ~~But, unless~~
15 assessment. Unless a majority of the owners of the property subject
16 to assessment for such improvements petition the council to make the
17 ~~same, improvements,~~ such improvements shall not be made until three-
18 fourths of all the members of ~~said~~ the city council, by vote, assent
19 to the making of the ~~same, improvements,~~ which vote, by yeas and
20 nays, shall be entered of record.

21 Sec. 22. Section 16-615, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 16-615 (1) The mayor and city council ~~shall have power by~~
24 ~~ordinance to~~ may establish the grade of any street, avenue, or alley
25 in the city or within a county industrial area as defined in section

1 13-1111 contiguous to such city. When the grade of any street,
2 avenue, or alley has been established, the grade of all or any part
3 shall not be changed unless the city clerk has sent notice of the
4 proposed change in grade to the owners of the lots or land abutting
5 upon the street, avenue, or alley or part of a street, avenue, or
6 alley where such change of grade is to be made. The notice shall be
7 sent to the addresses of the owners as they ~~shall~~ appear in the
8 office of the register of deeds upon the date of the mailing of the
9 notice. The notice shall be sent by regular United States mail,
10 postage prepaid, postmarked at least twenty-one days before the date
11 upon which the city council takes final action on approval of the
12 ordinance authorizing the change in grade. The notice shall inform
13 the owner of the nature of the proposed change, that final action by
14 the city council is pending, and of the location where additional
15 information on the project may be obtained. Following the adoption of
16 an ordinance changing the grade of all or any part of a street,
17 avenue, or alley, no change in grade shall be made until the damages
18 to property owners which may be caused by such change of grade are
19 determined as provided in sections 76-704 to 76-724.

20 (2) For the purpose of paying the damages, if any, so
21 awarded, the mayor and city council ~~shall have power to~~ may borrow
22 money from any available fund in the amount necessary, which amount,
23 upon the collection of ~~the same~~ such amount by special assessment,
24 shall be transferred from such special fund to the fund from which it
25 has been borrowed. No street, avenue, or alley shall be worked to

1 such grade or change of grade until the damages so assessed shall be
2 tendered to such property owners or their agents. Before the mayor
3 and council enter into any contract to grade any such street, avenue,
4 or alley, the damages, if any, sustained by the property owners,
5 shall be ascertained by condemnation proceedings. For the purpose of
6 paying the damages awarded and the costs of the condemnation
7 proceedings, the mayor and city council ~~shall have power to~~ may levy
8 a special ~~tax~~ assessment upon the lots and lands abutting upon such
9 street, avenue, or alley, or part thereof, so graded, as adjudged by
10 the mayor and council to be especially benefited in proportion to
11 such benefits. Such ~~special tax or taxes~~ assessment shall be
12 collected as other ~~special taxes~~. special assessments.

13 Sec. 23. Section 16-630, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 16-630 ~~Whenever~~ If curbing, or curbing and guttering, is
16 done upon any street, avenue, or alley in any paving, repaving,
17 graveling, or macadamizing district in which paving or other such
18 improvement ~~aforsaid~~ has been ordered, and the mayor and city
19 council shall deem it expedient to do so, ~~they shall have the power~~
20 ~~and authority,~~ the mayor and council may, for the purpose of paying
21 the cost of such curbing, or curbing and guttering, ~~to~~ cause to be
22 issued bonds of the city, to be called Curbing and Guttering Bonds of
23 Paving District No., payable in not exceeding ten years from
24 date, bearing interest, payable annually or semiannually, with
25 interest coupons attached. In all cases ~~they~~ the mayor and council

1 shall assess at one time as a special assessment the total cost of
 2 such curbing, or curbing and guttering, ~~or curbing, as the case may~~
 3 ~~be,~~ upon the property abutting or adjacent to the portion of the
 4 street, avenue, or alley so improved, according to the special
 5 benefits. Such special assessments shall become delinquent the same
 6 as the special assessments ~~of special taxes~~ for paving, repaving,
 7 graveling, or macadamizing purposes, draw the same rate of interest,
 8 be subject to the same penalties, and may be paid in the same manner,
 9 as ~~special taxes for said purpose.~~ assessments for such purpose. The
 10 ~~special tax so assessed~~ assessment shall constitute a sinking fund
 11 for the payment of such bonds and interest, and the bonds shall not
 12 be sold for less than their par value.

13 Sec. 24. Section 16-631, Reissue Revised Statutes of
 14 Nebraska, is amended to read:

15 16-631 ~~where~~ if an improvement district has been
 16 established, an improvement thereon constructed, and curbing, or
 17 curbing and guttering, is therewith constructed, and it becomes
 18 necessary to issue and sell street improvement bonds to pay for the
 19 cost of construction of ~~same,~~ the improvement and ~~also for the cost~~
 20 ~~of construction of the curbing, or curbing and guttering,~~ the mayor
 21 and city council may, at their discretion, if they deem ~~the same~~ it
 22 advisable, include the cost of curbing, or curbing and guttering,
 23 with the cost of the other improvement in ~~said~~ the paving or other
 24 improvement district, and issue bonds for the combined cost of the
 25 improvement and curbing, or curbing and guttering, in any of ~~said~~ the

1 districts, naming the bonds Street Improvement Bonds of District
2 No. The amount of money necessary for the payment of ~~said~~
3 such bonds shall be levied upon and collected from abutting and
4 adjacent property, and property specially benefited, ~~the same as is~~
5 ~~provided for collection of~~ as a special tax for the payment of street
6 ~~improvement bonds.~~ assessment.

7 Sec. 25. Section 16-652, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 16-652 The cost of grading the streets and alleys within
10 any ~~such~~ grading district shall be assessed upon the lots and lands
11 specially benefited thereby in such district in proportion to such
12 benefits, to be determined by the mayor and city council under ~~the~~
13 ~~provisions of section 16-615,~~ as a special assessment. The special
14 ~~assessment of special taxes for grading purposes herein provided for~~
15 shall be levied at one time and shall become delinquent as follows:
16 One-fifth of the total amount shall become delinquent in fifty days
17 after such levy; one-fifth in one year; one-fifth in two years; one-
18 fifth in three years; and one-fifth in four years. Each of ~~said~~ the
19 installments, except the first, shall draw interest at a rate not to
20 exceed the rate of interest specified in section 45-104.01, as such
21 rate may from time to time be adjusted by the Legislature, from the
22 time of the levy aforesaid ~~until the same shall become~~ installment
23 becomes delinquent. ~~If the installment becomes ; and, after the same~~
24 ~~shall become delinquent,~~ interest at the rate specified in section
25 45-104.01, as such rate may from time to time be adjusted by the

1 Legislature, shall be paid thereon, as in the case of other special
2 ~~taxes.~~ assessments. The cost of grading the intersections of streets
3 and spaces opposite alleys in any such district shall be paid by the
4 city out of the general fund of such city.

5 Sec. 26. Section 16-664, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 16-664 ~~Such~~ The mayor and city shall have power to
8 council may provide for the laying of permanent sidewalks. Upon the
9 petition of any freeholder who desires to build such a permanent
10 sidewalk, the mayor and council may order the ~~same~~ sidewalk to be
11 built, ~~and that~~ the cost of the ~~same~~ sidewalk until paid shall be a
12 perpetual lien upon the real estate along which the freeholder
13 desires such sidewalk to be constructed, and the city may assess and
14 levy the costs of ~~same~~ the sidewalk against such real estate ~~in the~~
15 ~~manner provided by law.~~ as a special assessment. The total cost of
16 the building of the permanent sidewalk shall be levied at one time
17 upon the property along which such permanent sidewalk is to be built,
18 and become delinquent as ~~herein~~ provided: One-seventh of the total
19 cost shall become delinquent in ten days after such levy; one-seventh
20 in one year; one-seventh in two years; one-seventh in three years;
21 one-seventh in four years; one-seventh in five years; and one-seventh
22 in six years. Each of such installments, except the first, shall draw
23 interest at a rate ~~of~~ not exceeding the rate of interest specified in
24 section 45-104.01, as such rate may from time to time be adjusted by
25 the Legislature, from the time of the levy aforesaid, ~~until the same~~

1 ~~shall become~~ installment becomes delinquent. If the installment
2 becomes ; and after the same shall become delinquent, interest at the
3 rate specified in section 45-104.01, as such rate may from time to
4 time be adjusted by the Legislature, shall be paid thereon as in the
5 case of other special ~~taxes~~. assessments. The council shall pay for
6 the building of such permanent sidewalk out of the general fund. The
7 mayor and council may pass an ordinance to carry into effect ~~the~~
8 ~~provisions of~~ this section.

9 Sec. 27. Section 16-669, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 16-669 (1) Except as provided in subsection (2) of this
12 section, ~~the assessment of special taxes~~ special assessments for
13 sewer or water improvements in a district shall be levied at one time
14 and shall become delinquent in equal annual installments over a
15 period of years equal to the number of years for which the bonds for
16 such project were issued pursuant to section 16-670. The first
17 installment becomes delinquent fifty days after the making of such
18 levy. Each installment, except the first, shall draw interest from
19 the time of such levy until such installment becomes delinquent.
20 After an installment becomes delinquent, interest at the rate
21 specified in section 45-104.01, as such rate may from time to time be
22 adjusted by the Legislature, shall be paid thereon until such
23 installment is collected and paid. Such special ~~taxes~~ assessments
24 shall be collected and enforced as in cases of other special ~~taxes~~
25 assessments and shall be a lien on such real estate from and after

1 the date of the levy thereof. If three or more installments are
2 delinquent and unpaid on the same property, the city council may by
3 resolution declare all future installments on such delinquent
4 property to be due on a future fixed date. The resolution shall set
5 forth the description of the property and the names of its record
6 title owners and shall provide that all future installments shall
7 become delinquent upon the date fixed. A copy of such resolution
8 shall be published one time each week for not less than twenty days
9 in a legal newspaper of general circulation published in the city and
10 after the fixed date such future installments shall be deemed to be
11 delinquent and the city may proceed to enforce and collect the total
12 amount due and all future installments.

13 (2) If the city incurs no new indebtedness pursuant to
14 section 16-670 for sewer or water improvements in a district, ~~the~~
15 ~~assessment of special taxes~~ special assessments for sewer or water
16 improvements shall be levied at one time and shall become delinquent
17 in equal annual installments over such period of years as the city
18 council determines at the time of making the levy to be reasonable
19 and fair.

20 Sec. 28. Section 16-672, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 16-672 Special ~~taxes~~ assessments may be levied by the
23 mayor and city council for the purpose of paying the cost of
24 constructing sewers or drains within the city. Such ~~tax~~ assessment
25 shall be levied on the real estate lying and being within the

1 sewerage district in which such sewers or drains may be situated to
2 the extent of benefits to such property by reason of such
3 improvement. The benefits to such property shall be determined by the
4 council sitting as a board of equalization, after notice to property
5 owners is provided as in other cases of special assessment. ~~provided.~~
6 If the council, sitting as such board of equalization, shall find
7 such benefits to be equal and uniform, such levy may be according to
8 the front foot of the lots or real estate within such sewerage
9 district, according to such other rule as the council sitting as such
10 board of equalization may adopt for the distribution or adjustment of
11 such cost upon the lots or real estate in such district benefited by
12 such improvement. All ~~taxes or assessments~~ made for sewerage or
13 drainage purposes shall be collected ~~in the same manner as other~~
14 special assessments and shall be subject to the same penalty as other
15 special assessments. ~~And where~~ If sewers are constructed and any
16 assessments to cover the costs thereof shall be declared void, or
17 doubts exist as to the validity of such assessment, the mayor and
18 council, for the purpose of paying the cost of such improvement, ~~are~~
19 ~~hereby authorized and empowered to~~ may make a reassessment of such
20 costs on lots and real estate lying and being within the sewerage
21 district in which such sewer may be situated, to the extent of the
22 benefits to such property by reason of such improvement. Such
23 reassessment shall be made substantially in the manner provided for
24 making original special assessments ~~of like nature as herein provided~~
25 in this section. ~~Any / and any~~ sums which may have been paid toward

1 ~~said such~~ improvement, upon any lots or real estate included in such
2 assessment, shall be applied under the direction of the council to
3 the credit of the persons and property on account of which the ~~same~~
4 ~~was~~ sums were paid. ~~In case~~ If the credits shall exceed the sum
5 reassessed against such persons and property, ~~as herein provided for,~~
6 the council shall cause such excess, with lawful interest, to be
7 refunded to the party who made payment thereof. The ~~taxes~~ sums so
8 reassessed and not paid under a prior special assessment shall be
9 collected and enforced in the same manner ~~as other special taxes,~~ and
10 ~~shall be~~ subject to the same penalty as other special assessments.

11 Sec. 29. Section 16-708, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 16-708 Whenever any special ~~tax or~~ assessment upon any
14 lot or lots, or lands or parcels of land in a city of the first class
15 is found to be invalid and uncollectible, ~~or~~ shall be adjudged to be
16 void by a court of competent jurisdiction, or is paid under protest
17 and recovered by suit, because of any defect, irregularity, or
18 invalidity in any of the proceedings or on account of the failure to
19 observe and comply with any of the conditions, prerequisites, and
20 requirements of any statute or ordinance, the mayor and city council
21 ~~shall have the power to~~ may ~~relevy~~ the ~~same~~ special assessment upon
22 the ~~said~~ lot or lots, or lands or parcels of land in the same manner
23 as other special ~~taxes and~~ assessments are levied, without regard to
24 whether the formalities, prerequisites, or conditions prior to
25 equalization have been had or not.

1 Sec. 30. Section 17-149.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 17-149.01 ~~In case~~ If any property owner neglects or fails
4 within a period of ten days after notice has been given to him or her
5 by certified or registered mail or by publication in some newspaper
6 published or of general circulation in such city or village to make
7 ~~such~~ connection with the sewerage system as provided in section
8 17-149, the governing body of such city or village ~~shall have power~~
9 ~~to~~ may cause the ~~same~~ connection to be done, ~~to~~ assess the cost
10 thereof against the property as a special assessment, and ~~to~~ collect
11 the special assessment ~~thus made~~ in the manner provided for
12 collection of other special ~~taxes and~~ assessments.

13 Sec. 31. Section 17-510, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 17-510 ~~Whenever~~ If a petition is signed by the owners of
16 the record title representing more than sixty percent of the front
17 footage of the property directly abutting upon the ~~street, streets,~~
18 ~~alley, alleys,~~ public way, or public grounds proposed to be improved,
19 ~~shall be~~ and presented and filed with the city clerk or village
20 clerk, petitioning therefor, the governing body shall by ordinance
21 create a paving, graveling, or other improvement district or
22 districts, ~~and shall~~ cause such work to be done or such improvement
23 to be made, ~~and shall~~ contract therefor, and ~~shall~~ levy special
24 assessments on the lots and parcels of land abutting on or adjacent
25 to such ~~street, streets, alley, or alleys especially~~ specially

1 benefited thereby in such district in proportion to such benefits,
2 except as provided in sections 19-2428 to 19-2431, to pay the cost of
3 such improvement. The governing body ~~shall have the discretion to~~ may
4 deny the formation of the proposed district when the area has not
5 previously been improved with a water system, sewer system, and
6 grading of streets. If the governing body ~~should deny~~ denies a
7 requested improvement district formation, it shall state the grounds
8 for such denial in a written letter to interested parties.

9 Sec. 32. Section 17-511, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 17-511 Whenever the governing body deems it necessary to
12 make the improvements in section 17-509 which are to be funded by a
13 levy of special assessment on the property ~~especially~~ specially
14 benefited, such governing body shall by ordinance create a paving,
15 graveling, or other improvement district and, after the passage,
16 approval, and publication of such ordinance, shall publish notice of
17 the creation of any such district for six days in a legal newspaper
18 of the city or village if it is a daily newspaper or for two
19 consecutive weeks if it is a weekly newspaper. If no legal newspaper
20 is published in the city or village, the publication shall be in a
21 legal newspaper of general circulation in the city or village. If the
22 owners of the record title representing more than fifty percent of
23 the front footage of the property directly abutting on the street or
24 alley to be improved file with the city clerk or the village clerk
25 within twenty days after the first publication of such notice written

1 objections to the creation of such district, such improvement shall
2 not be made as provided in such ordinance, but such ordinance shall
3 be repealed. If objections are not filed against the district in the
4 time and manner prescribed in this section, the governing body shall
5 immediately cause such work to be done or such improvement to be
6 made, shall contract for the work or improvement, and shall levy
7 special assessments on the lots and parcels of land abutting on or
8 adjacent to such street or alley ~~especially~~ specially benefited in
9 such district in proportion to such benefits to pay the cost of such
10 improvement.

11 Sec. 33. Section 17-512, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 17-512 The council or board of trustees ~~shall have power~~
14 may, by a three-fourths vote of all members of such council or board
15 of trustees, ~~to~~ enact an ordinance creating a paving, graveling, ~~or~~
16 other improvement district, ~~and to~~ order such work to be done without
17 petition upon any federal or state highways in the city or village or
18 upon a street or route, designated by the mayor and council or board
19 of trustees as a main thoroughfare, that connects to either a federal
20 or state highway or a county road, ~~and~~ shall contract therefor, and
21 shall levy special assessments on the lots and parcels of land
22 abutting on or adjacent to such street, alley, ~~or alleys,~~ ~~especially~~
23 specially benefited thereby in such district in proportion to such
24 benefits, to pay the cost of such improvement.

25 Sec. 34. Section 17-539, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 17-539 The expense of erecting, locating, and
3 constructing reservoirs and hydrants for the purpose of fire
4 protection, and the expense of constructing and laying water mains,
5 pipes, or such parts thereof as may be just and lawful, may be
6 assessed upon and collected from the property and real estate
7 ~~especially~~ specially benefited thereby, if any, as a special
8 assessment in such manner as may be provided for the making of
9 special assessments for other public improvements in such cities and
10 villages.

11 Sec. 35. Section 17-555, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 17-555 (1) Cities of the second class ~~and or~~ villages
14 ~~shall have the power to~~ may remove all obstructions from the
15 sidewalks, curbstones, gutters, and crosswalks at the expense of the
16 person placing them there or at the expense of the city or village
17 and ~~to~~ require and regulate the planting and protection of shade
18 trees in and along the streets and the trimming and removing of such
19 trees.

20 (2) Cities of the second class or villages may by
21 ordinance declare it to be a nuisance for a property owner to permit,
22 allow, or maintain any dead or diseased trees within the right-of-way
23 of streets within the corporate limits of the city or village. Notice
24 to abate and remove such nuisance and notice of the right to a
25 hearing and the manner in which it may be requested shall be given to

1 each owner or owner's duly authorized agent and to the occupant, if
2 any, by personal service or certified mail. Within thirty days after
3 the receipt of such notice, if the owner or occupant of the lot or
4 piece of ground does not request a hearing or fails to comply with
5 the order to abate and remove the nuisance, the city or village may
6 have such work done and may levy and assess all or any portion of the
7 costs and expenses of the work upon the lot or piece of ground so
8 benefited ~~in the same manner as other a special taxes for~~
9 ~~improvements are levied and assessed.~~ assessment.

10 (3) Cities and or villages shall have the power to may
11 regulate the building of bulkheads, cellar and basement ways,
12 stairways, railways, windows, doorways, awnings, hitching posts and
13 rails, lampposts, awning posts, all other structures projecting upon
14 or over and adjoining, and all other excavations through and under
15 the sidewalks in the city or village.

16 Sec. 36. Section 17-557.01, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 17-557.01 ~~In case such~~ If the abutting property owner
19 refuses or neglects, after five days' notice by publication or, in
20 place thereof, personal service of such notice, to remove all
21 encroachments from sidewalks, as provided in section 17-557, the city
22 or village through the proper officers may cause such encroachments
23 to be removed, and the cost of removal shall be paid out of the
24 street fund. The city council or board of trustees shall assess the
25 cost of the notice and removal of the encroachment against such

1 abutting property as a special assessment. Such special assessment
2 shall be known as a special sidewalk assessment and, together with
3 the cost of notice, shall be levied and collected as a special taxes
4 assessment in addition to the general revenue taxes, and shall be
5 subject to the same penalties as other special assessments and shall
6 draw interest from the date of the assessment. Upon payment of the
7 assessment, the ~~same assessment~~ shall be credited to the street fund.

8 Sec. 37. Section 17-563, Revised Statutes Cumulative
9 Supplement, 2010, is amended to read:

10 17-563 (1) Except as provided in subsection (6) of this
11 section, a city of the second class and village by ordinance (a) may
12 require lots or pieces of ground within the city or village to be
13 drained or filled so as to prevent stagnant water or any other
14 nuisance accumulating thereon, (b) may require the owner or occupant
15 of any lot or piece of ground within the city or village to keep the
16 lot or piece of ground and the adjoining streets and alleys free of
17 any growth of twelve inches or more in height of weeds, grasses, or
18 worthless vegetation, and (c) may prohibit and control the throwing,
19 depositing, or accumulation of litter on any lot or piece of ground
20 within the city or village.

21 (2) Except as provided in subsection (6) of this section,
22 any city of the second class and village may by ordinance declare it
23 to be a nuisance to permit or maintain any growth of twelve inches or
24 more in height of weeds, grasses, or worthless vegetation or to
25 litter or cause litter to be deposited or remain thereon except in

1 proper receptacles.

2 (3) Any owner or occupant of a lot or piece of ground
3 shall, upon conviction of violating any ordinance authorized under
4 this section, be guilty of a Class V misdemeanor.

5 (4) Notice to abate and remove such nuisance shall be
6 given to each owner or owner's duly authorized agent and to the
7 occupant, if any, by personal service or certified mail. If notice by
8 personal service or certified mail is unsuccessful, notice shall be
9 given by publication in a newspaper of general circulation in the
10 city or by conspicuously posting the notice on the lot or ground upon
11 which the nuisance is to be abated and removed. Within five days
12 after receipt of such notice or publication or posting, whichever is
13 applicable, if the owner or occupant of the lot or piece of ground
14 does not request a hearing with the city or village or fails to
15 comply with the order to abate and remove the nuisance, the city or
16 village may have such work done. The costs and expenses of any such
17 work shall be paid by the owner. If unpaid for two months after such
18 work is done, the city or village may either (a) levy and assess the
19 costs and expenses of the work upon the lot or piece of ground so
20 benefited as a special assessment in the same manner as other special
21 ~~taxes~~ assessments for improvements are levied and assessed or (b)
22 recover in a civil action the costs and expenses of the work upon the
23 lot or piece of ground and the adjoining streets and alleys.

24 (5) For purposes of this section:

25 (a) Litter includes, but is not limited to: (i) Trash,

1 rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood, plaster,
2 cement, brick, or stone building rubble; (iii) grass, leaves, and
3 worthless vegetation; (iv) offal and dead animals; and (v) any
4 machine or machines, vehicle or vehicles, or parts of a machine or
5 vehicle which have lost their identity, character, utility, or
6 serviceability as such through deterioration, dismantling, or the
7 ravages of time, are inoperative or unable to perform their intended
8 functions, or are cast off, discarded, or thrown away or left as
9 waste, wreckage, or junk; and

10 (b) Weeds includes, but is not limited to, bindweed
11 (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy
12 spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial
13 peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea picris*),
14 Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack
15 grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*),
16 horse nettle (*Solanum carolinense*), bull thistle (*Cirsium*
17 *lanceolatum*), buckthorn (*Rhamnus sp.*) (tourn), hemp plant (*Cannabis*
18 *sativa*), and ragweed (*Ambrosiaceae*).

19 (6) A city of the second class or village by ordinance
20 may declare it to be a nuisance to permit or maintain any growth of
21 eight inches or more in height of weeds, grasses, or worthless
22 vegetation on any lot or piece of ground located within the corporate
23 limits of the city or village during any calendar year if, within the
24 same calendar year, the city has, pursuant to subsection (4) of this
25 section, acted to remove weeds, grasses, or worthless vegetation

1 exceeding twelve inches in height on the same lot or piece of ground
2 and had to seek recovery of the costs and expenses of such work from
3 the owner.

4 Sec. 38. Section 17-913, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 17-913 ~~Whenever~~ When the city council of any city of the
7 second class, or the board of trustees of any village, ~~shall deem~~
8 deems it advisable or necessary to build, reconstruct, purchase, or
9 otherwise acquire a sanitary sewer system or a sanitary or storm
10 water sewer, ~~or~~ sewers or sewage disposal plant, or pumping stations
11 or sewer outlets for any such city or village, constructed or to be
12 constructed in whole or in part inside or outside thereof, it shall
13 declare the advisability and necessity therefor in a proposed
14 resolution, ~~which, resolution,~~ in the case of pipe sewer
15 construction, shall state the kinds of pipe proposed to be used, ~~and~~
16 ~~shall~~ include cement concrete pipe and vitrified clay pipe and any
17 other material deemed suitable, ~~and shall~~ state the size or sizes and
18 kinds of sewers proposed to be constructed, ~~and shall~~ designate the
19 location and terminal points thereof. If it is proposed to construct
20 disposal plants, ~~or~~ pumping stations, ~~or~~ outlet sewers, the
21 resolution shall refer to the plans and specifications thereof which
22 shall have been made and filed before the publication of such
23 resolution by the city engineer of any such city or by the engineer
24 who has been employed by any such city or village for such purpose.
25 If it is proposed to purchase or otherwise acquire a sanitary sewer

1 system or a sanitary or storm water sewer, ~~or sewers or sewage~~
2 disposal plant, or pumping stations or sewer outlets, the resolution
3 shall state the price and conditions of the purchase or how ~~same the~~
4 system, sewer, plant, station, or outlet is being acquired. Such
5 engineer shall also make and file, prior to the publication of such
6 resolution, an estimate of the total cost of the proposed
7 improvement. The proposed resolution shall state the amount of such
8 estimated cost. The city council or board of trustees ~~shall have~~
9 ~~power to~~ may assess, to the extent of special benefits, the cost of
10 such portions of ~~said the~~ improvements as are local improvements,
11 upon properties found ~~especially~~ specially benefited thereby; ~~and the~~
12 as a special assessment. The resolution, hereinabove mentioned, shall
13 state the outer boundaries of the district or districts in which it
14 is proposed to make special assessments.

15 Sec. 39. Section 17-921, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 17-921 After the equalization of ~~such~~ special assessments
18 as ~~herein~~ required by section 17-920, the ~~same~~ special assessments
19 shall be levied by the mayor and city council or the board of village
20 trustees, upon all lots or parcels of ground within the district
21 specified which are benefited by reason of ~~said the~~ improvement. The
22 ~~same~~ special assessments may be relieved if, for any reason, the levy
23 thereof is void or not enforceable and in an amount not exceeding the
24 previous levy. Such levy shall be enforced as ~~either~~ a special
25 ~~assessments, assessment,~~ and any payments thereof under previous

1 levies shall be credited to the person or property making the same.
2 All special assessments made for such purposes shall be collected in
3 the same manner as ~~general taxes and shall be subject to the same~~
4 ~~penalties.~~ other special assessments.

5 Sec. 40. Section 17-971, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 17-971 ~~Whenever the~~ If a governing body deems it
8 necessary or desirable to make improvements in a water service
9 district, it shall by ordinance create such water service district
10 and, after the passage, approval, and publication of such ordinance,
11 shall publish notice of the creation of such district for two
12 consecutive weeks in a legal newspaper of the city or village. If no
13 legal newspaper is published in the city or village, the notice shall
14 be placed in a legal newspaper of general circulation in the city or
15 village. If a majority of the resident owners of the property
16 directly abutting upon any water main to be constructed within such
17 water service district shall file with the city clerk or the village
18 clerk within twenty days after the first publication of such notice
19 written objections to the creation of such district, such improvement
20 shall not be made as provided in such ordinance, but such ordinance
21 shall be repealed. If such objections are not so filed against the
22 district, the governing body shall immediately cause such work to be
23 done or such improvement to be made, shall contract therefor, and
24 shall levy special assessments on the lots and parcels of land within
25 such district or districts specially benefited in proportion to such

1 benefits in order to pay the cost of such improvement.

2 Sec. 41. Section 17-972, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 17-972 If any property owner shall neglect or fail, for
5 ten days after notice either by personal service or by publication in
6 a legal newspaper in the manner prescribed in section 17-971, to
7 comply with the regulations adopted pursuant to section 17-970 or to
8 make any required connections, the governing body may cause the ~~same~~
9 compliance or connections to be done and assess the cost against the
10 property as a special assessment and collect the ~~same~~ special
11 assessment in the manner provided for other special ~~taxes.~~
12 assessments.

13 Sec. 42. Section 18-406, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 18-406 The special ~~tax~~ assessment provided in section
16 18-405 shall be paid in ten installments. The first installment, or
17 one-tenth of the ~~tax,~~ assessment, shall become due and delinquent
18 fifty days after the date of levy, and one-tenth of such ~~tax~~
19 assessment shall become due and delinquent each year thereafter,
20 counting from the date of levy, for nine years. The special ~~tax~~
21 assessment shall bear interest at a rate not to exceed the rate of
22 interest specified in section 45-104.01, as such rate may from time
23 to time be adjusted by the Legislature, prior to delinquency, and at
24 the rate specified in section 45-104.01, as such rate may from time
25 to time be adjusted by the Legislature, after delinquency. Prior to

1 the levy of the special ~~tax assessment~~ as provided in section 18-405,
2 such ~~tax assessment~~ shall be equalized in the same manner as provided
3 by law for the equalization of special assessments levied in such
4 cities, ~~such~~ villages, and the city of the metropolitan class within
5 such metropolitan utilities district. ~~respectively.~~

6 Sec. 43. Section 18-1719, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 18-1719 Any city or village may provide for the
9 destruction and removal of specified portions of weeds and worthless
10 vegetation within the right-of-way of all railroads within the
11 corporate limits of any such city or village, and it may require the
12 owner or owners of such right-of-way to destroy and remove the ~~same~~
13 weeds or vegetation therefrom. If such owner or owners fail, neglect,
14 or refuse, after ten days' written notice to remove the ~~same, weeds~~
15 or vegetation, such city or village, by its proper officers, shall
16 destroy and remove the ~~same weeds or vegetation~~ or cause the ~~same~~
17 weeds or vegetation to be destroyed or removed and shall assess the
18 cost thereof against such property; ~~Provided, no~~ as a special
19 assessment. No city or village shall destroy or remove or otherwise
20 treat such specified portions until after the time has passed in
21 which the railroad company is required to destroy or remove such
22 vegetation.

23 Sec. 44. Section 18-1751, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 18-1751 All cities and villages may create a special

1 improvement district for the purpose of replacing, reconstructing, or
2 repairing an existing street, alley, water line, sewer line, or any
3 other such improvement. Except as provided in sections 19-2428 to
4 19-2431, the city council or board of trustees ~~shall have power to~~
5 ~~assess,~~ may levy a special assessment, to the extent of such special
6 benefits, for the costs of such improvements upon the properties
7 found ~~especially~~ specially benefited thereby, whether or not such
8 properties were previously assessed for the same general purpose. In
9 creating such special improvement district, the city council or board
10 of trustees shall follow procedures applicable to the creation and
11 assessment of the same type of improvement district as otherwise
12 provided by law.

13 Sec. 45. Section 19-2404, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 19-2404 (1) Except as provided in subsection (2) of this
16 section, ~~the assessment of special taxes~~ assessments for sanitary
17 sewer extension mains or water extension mains in a district shall be
18 levied at one time and shall become delinquent in equal annual
19 installments over a period of years equal to the number of years for
20 which the bonds for such project were issued pursuant to section
21 19-2405. The first installment becomes delinquent fifty days after
22 the making of such levy. Subsequent installments become delinquent on
23 the anniversary date of the levy. Each installment, except the first,
24 shall draw interest at the rate set by the city council or board of
25 trustees from the time of such levy until such installment becomes

1 delinquent. After an installment becomes delinquent, interest at the
2 rate specified in section 45-104.01, as such rate may from time to
3 time be adjusted by the Legislature, shall be paid thereon until such
4 installment is collected and paid. Such special ~~taxes~~assessments
5 shall be collected and enforced as in the case of general municipal
6 taxes and shall be a lien on such real estate from and after the date
7 of the levy. If three or more of such installments become delinquent
8 and unpaid on the same property, the city council or the board of
9 trustees may by resolution declare all future installments on such
10 delinquent property to be due on a future fixed date. The resolution
11 shall set forth the description of the property and the name of its
12 record title owner and shall provide that all future installments
13 shall become delinquent upon the date fixed. A copy of such
14 resolution shall be published one time in a legal newspaper of
15 general circulation published in the municipality or, if none is
16 published in such municipality, in a legal newspaper of general
17 circulation in the municipality. After the fixed date such future
18 installments shall be deemed to be delinquent and the municipality
19 may proceed to enforce and collect the total amount due including all
20 future installments.

21 (2) If the city or village incurs no new indebtedness
22 pursuant to section 19-2405 for any water service extension or
23 sanitary sewer extension in a district, the ~~assessment~~ of special
24 ~~taxes~~assessments for such improvements shall be levied at one time
25 and shall become delinquent in equal annual installments over such

1 period of years as the city council or board of trustees determines
2 at the time of making the levy to be reasonable and fair.

3 Sec. 46. Section 19-2407, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 19-2407 Special ~~taxes~~ assessments may be levied by the
6 mayor and city council or ~~chairman~~ chairperson and board of trustees,
7 as the case may be, for the purpose of paying the cost of
8 constructing extension water mains or sanitary service connections,
9 as provided in sections 19-2402 to 19-2407. Such ~~tax~~ assessment shall
10 be levied on the real property lying and being within the utility
11 main district in which such extension mains may be situated to the
12 extent of benefits to such property by reason of such improvement.
13 The benefits to such property shall be determined by the mayor and
14 council, or ~~chairman~~ chairperson and board of trustees, as the case
15 may be, sitting as a board of equalization after notice to property
16 owners, as provided in other cases of special assessment. After the
17 mayor and council, or ~~chairman~~ chairperson and board of trustees,
18 sitting as such board of equalization, shall find such benefits to be
19 equal and uniform, such levy may be made according to the front
20 footage of the lots or real estate within such utility district, or
21 according to such other rule as the board of equalization may adopt
22 for the distribution or adjustment of such cost upon the lots or real
23 estate in such district benefited by such improvement. All such ~~taxes~~
24 special assessments shall be collected in the same manner as general
25 municipal taxes and shall be subject to the same penalty.

1 Sec. 47. Section 19-2418, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 19-2418 The mayor and city council or board of trustees
4 shall levy special assessments on the lots and parcels of land
5 abutting on or adjacent to the sidewalk improvements ~~especially~~
6 specially benefited thereby in such district in proportion to the
7 benefits, to pay the cost of such improvement. All special
8 assessments shall be a lien on the property on which levied from the
9 date of the levy until paid. The special assessment ~~of the special~~
10 ~~tax, for the sidewalk improvement,~~ shall be levied at one time and
11 shall become delinquent as follows: One-seventh of the total
12 assessment shall become delinquent in ten days after such levy; one-
13 seventh in one year; one-seventh in two years; one-seventh in three
14 years; one-seventh in four years; one-seventh in five years; and one-
15 seventh in six years. Each of such installments, except the first,
16 shall draw interest at the rate ~~of not exceeding~~ the rate of interest
17 specified in section 45-104.01, as such rate may from time to time be
18 adjusted by the Legislature, from the time of the levy until the ~~same~~
19 ~~shall become~~ installment becomes delinquent. If the installment
20 becomes ; ~~and after the same shall become delinquent,~~ interest at the
21 rate specified in section 45-104.01, as such rate may from time to
22 time be adjusted by the Legislature, shall be paid thereon as in the
23 case of other special ~~taxes.~~ assessments. All such special
24 assessments shall be made and collected in accordance with the
25 procedure established for paving assessments for the particular city

1 or village.

2 Sec. 48. Section 19-2427, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 ~~19-2427 Supplemental to any existing law on the subject,~~
5 ~~any first or second class~~ Any city of the first or second class or
6 village may include land adjacent to such city or village when
7 creating an improvement district, such as a sewer, paving, water,
8 water extension, or sanitary sewer extension district. The city
9 council or board of trustees ~~shall have power to assess, to the~~
10 ~~extent of special benefits,~~ may levy a special assessment for the
11 costs of such improvements upon the properties found ~~especially~~
12 specially benefited thereby, except as provided in sections 19-2428
13 to 19-2431.

14 Sec. 49. Section 23-129, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 ~~23-129 If it appears that~~ a majority of the total number
17 of votes cast upon the proposition at the election in which the
18 proposition is submitted are in favor of the proposition, except the
19 proposal for bonds as provided in section 23-3501, which require a
20 majority of votes cast upon the proposition at the election at which
21 the proposition is submitted, and ~~it also appears that~~ the
22 requirements of the law have been fully complied with, the ~~same~~
23 proposition shall be entered at large by the county board upon the
24 book containing the record of its proceedings, and it ~~shall then have~~
25 ~~power to~~ may levy and collect the special ~~tax~~ assessment in the same

1 manner as other ~~county taxes~~ special assessments are collected.
2 Propositions thus acted upon cannot be rescinded by the county board.

3 Sec. 50. Section 23-316, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 23-316 As soon as the contract or contracts are let for
6 the construction of the work as provided in section 23-315, the
7 supervisors or board of county commissioners shall ~~assess~~ levy a
8 special assessment on all the lands specially benefited ~~ratably~~ in
9 accordance with the benefits received as confirmed and adjudged ~~as~~
10 ~~herein provided~~ such sum as may be necessary to pay for the work and
11 all costs and expenses accrued or to accrue, not exceeding the whole
12 benefit upon any one tract.

13 Sec. 51. Section 23-317, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 23-317 The board of supervisors or county commissioners
16 shall ~~thereupon~~ cause the special assessment ~~so~~ made upon the lands
17 benefited as ~~aforsaid~~ provided in section 23-316 to be entered upon
18 the tax lists of the county as provided in cases of special
19 assessments, which assessment shall constitute a lien on the real
20 estate respectively assessed and shall be collected as other special
21 assessments are collected. One-tenth ; ~~Provided, that one-tenth~~ of
22 each assessment shall be collected each year for a period of ten
23 years with interest at the rate of seven percent per annum on
24 deferred payments, unless paid in full as herein provided.

25 Sec. 52. Section 23-3618, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 23-3618 (1) The county board may adopt and promulgate
3 rules and regulations governing the use, operation, and control of
4 ~~such a~~ sewerage disposal system and plant or plants pursuant to the
5 County Industrial Sewer Construction Act, including the authority to
6 compel all proper connections and to provide a penalty not to exceed
7 one hundred dollars for any obstruction or injury to any sewer or
8 part thereof or for failure to comply with the rules and regulations
9 adopted and promulgated. If, after ten days' notice by certified mail
10 or publication in a newspaper of general circulation, a property
11 owner fails to make such connections and comply with such rules and
12 regulations as may be ordered in accordance with this section, the
13 county board may order such connection to be made and assess the cost
14 of the connection against the property benefited ~~in the same manner~~
15 as a special taxes are levied for other purposes. assessment.

16 (2) The county board may establish usage fees to be paid
17 to it for the use of such sewerage disposal system and plant or
18 plants by each person, firm, or corporation whose premises are served
19 thereby. The county board may contract with another party for the
20 billing and collection of such usage fees. If the usage fee so
21 established is not paid when due, such sum may be recovered by the
22 county in a civil action or it may be certified to the county
23 assessor and assessed against the premises served and collected or
24 returned as a special assessment in the same manner as other county
25 taxes are certified, assessed, collected, and returned.

1 (3) The county board shall require the issuance of a
2 permit for any property owner to connect with any sewer and the
3 payment of a fee for the permit and connection as determined by the
4 county board, which fee shall be paid prior to issuance of any such
5 permit. The county board shall also require the issuance of a permit
6 to connect with any sewer and payment of a connection fee by any
7 developer payable at the time of filing a plat for the development.
8 Such, ~~which~~ fee shall be paid prior to issuance of such permit.

9 Sec. 53. Section 31-202.03, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 31-202.03 The county board, upon receipt of ~~such a~~
12 request pursuant to section 31-202.02, may, if they find natural flow
13 is being obstructed, cause the natural watercourse to be cleaned out.
14 The cost thereof shall be levied as a special assessment and
15 apportioned among the property owners specially benefited thereby and
16 collected in the same manner as special assessments are levied and
17 collected for drainage improvements under sections 31-121 to 31-124.

18 Sec. 54. Section 31-230, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 31-230 The city council of a city of the metropolitan
21 class upon receipt of ~~such a~~ request pursuant to section 31-229, may,
22 if it finds that natural flow is being obstructed, cause the natural
23 watercourse to be cleaned out. Except as provided in section 31-221,
24 the cost thereof may be levied as a special assessment and
25 apportioned among the property owners specially benefited thereby and

1 collected in the same manner as special assessments are levied and
2 collected.

3 Sec. 55. Section 31-509, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 31-509 ~~Whenever~~ When the Department of Natural Resources
6 files a report and estimate, the county clerk of such county shall
7 publish a notice once each week for three weeks in a newspaper
8 published in the county seat of each of the counties having land
9 within the sanitary drainage district, which notice shall state the
10 filing of the report and estimate, the boundaries of the district to
11 be benefited, that an election will be held at the office of the
12 county clerk between the hours of 8 a.m. and 6 p.m. on a day named in
13 the notice, and that at the election the question of the formation of
14 a sanitary drainage district to include the area described in the
15 report will be determined. The election shall be held in accordance
16 with sections 31-406 to 31-408, except that no directors shall be
17 elected. If a majority vote for the creation of a district based on
18 acreage represented, the sanitary drainage district shall have
19 jurisdiction to make the improvements recommended by the Department
20 of Natural Resources and to ~~assess the special benefits thereof to~~
21 levy a special assessment on the lands specially benefited. If a
22 majority vote against the creation of a district, the work shall not
23 be done.

24 Sec. 56. Section 31-740, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 31-740 (1) The board of trustees or the administrator of
2 any district organized under sections 31-727 to 31-762 shall have
3 power to provide for establishing, maintaining, and constructing gas
4 and electric service lines and conduits, an emergency management
5 warning system, water mains, sewers, and disposal plants and
6 disposing of drainage, waste, and sewage of such district in a
7 satisfactory manner; for establishing, maintaining, and constructing
8 sidewalks, public roads, streets, and highways, including grading,
9 changing grade, paving, repaving, graveling, regravelling, widening,
10 or narrowing roads, resurfacing or relaying existing pavement, or
11 otherwise improving any road, street, or highway within the district,
12 including protecting existing sidewalks, streets, highways, and roads
13 from floods or erosion which has moved within fifteen feet from the
14 edge of such sidewalks, streets, highways, or roads, regardless of
15 whether such flooding or erosion is of natural or artificial origin;
16 for establishing, maintaining, and constructing public waterways,
17 docks, or wharfs, and related appurtenances; and for constructing and
18 contracting for the construction of dikes and levees for flood
19 protection for the district.

20 (2) The board of trustees or the administrator of any
21 district may contract for access to the facilities and use of the
22 services of the library system of one or more neighboring cities or
23 villages and for electricity for street lighting for the public
24 streets and highways within the district and shall have power to
25 provide for building, acquisition, improvement, maintenance, and

1 operation of public parks, playgrounds, and recreational facilities,
2 and, when permitted by section 31-727, for contracting with other
3 sanitary and improvement districts for the building, acquisition,
4 improvement, maintenance, and operation of public parks, playgrounds,
5 and recreational facilities for the joint use of the residents of the
6 contracting districts, and for contracting for any public purpose
7 specifically authorized in this section. Power to construct
8 clubhouses and similar facilities for the giving of private parties
9 within the zoning jurisdiction of any city or village is not included
10 in the powers granted in this section. Any sewer system established
11 shall be approved by the Department of Health and Human Services.

12 (3) Prior to the installation of any of the improvements
13 or services provided for in this section, the plans or contracts for
14 such improvements or services, other than for public parks,
15 playgrounds, and recreational facilities, whether a district acts
16 separately or jointly with other districts as permitted by section
17 31-727, shall be approved by the public works department of any
18 municipality when such improvements or any part thereof or services
19 are within the area of the zoning jurisdiction of such municipality.
20 If such improvements or services are without the area of the zoning
21 jurisdiction of any municipality, plans for such improvements shall
22 be approved by the county board of the county in which such
23 improvements are located. Plans and exact costs for public parks,
24 playgrounds, and recreational facilities shall be approved by
25 resolution of the governing body of such municipality or county after

1 a public hearing. Purchases of public parks, playgrounds, and
2 recreational facilities so approved may be completed and shall be
3 valid notwithstanding any interest of any trustee of the district in
4 the transaction. Such approval shall relate to conformity with the
5 master plan and the construction specifications and standards
6 established by such municipality or county. When no master plan and
7 construction specifications and standards have been established, such
8 approval shall not be required. When such improvements are within the
9 area of the zoning jurisdiction of more than one municipality, such
10 approval shall be required only from the most populous municipality,
11 except that when such improvements are furnished to the district by
12 contract with a particular municipality, the necessary approval shall
13 in all cases be given by such municipality. The municipality or
14 county shall be required to approve plans for such improvements and
15 shall enforce compliance with such plans by action in equity.

16 (4) The district may construct its sewage disposal plant
17 and other sewerage or water improvements, or both, in whole or in
18 part, inside or outside the boundaries of the district and may
19 contract with corporations or municipalities for disposal of sewage
20 and use of existing sewerage improvements and for a supply of water
21 for fire protection and for resale to residents of the district. It
22 may also contract with any corporation, public power district,
23 electric membership or cooperative association, or municipality for
24 access to the facilities and use of the services of the library
25 system of one or more neighboring cities or villages, for the

1 installation, maintenance, and cost of operating a system of street
2 lighting upon the public streets and highways within the district,
3 for installation, maintenance, and operation of a water system, or
4 for the installation, maintenance, and operation of electric service
5 lines and conduits, and to provide water service for fire protection
6 and use by the residents of the district. It may also contract with
7 any corporation, municipality, or other sanitary and improvement
8 district, as permitted by section 31-727, for building, acquiring,
9 improving, and operating public parks, playgrounds, and recreational
10 facilities for the joint use of the residents of the contracting
11 parties. It may also contract with a county within which all or a
12 portion of such sanitary and improvement district is located or a
13 city within whose zoning jurisdiction the sanitary and improvement
14 district is located for intersection and traffic control
15 improvements, which improvements serve or benefit the district and
16 which may be within or without the corporate boundaries of the
17 district, and for any public purpose specifically authorized in this
18 section.

19 (5) Each sanitary and improvement district shall have the
20 books of account kept by the board of trustees of the district
21 examined and audited by a certified public accountant or a public
22 accountant for the year ending June 30 and shall file a copy of the
23 audit with the office of the Auditor of Public Accounts by December
24 31 of the same year. Such audits may be waived by the Auditor of
25 Public Accounts upon proper showing by the district that the audit is

1 unnecessary. Such examination and audit shall show (a) the gross
2 income of the district from all sources for the previous year, (b)
3 the amount spent for access to the facilities and use of the services
4 of the library system of one or more neighboring cities or villages,
5 (c) the amount spent for sewage disposal, (d) the amount expended on
6 water mains, (e) the gross amount of sewage processed in the
7 district, (f) the cost per thousand gallons of processing sewage, (g)
8 the amount expended each year for (i) maintenance and repairs, (ii)
9 new equipment, (iii) new construction work, and (iv) property
10 purchased, (h) a detailed statement of all items of expense, (i) the
11 number of employees, (j) the salaries and fees paid employees, (k)
12 the total amount of taxes levied upon the property within the
13 district, and (l) all other facts necessary to give an accurate and
14 comprehensive view of the cost of carrying on the activities and work
15 of such sanitary and improvement district. The reports of all audits
16 provided for in this section shall be and remain a part of the public
17 records in the office of the Auditor of Public Accounts. The expense
18 of such audits shall be paid out of the funds of the district. The
19 Auditor of Public Accounts shall be given access to all books and
20 papers, contracts, minutes, bonds, and other documents and memoranda
21 of every kind and character of such district and be furnished all
22 additional information possessed by any present or past officer or
23 employee of any such district, or by any other person, that is
24 essential to the making of a comprehensive and correct audit.

25 (6) If any sanitary and improvement district fails or

1 refuses to cause such annual audit to be made of all of its
2 functions, activities, and transactions for the fiscal year within a
3 period of six months following the close of such fiscal year, unless
4 such audit has been waived, the Auditor of Public Accounts shall,
5 after due notice and a hearing to show cause by such district,
6 appoint a certified public accountant or public accountant to conduct
7 the annual audit of the district and the fee for such audit shall
8 become a lien against the district.

9 (7) Whenever the sanitary sewer system or any part
10 thereof of a sanitary and improvement district is directly or
11 indirectly connected to the sewerage system of any city, such city,
12 without enacting an ordinance or adopting any resolution for such
13 purpose, may collect such city's applicable rental or use charge from
14 the users in the sanitary and improvement district and from the
15 owners of the property served within the sanitary and improvement
16 district. The charges of such city shall be charged to each property
17 served by the city sewerage system, shall be a lien upon the property
18 served, and may be collected from the owner or the person, firm, or
19 corporation using the service. If the city's applicable rental or
20 service charge is not paid when due, such sum may be recovered by the
21 municipality in a civil action or it may be assessed against the
22 premises served ~~in the same manner as a special taxes or assessments~~
23 ~~are assessment and may be~~ assessed by such city and collected and
24 returned in the same manner as other municipal special ~~taxes or~~
25 assessments are enforced and collected. When any such ~~tax or~~

1 assessment is levied, it shall be the duty of the city clerk to
2 deliver a certified copy of the ordinance to the county treasurer of
3 the county in which the premises assessed are located and such county
4 treasurer shall collect the ~~same~~assessment as provided by law and
5 return the ~~same~~assessment to the city treasurer. Funds of such city
6 raised from such charges shall be used by it in accordance with laws
7 applicable to its sewer service rental or charges. The governing body
8 of any city may make all necessary rules and regulations governing
9 the direct or indirect use of its sewerage system by any user and
10 premises within any sanitary and improvement district and may
11 establish just and equitable rates or charges to be paid to such city
12 for use of any of its disposal plants and sewerage system. The board
13 of trustees ~~shall have power, may,~~ in connection with the issuance of
14 any warrants or bonds of the district, ~~to~~ agree to make a specified
15 minimum levy on taxable property in the district to pay, or to
16 provide a sinking fund to pay, principal and interest on warrants and
17 bonds of the district for such number of years as the board may
18 establish at the time of making such agreement and ~~shall also have~~
19 ~~power to~~may agree to enforce, by foreclosure or otherwise as
20 permitted by applicable laws, the collection of special assessments
21 levied by the district. Such agreements may contain provisions
22 granting to creditors and others the right to enforce and carry out
23 the agreements on behalf of the district and its creditors.

24 (8) The board of trustees or administrator shall have
25 power to sell and convey real and personal property of the district

1 on such terms as it or he or she shall determine, except that real
2 estate shall be sold to the highest bidder at public auction after
3 notice of the time and place of the sale has been published for three
4 consecutive weeks prior to the sale in a newspaper of general
5 circulation in the county. The board of trustees or administrator may
6 reject such bids and negotiate a sale at a price higher than the
7 highest bid at the public auction at such terms as may be agreed.

8 Sec. 57. Section 31-749, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 31-749 After (1) the completion of any ~~such~~ work or
11 purchase, (2) ~~or otherwise~~ acquiring a sewer or water system, or
12 both, or public parks, playgrounds, or recreational facilities, ~~or~~
13 (3) contracting, as permitted by section 31-727, with other sanitary
14 and improvement districts to acquire public parks, playgrounds, and
15 recreational facilities for the joint use of the residents of the
16 contracting districts, or gas or electric service lines or conduits,
17 or ~~upon~~ (4) completion of the work on (a) a system of sidewalks,
18 public roads, streets, ~~or~~ highways, public waterways, docks, or
19 wharfs, and related appurtenances, or (b) levees for flood protection
20 for the district, the engineer shall file with the clerk of the
21 district a certificate of acceptance, which ~~acceptance~~ shall be
22 approved by the board of trustees or the administrator by resolution.
23 The board of trustees or administrator shall then require the
24 engineer to make a complete statement of all the costs of any such
25 improvements, a plat of the property in the district, and a schedule

1 of the amount proposed to be assessed against each separate piece of
2 property in such district. ~~The, which~~ statement, plat, and schedule
3 shall be filed with the clerk of the district within sixty days after
4 the date of acceptance of: ~~The~~ the work, purchase, or otherwise
5 ~~acquiring~~ acquisition of a sewer or water system, or both; ~~, or~~
6 ~~acceptance~~ of the work on a system of sidewalks, public roads,
7 streets, ~~or~~ highways, ~~or~~ public waterways, docks, or wharfs, and
8 related appurtenances, or dikes and levees for flood protection for
9 the district; ~~or~~, ~~or~~, as permitted by section 31-727, the
10 acquisition of public parks, playgrounds, and recreational facilities
11 whether acquired separately or jointly with other districts. The
12 board of trustees or administrator shall then order the clerk to give
13 notice that such statement, plat, and schedules are on file in his or
14 her office and that all objections thereto, or to prior proceedings
15 on account of errors, irregularities, or inequalities, not made in
16 writing and filed with the clerk of the district within twenty days
17 after the first publication of such notice, shall be deemed to have
18 been waived. Such notice shall be given by publication the same day
19 each week two consecutive weeks in a newspaper of general circulation
20 published in the county where the district was organized and by
21 handbills posted along the line of the work. Such notice shall state
22 the time and place where any objections, filed as provided in this
23 section, shall be considered by the board of trustees or
24 administrator. The cost of such improvements in the district which
25 are within the area of the zoning jurisdiction of any municipality

1 shall be ~~assessed to the full~~ levied as special assessments to the
2 extent of special benefits to the property, and ~~to the same~~ extent as
3 the costs of such improvements are assessed in such municipality. The
4 complete statement of costs and the schedule of ~~amounts~~ proposed to
5 ~~be assessed~~ special assessments for such improvements which are
6 within the zoning jurisdiction of such municipality against each
7 separate piece of property in districts located within the zoning
8 jurisdiction of such municipality shall be given to such municipality
9 within seven days after the first publication of notice of statement,
10 plat, and schedules. When ; ~~Provided, that when~~ such improvements are
11 within the area of the zoning jurisdiction of more than one
12 municipality, ~~then~~ such proposed special assessments schedule and
13 statement need be given only to the most populous municipality. Such
14 municipality shall have the right to be heard, and it shall have the
15 right of appeal from a final determination by the board of trustees
16 or administrator against objections which such city has filed. Notice
17 of the ~~amount~~ proposed to be assessed special assessments for such
18 improvements against each separate piece of property shall be given
19 to each owner of record thereof within five days after the first
20 publication of notice of statement, plat, and schedules and, within
21 five days after the first publication of such notice, a copy thereof,
22 along with statements of costs and schedules of proposed special
23 assessments, shall be given to each person or company who, pursuant
24 to written contract with the district, has acted as underwriter or
25 fiscal agent for the district in connection with the sale or

1 placement of warrants or bonds issued by the district. Each owner
2 shall have the right to be heard, and shall have the right of appeal
3 from the final determination made by the board of trustees or
4 administrator. Any person or any such municipality feeling aggrieved
5 may appeal to the district court by petition within twenty days after
6 such a final determination. The court shall hear and determine such
7 appeal in a summary manner as in a case in equity and without a jury
8 and shall increase or reduce the special assessments as ~~the same~~ may
9 be required to provide that the special assessments shall be to the
10 full extent of special benefits, and to make the apportionment of
11 benefits equitable.

12 Sec. 58. Section 39-1622, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 39-1622 The board of trustees of the road improvement
15 district shall, in addition to its other powers, ~~assess~~ levy a
16 special assessment to the extent of special benefits conferred the
17 cost of such portion of such improvements as are local improvements
18 upon property found ~~especially~~ especially benefited thereby which
19 shall be a lien as provided by section 39-1614 when properly levied
20 and certified as required by sections 39-1601 to 39-1636. The board
21 of trustees of such district may find the remainder of the cost of
22 such improvements made are of general benefit to the district and the
23 costs thereof shall be paid from taxes levied against all the
24 property in the district in the manner provided for by subsection (1)
25 of section 39-1621.

1 Sec. 59. Section 39-1623, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 39-1623 After the completion of any improvements, the
4 engineer shall file with the clerk of the district a complete
5 statement of all the costs of such improvement, a plat of the
6 property in the district ~~especially~~ specially benefited thereby, and
7 a schedule of the amount proposed to be assessed against each
8 separate piece of property as a special assessment. A copy of the
9 plat and a schedule of the proposed special assessment shall be filed
10 in the office of the county clerk of the county in which the greater
11 portion of the area of the district is located for public inspection.
12 The trustees of the district shall then order the clerk of the
13 district to give notice that the plat and schedule are on file with
14 the county clerk where the ~~same~~ plat and schedule are kept for
15 examination, and that all objections thereto or to prior proceedings
16 on account of errors, irregularities, or inequalities not made in
17 writing and filed with the clerk of the district within twenty days
18 after first publication of the notice shall be deemed to have been
19 waived. Such notice shall be given by publication, once each week
20 during two consecutive weeks, in a newspaper of general circulation
21 in the district and whenever possible by giving notice in writing by
22 either registered or certified mail to the owner of each separate
23 piece of property against which ~~an~~a special assessment is proposed.
24 The notice shall state the time and place where objections are to be
25 filed. The time of such hearing shall be determined in the manner

1 stated in section 39-1624. Any objections so filed shall be
2 considered by the trustees of the district.

3 Sec. 60. Section 39-1636.01, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 39-1636.01 ~~Whenever~~ If a petition signed by sixty percent
6 of the electors of any district is filed with the county clerk of the
7 county in which such district is located, the board of trustees of
8 any road improvement district ~~shall have power and authority to~~ may
9 contract for the installment, maintenance, and operation of road
10 lighting systems sufficient to light any road in the district or any
11 portion thereof when, in the judgment of the board of trustees, the
12 lighting of such road or any portion thereof is in the interest of
13 public safety. The cost of installing, maintaining, and operating
14 such road lighting systems shall be ~~assessed~~ levied as a special
15 assessment against the real property specially benefited thereby in
16 proportion to the benefit received. ~~No~~ 7, ~~but no~~ such special
17 assessment shall exceed thirty-five cents on each one hundred dollars
18 upon the taxable valuation of such property.

19 Sec. 61. Section 46-544, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 46-544 (1) If the board of a reclamation district
22 determines in any year that there are certain lands within the
23 district, not included within Classes B, C, and D, which receive
24 special direct benefits from recharging of the ground water
25 reservoirs by water originating from district works, the board shall

1 in such year fix an amount to be levied upon the taxable value of the
2 taxable property as a special assessment which in the opinion of the
3 board will compensate the district for the special direct benefits
4 accruing to such property by reason of recharged ground water
5 reservoirs under such land by water originating from the district
6 works. Such amount shall in no case exceed, together with all other
7 amounts levied made under Class A on such land, the sum of fourteen
8 cents on each one hundred dollars of the taxable value of the land.
9 Such owner of lands specially assessed for special direct benefits
10 shall have notice, hearing, and the right of appeal and shall be
11 governed by section 46-554.

12 (2) The authority provided in this section may not be
13 used if the district has obtained approval to levy fees or
14 assessments pursuant to section 46-2,101.

15 Sec. 62. Original sections 2-3254, 10-405, 14-105,
16 14-363, 14-365.03, 14-392, 14-398, 14-3,102, 14-3,103, 14-3,107,
17 14-537, 14-1733, 15-211, 15-709, 15-713, 15-718, 15-732, 16-207,
18 16-250, 16-615, 16-630, 16-631, 16-652, 16-664, 16-669, 16-672,
19 16-708, 17-149.01, 17-510, 17-511, 17-512, 17-539, 17-555, 17-557.01,
20 17-913, 17-921, 17-971, 17-972, 18-406, 18-1719, 18-1751, 19-2404,
21 19-2407, 19-2418, 19-2427, 23-129, 23-316, 23-317, 23-3618,
22 31-202.03, 31-230, 31-509, 31-740, 31-749, 39-1622, 39-1623,
23 39-1636.01, and 46-544, Reissue Revised Statutes of Nebraska, and
24 sections 15-268, 16-230, and 17-563, Revised Statutes Cumulative
25 Supplement, 2010, are repealed.