

Changes to the proposed Municipal Code Book “Exhibit A” (in red)

- Adopt new code as presented in “Exhibit A” with the following changes:
- **§2-101 ADOPTION OF BUILDING CODE.** The current and most recent dated edition of a certain code book, entitled International Building Code, International Residential Code for One- and Two-Family Dwellings, and International Property Maintenance Code (as amended), which are on file in the office of the City Clerk, except as is hereinafter provided, be and the same is hereby adopted as the building code of the City of Chadron, and each and all of the regulations, provisions, penalties, conditions, and terms therein on file in the office of the City Clerk are hereby referred to, adopted, and made a part of hereof by this reference as if fully set out in this section. (Neb. RS 16-246) (Ord. 1120, passed 9-18-1989; Ord. 1135, passed 7-1-1991; Ord. 1272, passed 12-15-2003; Ord. 1296, passed 4-16-2007; Ord. 1325, passed 12-15-2008) Penalty, see §2-103
***Statutory reference:** Related state law provisions, see Neb. RS 18-132 and 19-922*
- **§2-103 OCCUPANCY PERMIT VIOLATION; PENALTY.** Any firm, person, or corporation who is using or occupying a building without a certificate of occupancy or without a current and valid temporary certificate of occupancy as prescribed in the International Building Residential Codes R110.1 and R110.4 is in violation of §2-101 and 2-102 of this article and shall be subject to the blanket penalty of the Chadron Municipal Code fined in the sum of \$50 for each offense. Each day that the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. 1296, passed 4-16-2007)
- **§2-208 (1)(c) Exception of openness requirement.** Fences built on residential property other than in the front yard may exceed 50% closed construction.
- **§2-208 (1)(d) Exception for front yards of double frontage lots.** A fence built within the required front yard of a double frontage lot may be a maximum of six feet in height and may exceed 50% closed construction if such lot fronts a major street, as defined in the Comprehensive Development Plan of the City of Chadron; and if such frontage does not provide primary access to the property.
- **§2-403 PURPOSE AND DUTIES.** The Board of Appeals shall employ the means of appeal as provided by the International Building Code, Plumbing Code and Property Maintenance Code (as amended). (Neb. Stat. 16-246, 19-417) (Ord. 1327, passed 4-6-2009)
- **§3-104 LIQUOR SALES; SECULAR DAYS; REGULATION; HOURS.** No alcoholic liquors, including beer, shall be sold at retail on Monday through Saturday between the hours of 1:01 a.m. and 8:00 a.m. (Ord. 1000, passed 12-4-1978) Penalty, see §18-104
- Section
 - 3-201 Permit required
 - 3-202 Permit generally
 - 3-203 Permit issued; insurance or bond required; occupation fee
 - 3-204 Poles and wires interference; notice
 - 3-205 Violation; penalty
- **§3-203 PERMIT ISSUED; INSURANCE OR BOND REQUIRED; FEE.**

The applicant for a building mover permit shall further furnish insurance acceptable to the City or a good and sufficient bond to the City in the sum of \$51,000, conditioned that the applicant shall pay any and all damages that may be sustained to the streets, alleys, sidewalks, grounds, public utilities, or the private property of any person, firm, or corporation by reason of the moving of the building shown in the application. The application and bond being in proper form, the City ~~Clerk~~ shall issue a building mover permit to move the building set out in the application, to the applicant upon the applicant paying to the City a permit fee as cited in the Chadron Fee Ordinance. (Ord. 1000, passed 12-4-1978)

- **§3-305 PERMIT FEE.** Before any permit shall be issued under the provisions of this article, the applicant therefore shall pay a fee, based upon the duration he or she desires to engage in business in the City as cited in the Chadron Fee Ordinance.
- **§3-404 ADOPTION OF PLUMBING CODE.** The current and most recent dated edition of a certain code book, entitled International Plumbing Code, copyright by International Code Council, Inc., and Building Officials and Code Administrators International, Inc., and others, ~~three~~ copies of which are on file in the office of the City Clerk of the City of Chadron, Nebraska, be and the same is hereby adopted as the plumbing code of the City of Chadron, and each and all of the regulations, provisions, penalties, conditions, and terms of such on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof by this reference as if fully set out in this section. (Ord. 1232, passed 2-23-1998)
- **§4-601 STORMWATER DRAINAGE FACILITIES; ADOPTION OF.** A certain document, ~~three copies of which are~~ on file in the office of the City Clerk of the City of Chadron, Nebraska, being marked and designated as “Rules and Regulations and Engineering Design Requirements for Stormwater Drainage Facilities and Site Plan Review Application” of the City of Chadron, Nebraska, adopted June 16, 2008” be and the same is hereby adopted as the rules and regulations and engineering design requirements for Stormwater Drainage Facilities of the City of Chadron, Nebraska including: general, definitions, design requirements for storm drainage facilities, flood plain requirements, easements, approval and dedication of projects with public sewers, fees and deposits required before occupancy permits and land development approval and inspection; all of which, after public hearings before the Planning Commission and the City Council was presented recommending adoption by the Chadron Planning Commission on June 9, 2008. (Ord. 1315, passed 7-21-2008)
- **§4-712 DESIGNATION OF CURRENT AUTHORITATIVE MAP.** Until a Flood Hazard Boundary Map/Flood Insurance Rate Map has been published, any development permit application shall meet the appropriate provisions of this article by using the Nebraska Department of Natural Resources Flood Hazard Work Map dated ~~October 31, 2008~~ December 10, 2008. (Ord. 1322, passed 11-17-2008)
- **§5-303 CITY CLERK; GENERAL DUTIES.** The City Clerk shall have the custody of the seal, all laws, ordinances, records, and official papers of the City, and shall keep a correct journal of the proceedings of the Council. He or she shall also keep a record of all outstanding bonds against the City, and when any bonds

are sold, purchased, paid, or canceled, the record shall show the fact. He or she shall be responsible for records management. He or she shall issue all licenses, permits, and occupation tax receipts authorized by law. He or she shall make, at the end of each fiscal year, a report of the business of the City transacted through his or her office for the year, in which he or she shall describe particularly the bonds issued and sold during the year and the terms of the sale, with each and every item and expense thereof. He or she shall also perform any other duties as may be provided by this code. He or she shall, with the seal of the City, duly attest thereby the Mayor's signature to all ordinances and all deeds and papers required to be attested, when ordered by the Council. He or she shall collect all occupation tax and license money except where some other City officer is specifically charged with the duty. He or she shall keep a register of all licenses granted by the City and the purpose for which they are issued. Within 30 days after any meeting of the Council, he or she shall prepare and publish the proceedings of the Council in a legal newspaper, designated by the Council, provided, Council proceedings shall not be published until after they shall have been approved by the Council; and provided further, the Clerk's minute record shall be prepared in duplicate original, one for the permanent Council proceeding minutes and the other for the legal newspaper in which the same is to be published. The City Clerk shall hereafter keep and preserve the proceedings of the Council of the City in two separate and distinct books:

(1) Minute Record, wherein shall be recorded the official proceedings miscellaneous and informal doings of the Council; and

(2) Ordinance Record, wherein shall be recorded the formal proceedings of the Council, in the matter of passing, approving, publishing, or posting and certifying to ordinances. (Ord. 1000, passed 12-4-1978)

Statutory reference: Related state law provisions, see Neb. RS 16-317

- §5-305 The City Finance Officer shall serve as the City Treasurer and be bonded as allowed by code. The City Treasurer shall be the custodian of...
- **§5-401 DEPARTMENTS CREATED.** The following administrative departments are established in the City: Administration- Finance/Customer Service Department, Fire Department, Police Department, and Public Works Department, Sanitation Department, and Water Department. With the exception of the City Clerk, t The head of each department shall be appointed by the City Manager and shall serve until removal by the City Manager, or in the event of the death, resignation, or removal of the City Manager who appointed him or her, until his or her successor shall have been appointed by the succeeding City Manager and shall have qualified. (Ord. 1000, passed 12-4-1978)
- **§5-406 FINANCE/CUSTOMER SERVICE ADMINISTRATION DEPARTMENT.** The City Manager City Clerk shall appoint be the head of the Finance/Customer Service Administration Department and all employees assigned thereto who shall perform the duties subject to his or her supervision. He or she shall have supervision of the accounts payable division, finance division, personnel division, utility billing division, clerk and records management division, and perform any other duties that may be assigned by the City Manager

or required by the Chadron Municipal Code and the state statutes. (Ord. 1000, passed 12-4-1978)

- **§5-412 BUILDING OFFICIAL.** The Building Official is authorized and directed to enforce all the provisions of this code pertaining to health or safety codes and constructional technical codes. For that purpose, he or she shall have the powers to issue citations as provided by law. In accordance with his or her duties and upon presentation of proper credentials, the Building Official, or his or her duly authorized representative, ~~may enter at all reasonable times any building, structure, or premises~~ is authorized with the consent of the owner and/or occupant to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as proved by law to perform any duty imposed upon him or her by any building code or plumbing code duly adopted by reference in this code, or any provision of this code. Whenever any building or construction work is being done contrary to the provisions of the codes, it shall be the duty of the Building Official to order the work stopped by notice in writing served on any persons engaged in doing or causing the work to be done. Any such person shall immediately stop, or cause to be stopped, the work until authorization is received from the Building Official to continue the work. When any structure is in a dangerous condition or the building is being used contrary to the provisions of the laws of the City, the Building Official may order the use discontinued or the structure or portion in violation vacated. The Building Official, acting in good faith and without malice in the discharge of his or her duties, shall not render himself or herself personally liable and is relieved from all personal liability for any damage that may accrue to person or property as the result of any act or omission in the discharge of his or her duties. Any suit brought against the Building Official, because of an alleged act or omission performed by him or her in the enforcement of any provision of the City's codes relating to buildings or building construction shall be defended by the Legal Department of the City until final termination of the proceedings. The Building Official may request, and shall receive so far as may be necessary in the discharge of his or her duties, the assistance and cooperation of other officials of the City. The position of City Building Official shall be under the responsibility and jurisdiction of the City Manager. (Neb. RS 18-1757) (Ord. 1308, passed 2-4-2008)
- **§ 5-601 OFFICERS AND EMPLOYEES; SALARY CLAIMS; APPROVED BY COUNCIL; FEES EARNED; PROPERTY OF THE CITY.**

(1) The salaries of the several officers and employees to be paid by the City of Chadron, Nebraska, shall be as follows:

 - ~~(d) The salary of the Chief and the Assistant Chief(s) of the Fire Department shall be fixed by the Council and shall be payable quarterly;~~
- **§5-601 OFFICERS AND EMPLOYEES; SALARY CLAIMS; APPROVED BY COUNCIL; FEES EARNED; PROPERTY OF THE CITY.**

(1) The salaries of the several officers and employees to be paid by the City of Chadron, Nebraska, shall be as follows:

(e) For the other employees of the City of Chadron, Nebraska, there is hereby established a schedule of job classifications and basic salary ranges, each classification and range containing certain intermediate, and maximum salary steps, the exact salary paid to each employee of the City within the salary range as herein established shall be fixed by the City Manager based on experience, qualifications, and performance, ~~and tenure~~. The job classifications and salary schedule shall be prepared by the City Manager and submitted to the City Council for its approval at the beginning of each fiscal year, and thereafter remain filed in the City Manager's office.

- **§5-801 BONDS; OFFICIAL; ENUMERATED; PREMIUMS; PAID BY CITY.** All the following officers and employees of the City, as well as those officers elsewhere required by law, shall, before entering upon the duties of their office, execute a bond to the City with good and sufficient surety, conditioned that he or she will faithfully and impartially perform and discharge the duties of his or her office in accordance with the law and ordinances of the City. The bonds shall be in the following amounts: City Council, \$2,000 each; City Manager, ~~\$50,000~~\$25,000; City Treasurer, \$50,000; and all other bonded City employees shall be covered by a faithful performance blanket position bond coverage in the sum of \$25,000. No bond shall be deemed to be given or complete until the same has been approved by the Council and the approval endorsed in writing on the instrument by the Mayor and City Clerk. All the bonds shall be filed in the office of the City Clerk and the City shall pay all bond premiums. (Ord. 1000, passed 12-4-1978)
- **§6-101 DEFINITIONS.**

CHIEF OF POLICE. An individual who is hired on an interim or full time basis to serve the duties as prescribed by the Chadron job description for the Chief of Police, and as authorized by law. For the purpose of enforcement of this chapter, the Chief of Police may authorize a designee to serve in his or her place at times of his or her absence.

KENNEL. Any person, firm, or corporation harboring, keeping, or owning more than three dogs ~~at~~ any one time.
- **§6-501 ANIMAL BITE; QUARANTINE.** Every animal which bites a person or another domesticated animal shall be promptly reported to the Police Department, and shall thereupon be securely quarantined at the direction of the ~~Police~~ Chief of Police for a period of ten days, and shall not be released from the quarantine except by written permission of the ~~Police~~ Chief of Police. In the case where an animal bites a person or another domesticated animal while on the owner's premises, the location of the quarantine shall be at the discretion of the ~~Police~~ Chief of Police and may be on the premises of the owner in which the animal will be securely confined, in a humane manner, indoors or in a securely enclosed and locked pen or structure suitably designed to prevent the entry of young children and to prevent the dog from escaping, or at the shelter designated as the City Animal Shelter, or ~~at the owner's option and expense~~ in a veterinary hospital of his or her choice, at the owner's option and expense. In the case where an animal bites a person or another domesticated animal while not on the owner's premises, the location of the quarantine shall be at the shelter designated as the City Animal

Shelter, or ~~at the owner's expense~~, in a veterinary hospital. In the case of stray animals, or in the cases of animals whose ownership is not known, the quarantine shall be at the shelter designated as the City Animal Shelter or in a veterinary hospital. The owner, upon demand made by the ~~Police~~ Chief of Police, shall forthwith surrender any animal which has bitten a human, or another domesticated animal, or which is suspected as having been exposed to rabies, for supervised quarantine which expense shall be borne by the owner, and may be reclaimed by the owner if adjudged free of rabies. (Ord. 1000, passed 12-4-1978; Ord. 1297, passed 5-7-2007) Penalty, see ' 6-701

- **§6-502 ANIMAL UNDER QUARANTINE; RABID PROCEDURE.** When an animal under quarantine has been diagnosed as being rabid, or suspected by a veterinarian as being rabid, and dies while under observation, the ~~Police~~ Chief of Police shall should immediately send the head of the animal to the appropriate approved testing laboratory for pathological examination, and shall notify the proper public health officer of reports of human contacts, and the diagnosis made of the suspected animal, and shall proceed as follows:
 - ~~(1) When one or both reports give a positive diagnosis of rabies, the Chief of Police may recommend a City-wide quarantine, for a period of 30 days, and upon the invoking of the quarantine, no animal shall be taken into the streets, or permitted to be in the streets, during the period of quarantine;~~
 - ~~(2) During the period of rabies quarantine, every animal bitten by an animal adjudged to be rabid shall be forthwith destroyed, or at the owner's option and expense, shall be treated for rabies infection by a licensed veterinarian, or held under 30-180 days of quarantine, by the owner in the same manner as other animals are quarantined.; and~~
 - ~~(3) In the event there are additional positive cases or rabies occurring during the period of quarantine, the period of quarantine may be extended for an additional six months. (Ord. 1000, passed 12-4-1978; Ord. 1297, passed 5-7-2007)~~

(1) Upon such diagnoses of rabies, every animal bitten by an animal adjudged to be rabid shall be forthwith destroyed, or at the direction and supervision of a licensed veterinarian, based on the most current recommendations from the Center for Disease Control and Prevention, shall be treated for rabies infections and/or held under 180 days of quarantine in the same manner as other animals are quarantined in 6-501, at the owner's expense.
- **§6-302 ANIMAL POISON UNLAWFUL.** It shall be unlawful for any person to knowingly expose any known poisonous substance, whether mixed with food or not, so that same shall be liable to be eaten by any animal, except for the person to expose on his or her own property, common rat poison mixed only with vegetable substances. (Ord. 1000, passed 12-4-1978; Ord. 1297, passed 5-7-2007) Penalty, see §6-701
- **§6-602 CONFINEMENT REQUIRED; WARNING SIGN.** While unattended on the owner's property, a dangerous dog shall be securely confined, in a humane manner, indoors or in a securely enclosed and locked pen or structure suitably designed to prevent the entry of young children and to prevent the dog from escaping. The pen or structure shall have secure sides and a secure top. If the pen or structure has not bottom secured to the sides, the sides shall be embedded into

the ground, and be located at least ten feet from any fence or property line. The pen or structure shall also protect the dog from the elements. The owner of a dangerous dog shall post a warning sign on the property where the dog is kept that is clearly visible and that informs person that a dangerous dog is on the property. Warning signs must be at least ten feet inches by 12 feet inches and contain the words “warning” and “dangerous animal” in high contrast lettering at least three inches high on a black background. (Ord. 1000, passed 12-4-1978; Ord. 1297, passed 5-7-2007) Penalty, see §6-701

- **§7-108 DRIVING OVER FIRE HOSE; FIRE TRAFFIC; PEDESTRIANS.** No person, without the consent of the Chief of the Fire Department or his or her assistant(s) in command, shall drive any vehicle over any unprotected hose of the Fire Department within the corporate limits of the City. ~~When the fire alarm shall have been sounded, every vehicle already stationary or parked shall remain so for a period of five minutes after the sounding of the fire alarm.~~ The driver of any moving vehicle, upon the sounding of any fire alarm or upon the approach of any fire engine or fire apparatus, shall immediately draw up the vehicle as near as possible to the right-hand curb and shall bring the vehicle to a standstill until after the fire engines or fire apparatus shall have passed. No vehicle, except by specific direction of the Chief of the Fire Department, or his or her assistant(s), shall follow, approach, or park closer than 300 feet to a fire plug to which a hose is connected. The provisions of this section shall be construed to apply neither to vehicles carrying doctors or members of the Fire Department, nor to drivers of ambulances or other authorized emergency vehicles when emergency calls require the abrogation of the fire traffic rules mentioned herein. Pedestrians shall not remain within the limits of any street after a fire alarm shall have been sounded until the fire engines or fire apparatus shall have completely passed. (Ord. 1000, passed 12-4-1978) Penalty, see §7-501
- **§7-301 ADOPTION.** There is hereby adopted by the Mayor and Council of the City of Chadron, Nebraska, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the International Fire Code and the whole thereof, or the most recent edition thereof save and except the portions as are hereinafter deleted, modified, or amended, of which Code ~~is not less than three copies have been and are~~ now filed in the office of the Clerk of the City of Chadron and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Chadron, Nebraska. (Ord. 1024, passed 7-20-1981)
- **§8-102 DUTIES.** The Board of Health shall hold meetings upon the call of the Chairperson, and shall act as an advisory board to the City Council in regard to all health matters concerning the City of Chadron. A majority of such Board shall constitute a quorum and shall enact rules and regulations, having the force and effect of law, to safeguard the health of the people of such City and prevent nuisances and unsanitary conditions, enforce the same, and provide fines and punishments for the violation thereof. It shall be the duty of the Board of Health to make all inspections relating to health, provided for by this code, by resolution

- of the City Council, and by state statute. Related state law provisions, see Neb. RS 16-238 (Ord. 1000, passed 12-4-1978) (Ord. 1000, passed 12-4-1978)
- **§8-304 GARBAGE; HOUSEHOLD WASTE; INCINERATION; REGULATION; EXEMPTIONS.** Garbage or trash shall not be burned within the City limits. The City's sanitation provider shall be exempt from this subsection providing that the sanitation provider meets all state and local permitting requirements authorizing incineration of materials.(Ord. 1000, passed 12-4-1978) Penalty, see §8-6501
 - **§8-401 WHEN PROHIBITED; EXEMPTIONS.** No privy vault, septic tanks, or cesspool shall be constructed, maintained, used, or permitted to be used on any property in the City where sewer connections can be had either from the adjacent street or alley, and where there is also a City water supply. Exemptions to this subsection include privy vaults, septic tanks, or cesspool which are in good working order, and properties which have adjacent sewer connection availability but the lot size is not urban or suburban in nature thus making it a financial hardship for connection. Said financial hardship shall be determined by City Council.(Ord. 1000, passed 12-4-1978) Penalty, see §8-601
 - **§8-402 WHEN NUISANCE.** All privy vaults, septic tanks and cesspools, the contents of which are nearer than three feet to the surface of earth immediately adjacent to the vaults, septic tanks or cesspools, are hereby declared to be nuisances, and the agent, owner, or occupant of the premises upon which the vault or cesspool is located shall at once cause all the contents of the vault or cesspools to be removed. (Ord. 1000, passed 12-4-1978) Penalty, see §8-601
 - **§8-405 BOARD OF HEALTH AND HEALTH INSPECTOR DUTIES.** The Board of Health shall have the power and is hereby authorized and directed to promulgate the rules and regulations as in its opinion may be necessary in order to protect the public health from unsanitary privy vaults, septic tanks, and cesspools. The Board of Health's designee may enter upon any private premises to inspect the privy vaults, septic tanks or cesspools, order same repaired, or may declare same unusable and order the owner to discontinue the use of the same. (Ord. 1000, passed 12-4-1978)
 - **§8-411 through 8-413** was repealed in 2009.
 - **§8-501 (a) 9.** If removed from private property by the municipality pursuant to a municipal ordinance.
 - **§8-501 (b) 8.** If removed from private property by the municipality pursuant to a municipal ordinance.
 - **§8-511 VIOLATIONS; PENALTY.** Except as provided in §8-509, any person violating any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof, such person shall be fined according to the Municipal Code of the City of Chadron blanket penalty, ~~except that each person so convicted shall be fined in a sum not less than \$100 for the first offense, not less than \$150 for the second offense, and not less than \$200 for the third offense, and each subsequent offense thereafter.~~ Each day that a violation of any of the provisions of this article occurs shall constitute a distinct and separate offense and shall be punished accordingly. (Neb. RS 16-246) (Ord. 1323, passed 12-1-2008)

- **§9-107 LIBRARY FREE; EXCEPTIONS.** The library, established under and by virtue of this chapter, shall be forever free for use by the Chadron library patrons to the use of the inhabitants of this City, subject always to the reasonable regulations as the Library Board may adopt to render the library of the greatest use to its patrons the inhabitants of the City, and the Board may exclude from the use of the library anyone who shall willfully violate or refuse to comply with the rules and regulations established for the government thereof. (Ord. 1000, passed 12-4-1978)
- **ARTICLE 1: MANUFACTURED AND MOBILE HOMES; GENERALLY**
- 10-101 Definitions
- **§10-101 DEFINITIONS.**
 - MOBILE HOMES.** A building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Nebraska Department of Health or conformance to the manufactured home procedural and enforcement regulations, as adopted by the US Department of Housing and Urban Development; or not otherwise satisfying the definition of Manufactured Home Dwellings.
 - MOBILE HOME PARK.** A unified development under single ownership, developed, subdivided, planned, and improved for the placement of mobile home units for non-transient use. Mobile Home Parks include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
- **§10-102 UNLAWFUL TO MAINTAIN; EXCEPTIONS.** It shall be unlawful for any person to place, keep, or maintain, or permit to be placed, kept, or maintained, any non-compliant manufactured home or mobile home, as defined in §10-101, upon any lot, piece, or parcel of land within the corporate limits of the City of Chadron, except in a mobile home park, or as permitted by §10-102 or 10-103. (Ord. 1000, passed 12-4-1978) Penalty, see §10-301.
- **§10-103 PERMITTED LOCATIONS; CONDITION.** Manufactured and Mobile homes shall be permitted to be placed, kept, or maintained as defined by the zoning regulations of the City of Chadron.
- **ARTICLE 2: MOBILE HOME PARKS**
- **§11-103 FIREARMS; NOT TO BE DISCHARGED ON CITY PROPERTY; EXCEPTION.** It shall be unlawful for any person, except officers of the law in the discharge of their duties, to fire or discharge any rifle, gun, pistol, fowling piece, or other firearm on any property owned by the City, or used by the City for municipal or public purposes. (Ord. 1000, passed 12-4-1978) Penalty, see §11-106.
- **§11-308 NUISANCE, VIOLATION; PENALTY.** Any owner or occupant of a lot or piece of ground shall, upon violating any section of this article, be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not more

~~than \$100 and costs of prosecution.~~ Any person, firm, or corporation violating the terms of this article shall be subject to the blanket penalty of the Chadron Municipal Code §18-104. Each day that the violation is committed or permitted to continue may constitute a separate offense and may be punishable as such hereunder. (Ord. 1195, passed 3-18-1996)

- **§11-313 NUISANCE; RIGHT OF ENTRY.** For the purpose of administering and enforcing the provisions of any section of this article, any police officer, the Zoning and Building Official, and any other City employee designated by the City Manager is authorized with the consent of the owner and/or occupant to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the City representative is authorized to pursue recourse as provided by law shall have the right to enter any premises in the City at any reasonable time. (Ord. 1203, passed 10-7-1996)
- **§11-322 NUISANCE; AFTER RECEIPT OF NOTICE; REMOVAL.** Within five days after receipt of the notice, if the owner or occupant of the land does not request a hearing with the City Council, as provided in §11-306, or fails to comply with the order to abate and remove the nuisance, the City Manager may cause the City to remove the nuisance. (Ord. 1203, passed 10-7-1996)
- **§11-323 NUISANCE; REQUEST FOR HEARING BEFORE CITY COUNCIL.** Within five days after receipt of the notice, the owner or occupant may make a written request for a hearing before the City Council, as provided in §11-306, and such a request shall suspend the notice to abate and remove unless an emergency was declared, as provided in this article. At the hearing, the City Council may order the nuisance abated and removed within the time as the City Council shall determine. If the nuisance is not abated and removed within the time specified by the City Council, the City Manager may cause the City to remove the nuisance and the City shall proceed, as provided in §11-306. The costs and expenses of any such work shall be paid by the owner. If unpaid for two months after the work is done, the City shall proceed, as provided in §11-306. Any junk which is removed under the provisions of this section shall be impounded and shall be valued as provided elsewhere in this article. The remedy provided in this section shall be cumulative with any other remedy provided in this code, or otherwise available at law or in equity. (Ord. 1203, passed 10-7-1996)
- **§11-324 NUISANCE; EMERGENCY REMOVAL.** If the City Manager shall determine that a particular nuisance, as defined in this code, is so unsafe, or is unsafe in a respect such that a delay in removal thereof would result in undue danger or other hazard to persons or property, he or she may declare in writing that there exists an emergency requiring that this nuisance be removed immediately and order the appropriate City employees to remove the nuisance. The costs and expenses of the removal may be assessed, as provided in this article. Any junk which is removed under the provisions of this section shall be impounded and shall be valued, as provided in this article. The remedy provided in this section shall be cumulative with any other remedy provided in this code, or otherwise available at law or in equity. (Ord. 1203, passed 10-7-1996)

- **§12-105 OUTSIDE CITY LIMITS; OWNER’S COST.** The owner of any property outside the City limits being connected by proper sewer lines to any City main or lateral sanitary sewer for the disposal of sewage waste shall furnish without cost or obligation to the City, all fittings, pumps, sewer pipes, and other appurtenances necessary to construct sewer laterals to adequately serve the property, all construction to be done under plans and specifications approved by the City **Engineer**. (Ord. 1000, passed 12-4-1978)
- **§12-106 CONSTRUCTION REQUIREMENTS.** All service lines and connections to the City sanitary sewer mains and laterals shall be made and constructed in accordance with the plumbing code, City plumbing regulations, the municipal code, and state statutes, and shall be inspected by the Plumbing Inspector, under the supervision of the City **Engineer**. (Ord. 1000, passed 12-4-1978) Penalty, see §12-301
- **§13** – Add the word “Alleys” to the article index’s first page (eg. “Streets and Alleys”) and the section index title.
- **§13-111 CURB; PAVING; SIDEWALK; CUTTING; PERMIT; INSPECTION; DEPOSIT; BOND.** It shall be unlawful for any person, firm, or corporation to cut into any paving, curb, or sidewalk on public property, right-of-way or easement for any purpose whatsoever, without first having obtained a permit. Before any permit is issued, the applicant shall inform the City of the place where the cutting is to be done and it shall be the City’s duty to cause an inspection to be made of the place of entry into the paving or sidewalk, or curb, before the same is cut. When cutting into any paving, it shall be the duty of the party so cutting to make the same in such a way and in the manner, and under the rules and regulations as may be prescribed by the City; and when the person, firm, or corporation is ready to close the opening, they shall inform the City who may supervise and inspect the materials used and the work done in closing the opening. Before any permit is issued, the applicant may execute a bond to the City, with good and sufficient surety or sureties to be approved by the City Clerk in the sum of not less than \$5,000 conditioned as follows:
- **§13-118 TREES AND SHRUBBERY; LOCATION.** No street or park tree shall be planted within 50 feet of any street intersection, measured from the point of nearest intersecting curbs or curb lines, or within 15 feet of any driveway of an abutting property owner. It shall be the duty of any person desiring to plant trees or shrubbery on any public right-of-way of any street, or alley, ~~or easement~~ to call upon the City who shall properly mark the location where the same may be planted. Diggers Hotline shall be notified by the owner prior to digging. Owners of the premise which abuts the public right-of-way are responsible for the care and maintenance of the trees and shrubbery located on the public right-of-way they abut. Trees and shrubbery may not be planted on easements. Removal of trees and shrubbery on easements is the responsibility of the property owner. It shall be unlawful for any person in any manner to injure or deface the trees or shrubbery when so planted, except, the trees or shrubbery may be removed by the City at any time the public right-of-way is needed for any public purpose. (Ord. 1142, passed 3-2-1992) Penalty, see §3-301

- **§13-206 CONSTRUCTION REQUIREMENTS.** All concrete sidewalks constructed or reconstructed along any street in the City shall be built and constructed on the established grade or elevation and be in conformity with the plans and specifications as prepared by the City ~~Engineer~~ and adopted and approved by the City Council. (Ord. 1000, passed 12-4-1978)
- §14, Article 1: Cemeteries – Change “Foreman” to “Superintendent” in 14-103 index title and 14-103 title
- **§16-101 DEFINITIONS.**
 - ~~**RESIDENCE-RESIDENTIAL DISTRICT.**~~ The area adjacent to any street which has been zoned for residential ~~commercial or industrial~~ purposes as set out by the City zoning regulations.
 - **§16-203 REGISTRATION.** No person shall operate any motor vehicle upon any street or public highway without having first registered the same as provided by the laws of the State of Nebraska, and the vehicle shall have the registration and number plates furnished by the state or county, displayed upon the vehicle in the manner and place provided for by the laws of the State of Nebraska, and when any trailer shall be attached to any motor vehicle in use upon the streets, the trailer shall have the registration and number plates furnished by the state or county, displayed upon the trailer in the manner and place provided for by the laws of the State of Nebraska, and rear lights as required of any other motor vehicle. If a citation is issued to an owner or operator of a motor vehicle or trailer for a violation of Neb. RS 60-362 and the owner properly registers and licenses the motor vehicle or trailer not in compliance and pays all taxes and fees due and the owner or operator provides proof of such registration to the prosecuting attorney within ten days after the issuance of the citation, no prosecution for the offense cited shall occur. (Ord. 1000, passed 12-4-1978) Penalty, see §16-618 **Statutory reference:** Related state law provisions, see Neb. RS 60-365 and 60-3,165
 - ~~**§16-609 VEHICLES; LIMITATIONS; WIDTH, HEIGHT, AND LENGTH.**~~ ~~No vehicle shall exceed a total outside width, including any load thereon, of eight feet six inches. No vehicle unladen or with load shall exceed a height of 13 feet. No vehicle or combination of vehicles shall exceed a length of 35 feet extreme overall dimensions inclusive of front and rear bumpers, including load. (Ord. 1000, passed 12-4-1978) Penalty, see §16-618~~
 - **§176-113 DISCONNECTION FOR LATE PAYMENT.**
 - **§17-304 WATER SUPPLY; UNLAWFUL TO SWIM OR BOAT; EXCEPTION; CONTAMINATE.** It shall be unlawful for any person to swim or operate a motorized boat in any City reservoir, except by permission of the City Council established by a duly enacted resolution, or place in or near or around the reservoir, catch basins, or any other part of the waterworks system of this City, or to place any dirt, filth, or impure substance whatsoever, or any substance or fluid by which the water shall be rendered impure, unpotable, or dangerous for human or animal consumption. (Ord. 1134, passed 2-18-1991) Penalty, see §17-401
 - Eliminate the following tables from the “Table of Special Ordinances:”
 - FRANCHISES
 - CONTRACTS AND AGREEMENTS

PLANNED UNIT DEVELOPMENT