

# ORDINANCE RECORD

REDFIELD DIRECT E2401275KV

## ORDINANCE NO. 1525

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO AMEND MUNICIPAL CODE SECTIONS 35.02 AND 35.50; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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

**SECTION 1.** Municipal Code Section 35.02 is hereby amended to read as follows:

### § 35.02 CONTRACT VOTE.

On the passage or adoption of every resolution or order to enter into a contract or accepting of work done under contract by the Mayor or Council, the "yeas" and "nays" shall be called and entered upon the record. To pass or adopt any bylaw or, ordinance or any such resolution or order, a concurrence of a majority of all elected members of the Council shall be required. The Mayor may vote on any such matter if (1) the Mayor's vote is required due to the Council members being equally divided or (2) a majority vote of all the elected members of the Council cannot be reached due to absence, vacancy, or abstention of one or more Council members. For purposes of such vote, the Mayor is deemed to be a member of the Council.

(Neb. RS 16-503) ('79 Code, § 1-921)

**SECTION 2.** Municipal Code Section 35.50 is hereby amended to read as follows:

### § 35.50 PROPERTY TAX REQUEST; PROCEDURE.

The city annually in connection with its consideration and approval of a property tax request for the upcoming fiscal year shall comply with applicable requirements of State Statutes, including without limitation all applicable notice, public hearing, approval, certification, filing and other requirements of the Property Tax Request Act set forth in Neb. Rev. Stat. Sections 77-1630 through 77-1634, as amended or superseded from time to time.

('79 Code, § 1-904.01) (Ord. 703, passed 10-21-97; Am. Ord. 1031, passed 5-1-07; Am. Ord. 1444, passed 2-1-22; Am. Ord. 1468, passed 12-6-22)

**Statutory update:**

*Similar state provisions, see Neb. RS 77-1630 through 77-1634)*

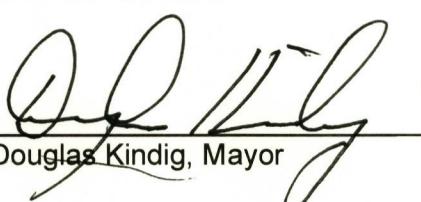
**SECTION 3. Repeal of Conflicting Ordinances.** Sections 35.02 and 35.50 as originally enacted, and all ordinances and parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof, are hereby repealed.

**SECTION 4. Severability Clause.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION 5. Effective Date.** This Ordinance shall be in force and take effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 15TH DAY OF OCTOBER 2024

CITY OF LA VISTA

  
  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, MMC  
City Clerk