

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1091

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 70.001; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Section 70.001 of the La Vista Municipal Code is amended to read as follows:

§ 70.001 DEFINITIONS.

Except as otherwise herein defined, the words and phrases used in this title, pertaining to motor vehicles and traffic regulations, shall be construed as defined in Neb. RS Chapter 60, article 6, as now existing or hereafter amended. If not defined in the designated statutes, the word or phrase shall have its common meaning.

AUTHORIZED EMERGENCY VEHICLES. Vehicles of the Volunteer Fire Department, vehicles of firefighters responding to an emergency when properly identified, police vehicles and such ambulances or other emergency vehicles as are designated or authorized by the City Council and such publicly owned military vehicles of the National Guard as are designated by the Adjutant General pursuant to Neb. RS 55-133.

DRIVER Every person who drives or is in the actual physical control of a vehicle.

INTERSECTION or STREET INTERSECTION. The space occupied by two streets at the point where they cross each other, bounded by the lot lines extended and shall include the sidewalk space as well as the roadway.

LOADING ZONE. A place designated by the City Council as a place for the loading and unloading of freight, materials or merchandise and suitably marked so as to indicate its use for such purpose.

MUFFLER. A device consisting of a series of chamber or baffle plates, or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine, and effective in reducing noise.

OFFICIAL TRAFFIC SIGNS OR DEVICES. All signs, markings and devices, other than mechanical or electrical signals, not inconsistent with this chapter, placed or erected by authority of the City Council for the purpose of directing, warning or regulating traffic.

PASSENGER ZONE. A place designated by the City Council as a place for the loading and unloading of passengers and suitably marked so as to indicate its use for such purpose.

POLICE OFFICER or TRAFFIC OFFICER. Every officer of the Police Department of the city or any officer authorized to direct or regulate traffic or make arrests for the violation of traffic regulation.

SIDEWALK. That portion of a street between the curb lines and the adjacent property lines intended for pedestrian use.

STREET. The entire width between the boundary limits of any street, avenue or way which is publicly maintained and open for public vehicular traffic.

TRAFFIC. Pedestrians, ridden animals and vehicles or other conveyances, either singly or together, while using any street, alley or public way for purposes of travel.

VEHICLE. Every device in, upon or by which any person or property is or may be transported or drawn upon a street, except devices moved by human power or used exclusively on stationary rails or tracks.

(Neb. RS 60-606 through 60-676) ('79 Code, § 5-101) (Am. Ord. 608, passed 1-17-95)

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SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. 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 or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista 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 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 7TH DAY OF APRIL 2009.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC
City Clerk