

ORDINANCE # 150

An Ordinance to amend Section 30 of Ordinance #65 of the Ordinances of the City of Fort Calhoun, Nebraska, as shown in the Revised and Compiled Ordinances of said City, as passed and adopted January 2, 1940, regulating the meter rates for water per month, providing for the repeal of the original Section 30 of Ordinance #65 and prescribing the time when this ordinance shall be in full force and take effect.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA: That Section 30 of Ordinance #65 of the Revised and Compiled Ordinances of the City of Fort Calhoun, Nebraska, be amended to read as follows:

For the first 3,000 gallons, or any part thereof, the sum of \$1.50 shall be a minimum charge. For any amount over 3,000 gallons, or any part thereof, at the rate of \$.30 per thousand gallons thereafter.

That the original Section 30 of Ordinance #65 of the Revised and Compiled Ordinances of the City of Fort Calhoun, Nebraska, be, and the same is, hereby repealed.

This Ordinance shall be in full force and take effect from and after its passage, approval and publication, according to law.

Passed and approved this 24 day of October, 1951.

ATTEST:

Helen Crawshaw
CITY CLERK.

Albert Procknow
MAYOR.

AGREEMENT

This agreement made this 14 day of Feb. 1953 by and between the city of Ft. Calhoun of Washington County, Nebraska as party of the first part and the Wilkinson Mdg. Company of Ft. Calhoun, Washington County, Nebraska as party of the second part,

Witnesseth that the said party of the first part in consideration of the agreements of the party of the second part hereinafter stated, agrees and covenants with the said party of the second part to furnish water at the rate of \$1.50 for the first 3000 gallons plus 30¢ per 1000 gallons thereafter, per meter for a period of 36 months from the date of this contract.

In consideration of which, the party of the second part agrees and covenants with the said party of the first part to pay in advance \$3,000.00 upon completion of this instrument, receipt of which is hereby acknowledged for water as per rates above referred to until the \$3,000.00 as advanced has been used or the 36 month period expires.

It is further agreed by and between the parties that this contract is not to supersede any existing ordinances or water rates as amended now in force in the city of Ft. Calhoun.

And for the true and faithful performance of all the agreements and covenants above stated the said parties hereto, bind themselves, their successors and legal representatives each to the other.

In witness whereof the parties to this agreement have hereunto set their hands the day and year first above written.

City of Ft. Calhoun

Attest Thelma C. Shaw
City Clerk

By Mayor
Party of the first part

Wilkinson Mfg. Company

Attest Secretary

By President
Party of the second part

The above contract was hereby ratified and affirmed
by the Council of the city of Ft. Calhoun in open Council meeting
by resolution which appears in the minutes of the Council for the 4
day of Feb. 1953.

Heidi O. Shaw
City Clerk

ORDAINANCE NO150

AN ORBINANCE TO PROVIDE FOR THE LEVY OF TAXES,LEVYING THE SAME ON ALL TAXABLE PROPERTW IN THE CITY OF FORT CALHOUN, NEBRASKA FOR ALL PURPOSES NECESSARY TO MAINTAIN THE CITY GOVERNMENT FOR THE CITY OF FORT CALHOUN, NEBRASKA FOR THE FISCAL YEAR COMMENCING THE FIRST TUESDAY IN MAY 1952, ALSO LEVYING POLL TAX ON SAID INHABITANTS OF SAID CITY FOR SAID FISCAL YEAR.

Be it ordained by the Mayer and the City Council of the City of Fort Calhoun, Nebraksa.....

Section No.1.

That there be and hereby are levied and assessed on all taxable property within the corperate limits of the City of Fort Calhoun, Nebraska for the fiscal year commencing on the first Tuesday in May, 1952;

The following sums to wit:

For general purposes-----	(2) two mills
For park and park purposes-----	(.5) Five tenthmills
Forstreet lighting purposes-----	(3) Three Mills
For hydrant rentals and water works-----	(5) Five tenth mill
Payment of refunding bonds and water bonds and interest--	(6) Six Mills
For Hall fund-----	(.5) Five tenth mill
For water works maintenance and repairs-----	(3) Three Mills
For Streets and allyes-----	(2) Two Mills

That the same be levied and assessed against all taxable property within the corperate limits of the City of Fort Calhoun, Nebraska and collected as other taxes, as shown by assessment rolls for the year 1952

Section 2,.

That there be and hereby is levied upon each and every male inhabitant of said city of Fort Calhoun, Nebraska between ages of 21 and 50 years not now exempted therefrom by Sec.17-575 of the compiled statutes of the State of Nebraska for 1929, or byerdinance of this City, a poll tax to be collected as provided by law for said fiscal year commencing on the first Tuesday in May 1952

Section 3.

This ordinance shall take effect and be in force from and after its passage, approved and publicatiej as required by law.

Passed and approved this 7th day of July, 1952

Attest:

Helen Crawshaw
City Clerk

Mayer

ORDINANCE # 152

An Ordinance to amend Ordinance #150 of the Ordinances of the City of Fort Calhoun, Nebraska, as passed the 24th day of October, 1951 regarding the meter rates for water per month, providing for the repeal of ordinance #150 and prescribing a time when this ordinance shall be in force and take effect.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA: That ordinance #150 of the Ordinances of the City of Fort Calhoun, Nebraska be amended to read as follows:

For the first 3,000 gallons, or any part thereof, the sum of ^{2.50} \$1.50 shall be a minimum charge. For any amount over 3,000 gallons, or any part thereof, at the rate of \$.30 per thousand gallons thereafter up to 50,000 gallons. For any amount over 50,000 gallons the rate is to be increased .10% per thousand gallons for each 50,000 gallons used.

110.00
330
113.30

That the ordinance #150 of the Ordinances of the City of Fort Calhoun, Nebraska, be and the same is, hereby repealed.

This ordinance shall be in full force and take effect from and after its passage, approval and publication, according to law.

Passed and approved this 4th day of ^{May} April, 1953.

ATTEST:

Jane Suverkrude
CITY CLERK.

Bruce Cox
MAYOR.

VILLAGE OF FT. CALHOUN
OFFICE OF CITY CLERK

Ordinance No. 153

An Ordinance to provide for the levy of taxes, levying the same on all taxable property in the City of Fort Calhoun, Nebraska for all purposes necessary to maintain the City government for the City of Fort Calhoun, Nebraska for the fiscal year, commencing the first Tuesday, May, 1953, also levying poll tax on said inhabitants of said City for said fiscal year.

Be it ordained by the Mayor and the City Council of the City of Fort Calhoun, Nebraska:

SECTION NO. 1:

That there be and hereby are levied and assessed on all taxable property within the corporate limits of the City of Fort Calhoun, Nebraska for the fiscal year commencing on the first Tuesday in May, 1953

The following sums, to-wit:

For General Purposes (2) Two mills.

For Park and Park Purposes (.5) Five tenth mills.

For Street Lighting Purposes (2 1/2) Two and one-half mills.

Payment of refunding bonds and water bonds and interest (4) mills.

For Hall Fund (.5) Five tenth mills.

For water works maintenance and repairs (2) Two mills.

For Streets and Alleys (1 1/2) One and one-half mills.

That the same be levied and assessed against all taxable property within the corporate limits of the City of Fort Calhoun, Nebraska and collected as other taxes, as shown by the assessment roll for the year 1952.

SECTION NO. 2:

That there be and hereby is levied upon each and every male inhabitant of the City of Fort Calhoun, Nebraska between the ages of 21 and 50 years, not now exempt therefrom by Sec. 17-575 of the compiled statutes of the State of Nebraska, 1929, or by ordinance of this City, a poll tax of \$2.00 to be collected as provided by law for said fiscal year commencing on the first Tuesday in May, 1953.

SECTION NO. 3:

This Ordinance shall effect and be in force from and after passage, approval and publication as required by law.

Passed and approved this 6th day of July, 1953.

Bruce Cox
Mayor

Jane Suverkrubbe
City Clerk

ORDINANCE NO. 154

An ordinance to regulate the placing of housetrainers, sanitary conditions, the use of public utilities connected therewith and to provide for the seeking of a permit from the City of Ft. Calhoun before said trailer maybe placed, and to provide for a penalty for violation for the several provisions of this ordinance.

BE IT ORDAINED by the Mayor and Council of the City of Fort Calhoun, Nebraska:

Section 1. Housetrainers, defined. The term "Housetrailer" whenever used in this ordinance shall be held to apply to any construction placed on wheels or to any construction that may be expected to be placed on wheels which is used for housing.

Section 2. Application of permit. Any person seeking to locate a trailer in the City of Fort Calhoun for the purpose of housing must before doing so apply for a permit from the City Council and have the approval of same. In granting a permit the City Council is hereby empowered to consider certain sanitation requirements and restrictions regarding the use of utilities as they may deem advisable under each individual circumstance.

The City Council is further empowered to withdraw any permit after it has been allowed upon the change of conditions which would have caused the allowing of the permit in the first instance to be in violation of this ordinance.

Section 3. Violation, Penalty Any person locating a housetrailer in violation of this ordinance or who shall ~~be~~ refuse or neglect to comply with any order of the City Council regarding sanitation conditions and use of public utilities shall be deemed guilty of a misdemeanor and in connection thereof shall be fined in any sum not exceeding \$100.00, and, in default of payment thereof shall be adjudged to stand committed to the City jail until such fine and costs be paid or otherwise satisfied according to law.

Section 4. When Operative. This ordinance shall be in force and take effect after its passage, approval and publication according to law.

Passed and approved this 5th day of
October, 1953.

ATTEST:

Jane Suverkrubbe

CITY CLERK

Bruce

MAYOR

ORDINANCE NO. 155

And ordinance to provide salaries for officers, and repeal Ordinance No. 91 and any ordinances or parts of ordinances in conflict with this ordinance.

BE IT ORDAINED By the Mayor and Council of the City of Fort Calhoun, Nebraska:

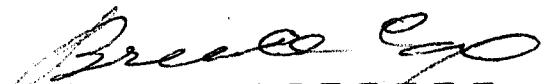
Section 1. That officers of the City of Fort Calhoun, Nebraska, shall receive compensation for their services as follows: to-wit: Ther Clerk shall receive \$ 175.00 per year. The Treasurer shall receive \$ 50.00 per year. The Mayor \$ 75.00 , the Councilmen each \$ 50.00 per year. The Marshall and all other officers, such sums as the Mayor and Council may provide by resolution.

Section 2. That all other ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after passage and publication as required by law.

Passed and approved, this 5th day of October, 1953.

ATTEST:



MAYOR



CITY CLERK

576

ORDINANCE NO. 157

FILED

1980 APR 23 AM 10: 28

AN ORDINANCE vacating certain streets and alleys.

BE IT ORDAINED by the Mayor and City Council of the City of Ft. Calhoun, Nebraska:

CHARLOTTE L. PETERSEN
WASHINGTON COUNTY CLERK
BLAIR, NEBR.

SECTION 1. That so much of Grant Street between Block 89 and 105 and that part of the alley running east and west in Block 89, in Calhoun's City Company's Addition to the City of Ft. Calhoun, be and the same hereby are vacated.

SECTION 2. This ordinance takes effect and be in force from and after its passage, approval, and posting as required by law.

Passed and approved this 6th day of September, 1954.

Chester Butterfield
Chester Butterfield, Mayor

ATTEST Jane Suverkubbe
City Clerk

I hereby certify that the above Ordinance was posted in three public places as required by law.

SEAL

Jane Suverkubbe
City Clerk

STATE OF NEBRASKA, COUNTY OF WASHINGTON 665
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 23 DAY OF April A.D. 1980
AT 10:28 O'CLOCK AM AND RECORDED IN
BOOK 127 AT 5:18
COUNTY CLERK Charlotte L. Petersen
DEPUTY Deverly W. Warden

Recorded ✓
General ✓
Numerical ✓
Photostat ✓

576

ORDINANCE NO. 160

AN ORDINANCE PROVIDING FOR A POLICE MAGISTRATE; APPOINTMENT HIS COURT; COSTS; FEES; STATEMENTS; MONTHLY REPORT; AND SALARY AND PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES IN CONFLICT AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF FT. CALHOUN, NEBRASKA:

SECTION 1. THE POLICE MAGISTRATE -- There is hereby erected and established in the aforesaid City of Ft. Calhoun, Washington County, Nebraska a Police Court wherein shall be brought all actions and complaints for violation of the ordinance of said City.

SECTION 2. APPOINTMENT -- Whenever, in the judgement of the Mayor and the Council of this City it shall be necessary or expedient the Mayor shall forthwith appoint a Police Magistrate with the advise and consent of the Council.

SECTION 3. HIS COURT - DUTIES -- The Police Magistrate shall be the presiding Judge over said Court. The Police Magistrate shall have jurisdiction over and it shall be his duty to hear and determine all offenses against the ordinance of this City; and he shall also perform such other duties as may be imposed upon him by the general law. The Police Court shall be deemed to be constantly in session, Sundays and holidays excepted, and the Police Magistrate shall hold Court until all cases are brought before him at any one time or disposed of. In all criminal cases in the Police Court, the Police Magistrate shall be entitled to receive the same fees as are allowed by statute to Justices of the Peace for similar services and he shall likewise tax as costs witness fees and fees of the officer making the arrest. All fines, fees and costs taxed and collected by the Police Magistrate shall, unless provided by law, be paid into the City Treasury at the end of each month. Such monthly payments shall be accompanied by a full and accurate statement of all fines, fees and costs collected as well as those taxed and uncollected. A duplicate copy of such monthly statements shall accompany the monthly report of the Police Magistrate to the Mayor and Council; and such copy shall be filed with the City Clerk and submitted to the Mayor and Council at each regular monthly meeting.

SECTION 4. COSTS -- In all cases of violation of Ordinances or Chapters as herein contained and arranged or any other ordinance of this City where a fine is imposed upon any person found guilty of the violation thereof, such person so found guilty shall pay the costs of prosecution, and in default of payment thereof, shall be adjudged to stand committed to the city jail until such fine and costs of prosecution be paid, secured, or otherwise discharged according to law; and each judgement finding a person guilty rendered under any ordinance of this city shall specify in terms that the person found guilty shall stand committed to said jail until such fine and costs be paid, secured, or satisfied, or unless said prisoner be sooner discharged by due process of law. All persons committed to the City jail be the Police Magistrate for the non payment of fines and costs for violation of any ordinance of this city, shall be entitled to credit upon such fine and costs in the sum of One Dollar (\$1.00) for each day of imprisonment. All persons committed to the city jail, being of sufficient physical ability and who shall perform labor for the City of Ft. Calhoun, while such prisoner, shall, for each day's labor so performed be credited on the amount of this fine and costs for the non-payment

of which he stands committed, the sum of One Dollar (\$1.00) in addition to the sum hereinbefore specified, making in all a credit of Two Dollars (\$2.00) for each day he shall perform labor for said city; the keeper of the city jail shall discharge the prisoners without further order from any other officer of said city, unless a retainer be furnished said jailer for said prisoner to answer for a separate and different offence; and the jailer shall, as soon thereafter as practical, return said prisoner's warrant of commitment to the Police Magistrate, with his doings endorsed thereon.

SECTION 5. All ordinances and parts of ordinances prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

SECTION 6. This ordinance shall take effect and be in force from and after its publication as required by law.

Passed and approved this 1st day of Oct. - 1956

Chester Sutherland
MAYOR OF FT. CALHOUN, NEBRASKA

ATTEST:

Jane Suverkubbe
CITY CLERK

ORDINANCE NO. 161

AN ORDINANCE regulating the use of the streets, alleys and highways of the City of Ft. Calhoun, Washington County, Nebraska, by vehicles and pedestrians; providing penalties for violation; prescribing the time this ordinance shall be in effect; and repealing all ordinances in conflict herewith.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FT. CALHOUN, NEBRASKA:

SECTION 1. ENFORCEMENT -- The marshal and all regular and special police and traffic officers are hereby authorized, empowered and ordered to exercise all powers and duties with relation to the management of street traffic and to direct, control, stop, restrict and regulate, and, when necessary, temporarily divert or exclude, in the interest of public safety, health and convenience, the movement of pedestrians, animals and vehicular traffic of every kind, in streets, parks, and on viaducts, overpasses and bridges in said City.

SECTION 2. DEFINITION OF TERMS -- For the purpose of this Ordinance the following definition shall prevail: (A) The term "Street" shall apply to that part of the public highway designated for traffic and shall include streets, avenues, alleys and park roadways. (B) The term "curb" shall apply to the boundaries of a street as defined herein. (C) The term "vehicle" shall be deemed to include carts, drays, carriages, wagons, automobiles, buses, trucks, autos or motor gliders, small horsepower scooters, stages, cabs, bicycles, motorcycles, tractors, or other conveyance for persons or property, drawn, or propelled upon the streets, alleys, or public places of this City. (D) The term "driver" shall mean the rider or driver of a horse, the rider of a bicycle, the rider of motorcycle and the operator of any vehicle. (E) The term "drive" shall mean to ride, lead, drive, pull, push, propel, or operate a vehicle as defined herein. (F) The term "park", "parked" and "parking" shall refer to any vehicle waiting or standing in any street or alley except when such vehicle is stopped by the direction of a police or traffic officer, or to meet other driving emergencies. (G) The term "street intersection" shall mean that space occupied by two streets at the point where they cross; or the area embraced within the prolongation of the lateral curb lines, or if none, then the lateral boundary lines of two or more streets or highways which join one another at any angle whether or not one such highway crosses the other. (H) The term "arterial street", as used in this ordinance shall mean any street designated as such by the resolution of the Mayor and the City Council, and shall include any streets within the corporate limits, except within the "business district" as hereinafter defined, over which any State or Federal Highway is now, or may hereafter be, routed. (J) The term "business district" shall include that portion of the City of Ft. Calhoun between 13th Street on the East and 15th Street on the West and Washington Street on the South and Webster Street on the North.

SECTION 3. SPEED, WITHIN CORPORATE LIMITS OF CITY: EXCEPTIONS -- No person shall drive vehicle on any street within this City at a rate of speed greater than is reasonable and proper, having regard for the traffic, use and condition of the streets, or at such speed as to endanger the life, limb or property of any person and under no circumstances in excess of thirty (30) miles per hour elsewhere within the corporate limits of said City. At all times the driver or operator of any vehicle operated on any street, alley or public way in said

City shall have such vehicle under complete control: Provided that the speed limits in this Section shall not apply to physicians, surgeons, police or fire vehicles or ambulances when answering emergency calls demanding excessive speed. Speed limits shall be plainly indicated by appropriate signs or standards at or near the entrance of such "business district" and on all main traveled highways at or near their approach to the corporate limits of said City.

SECTION 4. RECKLESS DRIVING -- No person shall drive, use, operate, park or stop any vehicle in a careless, reckless, or negligent manner, or in such manner as to endanger or interfere with the lawful traffic or use of the streets.

SECTION 5. INTERSECTION, PASSING AT -- No vehicle shall pass or attempt to pass another vehicle going in the same direction while traversing any street intersection.

SECTION 6. BACKING, WARNING WHEN -- Before backing a vehicle, a warning shall be given and while backing unceasing vigilance must be exercised not to injure or damage any person or property. The driver of a parked vehicle about to start shall give moving vehicles the right-of-way.

SECTION 7. FUNERAL PROCESSION; PARADE -- No vehicle shall be driven through any funeral procession or authorized parade.

SECTION 8. METHOD OF TURNING AT INTERSECTION, U TURNS -- The driver of a vehicle, turning right into any intersection street, shall approach such intersection in the lane of traffic nearest to the right hand side of the street and shall turn the corner as near the right hand curb as possible so as to keep between the curb to the right and center of the intersection of the two streets. The driver of a vehicle, turning to the left, shall approach such intersection in the lane of traffic to the right of and nearest to the center line of the street, and in turning shall pass as near as possible to the center of the intersection, passing as closely as practicable to the right thereof before turning such vehicle to the left. A turn in order to proceed in the opposite direction shall be made at street intersections where "U" turns are permitted; the driver of the vehicle making such movement shall make such turn so as to keep between the curb to the right and the center of the two intersecting streets where such turn is made. The Mayor and the City Council may indicate, by resolution, from time to time, street intersections where no "U" turns shall thereafter be permitted. At such intersections "No U Turn" signals shall be placed. For the purpose of this Section, the center of the intersection shall mean the meeting point of the medial lines of the highway intersecting one another.

SECTION 9. OPERATION OF RIGHT SIDE OF HIGHWAY: PASSING AND MEETING -- (A) Upon all streets, the driver of a vehicle shall drive the same upon the right side of the roadway. (B) In passing or meeting, drivers shall give each other at least one-half of the main traveled portion of the roadway as nearly as possible. (C) The driver of a vehicle shall not drive to the left of the center line of a street in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made safely.

SECTION 10. PARKING, MANNER, OF: TRUCK PARKING -- No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any street within the "business district" as hereinabove defined, for any period of time unless said vehicle is parked not more than one tier deep at an angle of about forty-five (45) degrees with the curb or curb lines.

On streets elsewhere within the corporate limits, unless otherwise indicated by stalls, traffic signs or standards, all vehicles when parked shall stand parallel with and adjacent to the curb or curb line. Parking places within the "business district" where diagonal parking is required, shall be marked on the curb. All persons desiring to park vehicles in the area so marked shall park same between the designated marks upon the curb. Where diagonal parking is indicated, vehicles shall be parked with the right front wheel thereof at the curb. Where parallel parking is indicated, vehicles shall be parked parallel with and adjacent to the curb or curb lines in such manner as to have both right wheels within twelve (12) inches to the curb or curb line and so as to leave at least four (4) feet between the vehicle so parked and any other place designated by the sign "No Parking". Provided, the Mayor and City Council reserve the right by resolution to change "No Parking" signs without notice, and no such "No Parking" sign shall be placed except by authority of such resolution. It shall be unlawful for any person to stop any vehicle back of another vehicle parked diagonally or to leave any vehicle standing within the limits of any street, unless lawfully parked. No vehicle shall be stopped or parked in any alley except for the purpose of being loaded or unloaded which said purpose shall be limited to the time required therefor. Every vehicle while being loaded or unloaded in any alley shall be parked in such manner as will cause the least obstruction possible to traffic in such alley. No vehicle while parked shall have any portion thereof projecting into any alley entrance or street intersection.

SECTION 11. UNNECESSARY NOISE, MUFFLERS -- Every motor vehicle operating on a street of this City shall be equipped with an adequate muffler which shall not be cut out when on the street. No person operating a motor vehicle shall permit the pipes, muffler or other devices to emit sounds of exhaust in a loud or annoying manner and all such vehicles shall be operated in a noiseless manner as possible; Provided, that the provisions of this section shall not apply to the vehicles of the police and fire department and other authorized emergency vehicles while being operated on official business.

SECTION 12. DANGEROUS SUBSTANCES ON STREETS, SIDEWALKS -- It shall be unlawful in this City to throw or cause to be thrown leave or cause to be left upon any public road, bridge, street, alley or sidewalk any glass, crockery, tacks, nails or any sharp or broken substance whatever, liable to injure any person, animal or vehicle.

SECTION 13. TRAFFIC SIGNS AND SIGNALS, PLACING OF -- The Mayor and City Council, by resolution, provide for placing stop signs, "No U Turn" signs, "No Parking" signs, or other signs, signals, standards, lights or other mechanical devices in any street or alley for the purpose of regulating or prohibiting traffic. It shall be unlawful for any person to fail, neglect or refuse to comply therewith.

SECTION 14. It shall be unlawful for the driver of a vehicle to fail to bring such vehicle to a complete stop at any stop sign erected by authority of said City or by proper authority of the State of Nebraska or of the County of Washington.

SECTION 15. It shall be unlawful for any person while under the influence of intoxicating liquor or any drug to operate any motor vehicle on a street within said City; on conviction of such offense, the driver of such vehicle, in addition to other penalty, and as a part of the judgement of conviction, shall be ordered not to drive any motor vehicle for any purpose, for a period not less than thirty (30) days nor more than one (1) year from the date of payment or discharge of, his fine, whichever is later.

SECTION 16. VEHICLES WITH PROJECTING LOADS -- Between the period of one-half hour after sunset and one-half hour before sunrise, all vehicles, if loaded with projecting material, shall carry a red light at the extreme outer end of such material. At all other hours a red flag 12 x 12 inches, shall be displayed.

SECTION 17. MISCELLANEOUS REGULATIONS, HITCHING RIDES -- No person shall hitch onto, climb upon or ride, or be permitted to ride, on the hood or running board of any moving vehicle. No person operating a motorcycle, auto or motor glider, small horsepower scooter or bicycle shall carry another person in front of the driver thereof.

SECTION 18. SIGNALS, TURNING AND STOPPING -- (A) No person shall turn a vehicle from a direct course upon a street or highway unless and until such movement can be made with reasonable safety. Such turn shall be made after giving a clearly audible signal, by sounding the horn, if any pedestrian may be affected by such movement, and after giving an appropriate signal, in the manner hereinafter provided. (B) A signal of intention to turn right or left or to make a "U" turn shall be given continuously during not less than the last fifty (50) feet traveled by the vehicle ~~with the hand and arm extended in the appropriate manner~~, in the manner provided herein, to the driver of any vehicle immediately to the rear.

SECTION 19. SAME: HOW GIVEN -- The signals herein required shall be given either by means of the hand and arm or by the signal lamp or signal device of a type approved by the Department of Roads and Irrigation of the State of Nebraska. When a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and the rear of such vehicle, the said signal must be given by such approved lamp or device. All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals indicated as follows: (1) left turn.....Arm and hand extended horizontally; (2) Right turn.....Hand and arm extended upward; (3) Stop or decrease speed----Hand and arm extended downward.

SECTION 20. SIREN DEVICES, PROHIBITED, EXCEPTIONS. -- Sirens and signalling devices shall not be used on any vehicle except those operated by the Police Department, Fire Department, the Sheriff, Marshall, or authorized ambulance or utility vehicle when in emergency calls.

SECTION 21. VEHICLES BACKED UP TO CURB FOR LOADING OR UNLOADING -- No vehicle shall remain backed up to the curb unless it is actually being loaded or unloaded and in no case longer than the actual loading or unloading requires, and so far as possible shall be turned at right angles to the vehicle and in the direction in which traffic on that side of the street is moving.

SECTION 22. TRAFFIC OFFICERS, APPOINTMENT, POWERS, DUTIES -- The Mayor and City Council may, at any time, detail officers at street intersections and elsewhere to be known as traffic officers. Each such traffic officer shall be vested with authority to regulate and control traffic. It shall be his duty to direct the movement of traffic in such manner as will facilitate the movement of traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any lawful order or signal of any such officer.

SECTION 23. CONSTRUCTION OF ORDINANCE IN CIVIL SUIT -- Nothing in this Ordinance shall be construed as justifying, absolving or rendering blameless, either directly or indirectly, any person operating or owning any vehicle for any injury or damage to person or property due to recklessness, incompetency or negligence in the operation of any vehicle.

SECTION 24. VIOLATION PENALTY -- It shall be unlawful for any person, upon whom a duty or prohibition is placed by the provisions of this Ordinance, to fail or neglect to comply therewith. Every person failing or neglecting to comply with, or violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not more than One Hundred Dollars (\$100.00) and, in default of payment thereof, shall be adjudged to stand committed to the City jail until such fine and costs of prosecution are paid, secured to be paid, or he be otherwise discharged according to law.

SECTION 25. REPEAL OF PRIOR ORDINANCES IN CONFLICT -- All ordinances and portions thereof in conflict herewith are hereby repealed.

SECTION 26. WHEN OPERATIVE -- This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

Passed and approved Oct. 1, 1956.

Chester Butterfield
MAYOR OF FT. CALHOUN

ATTEST:

Jane Sverbrubbe
CITY CLERK

ORDINANCE NO. 162

An Ordinance regulating the running of railway engines, cars and trucks within the limits of said City and prescribing the rules relating thereto and to govern the speed thereof and to regulate the passage of railways and the governing of railway right of ways lying within the City limits.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FT. CALHOUN, NEBRASKA:

SECTION 1. RAILROADS, SPEED -- No railroad train shall be operated on any trackage within the City limits of Ft. Calhoun, Nebraska at a rate of speed over 18 miles per hour.

SECTION 2. RAILROADS, CARE OF PROPERTY -- It shall be the duty of any railroad company owning or operating or maintaining a passing through the corporate limits of the City of Ft. Calhoun, Nebraska to keep all right of ways free and clear of debris and weeds and to keep all signs connected with the railroad in neat, orderly and legible appearance.

SECTION 3. RAILROADS, KEEP CROSSINGS SAFE -- It shall be the duty of all railroad companies owning, operating and maintaining a railroad passing through the corporate limits of this city to place, keep or maintain at their own expense all places within their right-of-way where the public streets or alleys of the city intersect and cross any of said railroad tracks in a suitable and safe condition for public travel over and across the same.

SECTION 4. RAILROADS, VIOLATION, PENALTY -- Any person, persons, firm, company or corporation, who shall be convicted of violating any of the provisions of this chapter, for which penalty is not elsewhere therein provided, shall, upon conviction thereof, be fined in any sum not less than One Dollar (\$1.00) nor more than One Hundred Dollars (\$100.00), and, in default of payment thereof, shall be adjudged to stand committed to the city jail until said fine and costs of prosecution are paid, secured or otherwise discharged according to law.

SECTION 5. RAILROADS, REPEAL OF PRIOR ORDINANCES IN CONFLICT -- All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

SECTION 6. WHEN OPERATIVE -- This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.

Passed and approved this 1 day of Oct., 1956.

Chester Butterfield
MAYOR OF FT. CALHOUN

ATTEST:

Jane Suverkubbe
CITY CLERK

ORDINANCE NO. 164 RELATING TO
FEDERAL OLD-AGE AND SURVIVORS INSURANCE

An ordinance relating to the Federal Old-Age and Survivors Insurance System established by Title II of the Social Security Act and the Federal Insurance Contributions Act, as such acts are defined in subdivisions (7) and (8) of Section 68-602, R. S. Supp., 1955, and accepting on behalf of the city ~~(city)~~ of Fort Calhoun, Nebraska, its officers, appointees and employees, except as specifically excluded herein, their dependents and survivors, the provisions, benefits and protection of such act and subsequent amendments thereto; authorizing the Mayor ~~(Mayor)~~ ~~and the Board of Directors~~ of this city ~~(city)~~ to make and enter into the required agreements with the administrator of said system for the State of Nebraska, or such other state agency for the purpose as may be hereafter designated or created; to bring such eligibles within the provisions and benefits of said system; providing that such agreement shall be retroactive to January 1, 1955; providing for withholdings from the salaries and wages of eligible officials; providing for the segregation of such fund, contributions thereto by the municipality and the payment of such fund from time to time to the state administrator as may be required by state or federal law or pertinent regulations; excluding from the provisions of this act such officials, appointees or employees as are covered or authorized to be covered by other municipal retirement or pension plans to the extent required by state or federal law; providing for the levy of a tax in addition to all other taxes in order to defray the cost of this city ~~(city)~~ in meeting the obligation arising by reason of the agreement or agreements aforesaid; providing a saving clause in case of the invalidity of any section or portion of this ordinance; repealing all ordinances in conflict herewith and providing an effective date for this act.

BE IT ORDAINED by the Mayor and Council ~~(Mayor and Council)~~ ~~of the city~~ of the city ~~(city)~~ of Fort Calhoun, Nebraska:

Section 1: The city ~~(city)~~ of Fort Calhoun, Nebraska, hereby accepts for itself and on behalf of its officials, appointees and employees, except such as are hereinafter excluded from the provisions hereof, their dependents and survivors, the provisions, bene-

fits and provisions of the Federal Old-Age and Survivors Insurance System, hereinafter designated the "System," established by Title II of the Social Security Act and the Federal Insurance Contributions Act, as such acts are defined in subdivisions (7) and (8) of Section 68-602, R. S. Supp., 1955.

The term "employee" as used herein shall mean an employee as defined by said Social Security Act and shall include both officers and appointees of this city ~~(village)~~.

Section 2: The Mayor of this city ~~(State of Nebraska)~~ ~~(State of Nebraska)~~ is hereby authorized and directed to enter into such contracts and make such agreements and stipulations with the administrator of said system in and for the State of Nebraska, or such other state agency for the purpose that may hereafter be designated or created, as may be deemed necessary or expedient by said administrator, or other state agency authorized in the premises, as the case may be, or as required by general law, state or federal, or any applicable regulations of said state or federal agency, to extend the benefits and protection of such system to the eligible employees of this city ~~(village)~~, their dependents and survivors. Such contracts, agreements or stipulations shall be executed in duplicate by the Mayor ~~(State of Nebraska)~~ attested by the signature of the city ~~(village)~~ clerk with the seal of the city ~~(village)~~ attached thereto, one copy thereof to be filed with and become a part of the permanent records of such municipality. Such agreement shall be made retroactive to January 1, 1955, in all respects.

Section 3: The employees, or classes of employees, of this city ~~(village)~~ shall include all such employees as are not excluded from participation in said system by the provisions of Section 4 hereof, and are hereby determined to be within and entitled to the benefits and protection of said system.

Section 4: The following employees are hereby determined to be excluded by the terms of this ordinance from participation in said system: Any employee with respect to any position not authorized for coverage by applicable state or federal laws or regulations of the federal administrative agency.

Section 5: Withholdings from the compensation of eligible employees of this city ~~(city)~~ as found and determined by Sections 3 and 4 hereof are hereby authorized, and the city ~~(city)~~ shall impose upon such employees as to services covered by this ordinance such withholdings to be made in amounts and at such times as may be required by general law, state or federal, and applicable regulations promulgated with respect thereto by state or federal administrative agencies.

Section 6: There is hereby created, and the city ~~(city)~~ treasurer is hereby authorized and directed to set up an account to be known as the "Social Security Fund," into which the withholdings authorized by Section 5 hereof shall be paid; also the proceeds from the tax levy as hereinafter authorized, together with any appropriations from available funds that might be made from time to time by municipal authority for the benefit of said fund. Said fund shall be kept segregated and shall be used for no other purposes than the provisions and obligations of this act, as herein provided to be accomplished by such fund.

Section 7: The moneys in the Social Security Fund aforesaid shall be paid over to the Tax Commissioner, designated by law as the administrator of the Social Security Act for the State of Nebraska, as authorized and provided by regulations promulgated to that end by such administrator.

Section 8: The city ~~(city)~~ treasurer and this city ~~(city)~~ shall keep such records and make such reports relevant to the administration of the Social Security Act as may be required by general law, state or federal, or as provided by regulations promulgated by either the state or federal administrator of the system.

Section 9: The Mayor and Council ~~(Council)~~ shall levy a tax, in addition to all other taxes, ~~upon~~ ~~the~~ ~~actual~~ ~~value~~ ~~of~~ ~~real~~ ~~and~~ ~~personal~~ ~~property~~ ~~in~~ ~~this~~ ~~city~~ ~~(city)~~ in order to defray the cost of the city ~~(city)~~ in meeting the obligations arising by reason of the contracts, agreements or stipulations authorized under Section 2 hereof; provided, the revenue raised by such special levy shall be used for no other purpose.

Section 10: If any provision of this ordinance, or any section or sections thereof, or the application thereof to any person or circumstance is held to be invalid, the remainder of the ordinance and the ap-

plication of such provisions, section or sections to other persons or circumstances shall not be affected thereby.

Section 11: Any ordinances, or parts of ordinances, in conflict herewith are hereby repealed, and this ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

Passed and approved this 4 day of November, 1957.

(Signed)

Chester Butterfield

Mayor ~~and Chairman of the Board of Trustees~~

SEAL

ATTEST:

Jane Sewerkrubbe
Clerk

STATE OF NEBRASKA)
) : ss:
WASHINGTON COUNTY)

I, JANE SUVERKRUBBE, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on November 14, 1957, as follows:

Seivers' Store
Kruses' Store
Post Office

WITNESS my hand and the seal of
said City this 12 day of November, 1957.

-- *Jane Suverkrubbe* --
City Clerk.

ORDINANCE NO. 165

AN ORDINANCE Amending Section 10 of Ordinance No. 161 of the City of Fort Calhoun, Nebraska, Providing the Manner of Parking Vehicles on the Streets and Alleys within said City, Repealing all Ordinances and Parts of Ordinances in conflict herewith and Providing When this Ordinance Shall Take Effect.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 10 of Ordinance No. 161 of the City of Fort Calhoun, Nebraska, be amended to be as follows:

SECTION 10. PARKING, MANNER OF. It shall be unlawful for any truck, trailer, tractor, semi-trailer or pickup truck to be parked or allowed to stand upon any portion of 14th Street from its intersection with Adams Street to its intersection with Court Street. It shall be unlawful for any vehicle to be parked or allowed to stand upon any street within the "business district" as defined in Ordinance No. 161 of the City of Fort Calhoun, Nebraska, for any period of time unless such vehicle is parked at an angle of approximately 45 degrees with the curb or curb line and with a front wheel at such curb or curb line. It shall be unlawful for any vehicle to be parked or allowed to stand elsewhere within the corporate limits unless placed parallel to and immediately adjacent to the curb or curb line unless otherwise indicated by marked stalls, traffic signs or standards. The Mayor and City Council shall from time to time, by resolution, direct and authorize the installation of "No Parking" signs, and no such signs shall be placed on the streets and alleys of the City except by authority of such resolution, and it shall be unlawful for any vehicle to be parked or allowed to stand in any space on any street or alley

marked by such "No Parking" signs. It shall be unlawful to park or leave standing any vehicle, except in compliance with the direction of a police officer of the city or traffic control sign or signal, within any intersection of streets or alleys with streets or on any pedestrian crosswalk or sidewalk or on the roadway side of any vehicle which has stopped or been parked parallel or diagonal to the curb of any street, or at any place where official traffic signs prohibit parking or standing. It shall be unlawful for any vehicle to be parked or allowed to stand in any alley except for the purpose of being loaded or unloaded, and then only for a reasonable time for such purpose, or to park or leave standing any vehicle in any alley in such a manner as to cause unreasonable obstruction to traffic in such alley.

SECTION 2. Section 10 of Ordinance No. 161 of the City of Fort Calhoun, and all other ordinances and parts of ordinances in conflict herewith, are hereby repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 8 day of January, 1958.

ATTEST:

Chester Butterfield,
Mayor.

Jane Suverkrudde,
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, JANE SUVERKRUBBE, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun,
Nebraska, do hereby certify that a true and certified copy of
the foregoing Ordinance was by me posted in three public places
in the City of Fort Calhoun, Nebraska, on January 9, 1958,
as follows:

*Post Office
Kruses' Store
Sievers' Store*

WITNESS my hand and the seal of said
City this 9 day of January, 1958.

-- Jane Suverkrubbe,
City Clerk.

ORDINANCE NO. 166

AN ORDINANCE Regulating the Use, Sale and Storage of Fireworks, Firecrackers and Other Pyrotechnics; Imposing and Levying an Occupation Tax on the Business of Selling such Materials at Retail; Providing Penalties for Violations thereof; Repealing all Ordinances in Conflict Therewith and Prescribing When this Ordinance shall Take Effect.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. It shall be unlawful for any person, firm or corporation to display, sell, offer for sale, keep in storage, use, explode, ignite or set off any fireworks, firecrackers or other pyrotechnics within the city limits of Fort Calhoun, Nebraska, except during the period from June 27 to July ⁴5, inclusive, of each year as hereinafter provided.

SECTION 2. It shall be unlawful for any person, firm or corporation to sell or offer for sale, discharge, ignite, use, explode or set off any fireworks, firecrackers or other pyrotechnics before 8:00 o'clock, A. M., or after 10:00 o'clock, P. M., of any day during the period from June 27 to July ⁴5, inclusive, of any year or at any other time during such year, except that on July 4, and if July 4 be on Sunday, then, in such instance, on July 5, same may be done until ^{12:00}~~12:00~~ o'clock, ~~midnight~~, of such day.

*2 days July 2 & 3
8:00 AM - 11 PM
July 4 - 6 PM*

SECTION 3. No fireworks, firecrackers or other pyrotechnics shall be stored in or displayed or sold from any building, structure or stand, or otherwise, within 100 feet of any service station or other establishment selling gasoline, kerosene or other

inflammable liquids or gases, nor within 10 feet of any other building of any kind, nor in or from any structure or building other than a temporary structure or stand erected and used solely for such purpose, which temporary structure or stand shall be erected only on Lots 1 and 8 in Block 40, Lots 1 and 8 in Block 50, Lots 4 and 5 in Block 51, and Lots 4 and 5 in Block 39 in said City of Fort Calhoun, which temporary structure or stand shall extend to within 10 feet and not closer than 5 feet from the nearest edge of the sidewalk running along 14th Street in said City, and which temporary stand or structure shall not be closer than 40 feet from any other structure erected and used for such purpose.

SECTION 4. For the purpose of raising revenue within said city there is hereby levied upon the business of selling or displaying fireworks, firecrackers and other pyrotechnics within said city an occupation tax of ^{500.00}~~\$200.00~~ per year, payable in advance before commencement of business to the City Clerk who shall issue a proper receipt therefor which shall specify the party making the payment and the purpose thereof.

SECTION 5. This ordinance shall not prevent transportation through said city of fireworks, firecrackers and other pyrotechnics by rail or other form of public transportation, nor the use of torpedoes, flares and other signal devices by railroads or other carriers within said city, nor pyrotechnic or fireworks displays for which permission shall have been granted by the Mayor and City Council and by the State Fire Marshal of Nebraska.

SECTION 6. Any person, firm or corporation who shall

be convicted of violating any of the terms of this ordinance shall, upon such conviction, be fined in a sum not less than \$1.00 nor more than \$100.00 for each offense, and in default of payment of such fine and costs, shall stand committed to the city jail until such fine and costs of prosecution shall be paid or otherwise discharged according to law.

SECTION 7. Ordinance No. 141 of said city and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and take effect from and after its passage, approval and posting, in accordance with the law.

Passed and approved this 7 day of April, 1958.

ATTEST:

Chester Butterfield,
Mayor.

Jane Suverkubbe,
City Clerk.

city
Residence to operate no limit & number.

STATE OF NEBRASKA)
) : ss:
WASHINGTON COUNTY)

I, Jane Suverkrubbe, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on April 8, 1958, as follows:

Seivers' Store
Kruses' Store
Post office

WITNESS my hand and the seal of said City this 8
day of April, 1958.

Jane Suverkrubbe

City Clerk.

(SEAL)

ORDINANCE NO. 169

AN ORDINANCE, Prohibiting Hitch Hiking and the Solicitation of Rides in Motor Vehicles by Persons while on the Streets and Roads within the City of Fort Calhoun, Nebraska; Making such Practice a Misdemeanor; Providing Penalties for the Violation thereof; Repealing all Ordinances and Parts of Ordinances in Conflict therewith, and Providing When this Ordinance shall Be in full Force and Effect.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

Section 1. It shall be unlawful for any person to go upon any street or public road, whether on the traveled portion or not, or upon any sidewalk, in the City of Fort Calhoun, Nebraska, and solicit a ride from the driver of any motor vehicle.

Section 2. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not less than one dollar nor more than one hundred dollars and shall pay the costs of prosecution and, in default of payment thereof, shall be adjudged to stand committed to the city jail until such fine and costs be paid or satisfied.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and take effect from and after its passage, approval and posting as provided

by law.

Passed and approved the 7 day of April, 1959.

ATTEST:

Bruce Coy MAYOR

Jane Suverkubbe
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Jane Suverkubbe, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on April 7, 1959, as follows:

Post Office
Kruses' Store
Sievers' Store

WITNESS my hand and the seal of said City this 7 day of April, 1959.

Jane Suverkubbe
City Clerk.

(SEAL)

VILLAGE OF FT. CALHOUN
OFFICE OF CITY CLERK

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) : ss:

I, Jane Suverkrubbe, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on May , 1959, as follows:

Kruses' Store
Seivers' Store
U.S. Post Office

WITNESS my hand and the seal of said City this 6
day of May, 1959.

Jane Suverkrubbe

City Clerk.

VILLAGE OF FT. CALHOUN
OFFICE OF CITY CLERK

ORDINANCE NO. 170

An Ordinance to amend Section 4 of Ordinance No. 166 of the City of Fort Calhoun, Nebraska. Section 4 of said Ordinance to be amended as follows:

"For the purpose of raising revenue within said City there is hereby levied upon the business of selling or displaying fireworks, and other pyrotechnics within said City an occupation tax of \$500.00 per year, payable in advance before commencement of business to the City Clerk who shall issue a proper receipt therefor which shall specify the party making the payment and the purpose thereof."

This Ordinance shall be in full force and take effect from and after it's passage, approval and posting, in accordance with the law.

Passed and approved this 4th day of May, 1959.

Jane Sverkrudde
City Clerk

Bruce
Mayor

An ordinance to regulate the location and use of buildings, structures and land for trade, industry, residence or other purposes; to regulate the size of buildings and other structures; to establish building lines; establishing the boundaries of districts deemed best suited to carry out the provisions of this ordinance; requiring the issuance of building permits before the erection, construction, re-construction, alteration, extension, enlargement, razing or moving of any building or structure; providing for a board of adjustment and to repeal all ordinances and parts of ordinances in conflict herewith.

Whereas the City Council of Ft. Calhoun, Nebraska, deems it necessary in order to promote health and general welfare; to provide adequate light and air; to avoid undue crowding of population; to facilitate the adequate provisions of transportation, water, sewage, schools and other public requirements; to conserve the value of property and encourage the most appropriate use of land throughout the City in accordance with a comprehensive plan.

Now therefore, be it ordained by the mayor and council of the City of Ft. Calhoun, Nebraska:

Section 1. DISTRICTS. For the purposes of this ordinance the City of Ft. Calhoun, Nebraska, is hereby divided into four classes of districts as follows:

- Residence "A" District; "D" INDUSTRIAL DISTRICTS
 Residence "B" District;
 "C" Commercial District.

The boundaries of the various districts within said City are hereby established as shown on the official zoning map of the City of Ft. Calhoun which map with all its designations is hereby declared to be a part of this ordinance.

Section 2. DISTRICT BOUNDARIES. The boundaries of the various districts established by this ordinance are street lines, alley lines, property lines, lot lines or other lines shown on the official zoning map. Where boundaries are approximately indicated as property or lot lines, the true locations of such lines shall be taken as the boundary lines.

Section 3. "A" RESIDENCE DISTRICTS.

A. USE REGULATIONS. A building or premises may be used only for:

- (1) One and two family dwellings, apartments houses and rooming houses;
- (2) Churches;
- (3) Schools;
- (4) Libraries, parks, playgrounds, fire station buildings and community buildings, when such community buildings are owned and controlled by this City or by the County or State; or subdivisions thereof;
- (5) Farming and truck gardening excepting sorghums and field corn, and keeping of poultry but not livestock;
- (6) Hospitals or institutions of an educational or philanthropical nature;
- (7) Accessory buildings including one private garage per dwelling when located not less than sixty feet from the front line of the dwelling lot and covering not more than one-third of the rear yard area, or within or attached to the dwelling, in which instance the location thereof shall be subject to general set-back regulations hereinafter set forth;
- (8) Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business on the premises, and the office of a physician, real estate dealer, surgeon, dentist, musician, beauty operator or artist, when situated in the area; no signs exceeding eight square feet in area appertaining to the lease, hire or sale of a building or premises, nor advertising sign of any other character shall be permitted in any "A" Residence District.

(9) The use of auto trailers as permanent living quarters will not be permitted within said district.

B. HEIGHTS REGULATIONS

No family dwelling shall hereafter be erected or altered structurally in said district to exceed thirty-five feet in height or two and one-half stories.

C. AREA REGULATIONS.

(1) SETBACK LINES. There shall be a set back line for all buildings or not less than twenty-five feet from the curb line of the street on which the building fronts provided that where forty percent or more of the lots in the same block on the same street contain buildings, the majority of which have an average setback line with a variance of not more than six feet, no building hereafter erected or structurally altered shall project beyond the average setback line so established and provided further that this regulation shall not be so interpreted as to require a setback line of more than fifty feet. On corner lots the front line of the building shall comply with the setback regulations for the street upon which the front of the building faces. Corner lot buildings shall be set back to conform to not less than one-half of the set-back requirements on side streets except where there are no buildings fronting on the side street, side yard requirements only as hereinafter set forth shall apply. Accessory buildings on corner lots regardless of which way said buildings face shall be set back to conform to the full front setback required on both streets except that where there are no buildings fronting on the side street the side yard requirements only shall apply on that side.

(2) SIDE YARD. There shall be a side yard on each side of each principal building of not less than five feet in width.

(3) REAR YARD. There shall be a rear yard of not less than twenty-five feet for an interior lot and twenty feet for a corner lot.

(4) DENSITY OF POPULATION. No family dwelling shall hereafter be erected or altered structurally to provide for a lot area of less than forty-eight hundred square feet.

(5) BUILDING AREA. No building shall be so constructed or structurally altered as to have a floor area exclusive of unenclosed porches, basements and garages of less than six hundred square feet.

Section 4. "B" RESIDENCE DISTRICTS. The use regulations for the "B" Residence Districts are the same as those for the "A" Residence District with the exception that all types of agriculture and the keeping of all types of livestock are permitted in "B" districts. The regulations contained in Section 3 as to "A" Residence Districts concerning height, setback, side yard, rear yard, density of population and area requirements shall apply also to "B" Residence Districts.

Section 5. "C" COMMERCIAL DISTRICT.

A. USE REGULATIONS. A building or premises in said Districts may be used for any purposes except the following:

Blacksmith or horseshoeing works; bottling works; building material storage yard; carting; express; hauling or storage yards; coal, coke or wood yard; contractors plant or storage yard; cooperage works; livery stable or riding academy; dismantling or wrecking of automobiles or machinery; machine shop; poultry killing, dressing or storage; manufacturing ornamental stone monument works; storage warehouse; transient shop; wholesale warehouse or business or any use not permitted in "B" Industrial Districts.

B. HEIGHT REGULATIONS. No building shall hereafter be erected or structurally altered to exceed sixty feet or five stories.

C. AREA REGULATIONS. Buildings in "C" districts shall not be required to observe any area regulations.

Section 6. "D" INDUSTRIAL DISTRICTS.

A. USE REGULATIONS. The building or premises in said Districts may be for any purposes except the following:

- (1) Natural or artificial gas manufacture or storage;
- (2) Acid manufacture;
- (3) Arsenal;
- (4) Celluloid manufacture;
- (5) Crematory;
- (6) Grease treatment or manufacture;
- (7) Disinfectants manufacture;
- (8) Fireworks or explosives manufacture or storage thereof;
- (9) Gun powder manufacture or storage;
- (10) Incineration or reduction of garbage; or of dead animals or offal or refuse;
- (11) Refineries of petroleum or petroleum products;
- (12) Rubber or gutta percha manufacture or treatment;
- (13) Smelters;
- (14) Stock yards;
- (15) Or similar establishments of such nature that the emission of odors, gas, dust, smoke or noise therefrom shall or may constitute a menace or danger to the public health, safety or welfare.

B. HEIGHT REGULATIONS. No building shall hereafter be erected or structurally altered in said district to exceed sixty feet in height.

C. AREA REGULATIONS. Buildings in "D" Districts shall not be required to observe any area regulations.

Section 7. BOARD OF ADJUSTMENT. The City Council shall act as a Board of Adjustment for the enforcement and interpretation of this Ordinance. The general powers of the Board are those contained in Sections 19-907 to 19-912 inclusive, Revised Statutes of Nebraska for 1943, and those Statutes together with any amendments thereto are made a part hereof by specific reference., appeals from decisions of the Board of Adjustment to be had as provided by Section 19-912 of said Statutes.

Section 8. BUILDING PERMITS.

A. It shall be unlawful to commence or to proceed with the erection, construction, re-construction, conversion, alteration, enlargement or extension of the exterior of any building or any part thereof when the cost of said work is over \$500.00 or to move or raze any building or structure without first having applied in writing to the City Clerk for a building permit to do so.

B. Application for a building permit shall be in writing and shall be delivered to the City Clerk who shall refer such applications to the City Council for rejection or authorization for issuance of a permit. Such applications shall be accompanied by specifications showing the size of the proposed building or structure and its location on the lot, in the case of new construction, and in all cases the proposed construction materials and details and type of construction to be used.

C. Blank forms shall be provided said City Clerk for the use of those applying for permits as provided for in this Ordinance. All permits authorized by the City Council shall be issued the City Clerk and shall be on standard forms for such purposes and furnished by the City.

D. A careful record of all such applications, plans and permits shall be kept in the office of the City Clerk.

E. The fees to be charged for building permits from and after the passage of this ordinance shall be \$1.00.

F. Any building permit under which no construction work has been commenced within six months after the date of issue of said permit or under which the proposed construction has not been completed within two years of the date of issue shall expire by limitation; and no work or operation shall take place under such permit after such expiration. Upon payment of ten cents per month on each one thousand dollars of the construction cost on which the original permit was issued, but not less than one dollar per month in any case, a building permit may be extended for a period not exceeding six months by the City Clerk.

Section 11. Each section and subdivision of a section of this Ordinance is hereby declared to be independent of every other section or subdivision of a section so far as inducement for the passage of this Ordinance is concerned; and the invalidity of any section or subdivision of a section of this ordinance shall not invalidate any other section or subdivision of a section thereof.

Section 12. The rules of this Ordinance shall also pertain to any business extending a half mile from the city limits of said City.

Section 13. Any person, firm or corporation who shall violate any of the provisions of this Ordinance, shall for each and every violation be fined in any sum not exceeding One Hundred Dollars and shall stand committed to the city jail until such fine and cost of prosecution are paid.

Section 14. All Ordinances or parts thereof in conflict herewith are hereby repealed. This Ordinance shall be published as by law provided, and shall take effect and be in force from and after its passage and publication.

*Passed and approved the 7th day
of December, 1959*

Bruce Cox
Mayor

Jane Suverkrukke
city clerk

An Ordinance to amend Section 3 of Ordinance No. 166 of the City of Fort Calhoun, Nebraska. Section 3 of said Ordinance to be amended as follows:

Section 3. No fireworks, fire crackers or other pyrotechnics shall be stored in or displayed or sold from any building, structure or stand, or otherwise, within 100 feet of any service station or other establishment selling gasoline, kerosene or other inflammable liquids or gases, nor within 10 feet of any other building of any kind, nor in or from any structure or building other than a temporary structure or stand erected and used solely for such purpose, which temporary structure or stand shall be erected only on lots 4 and 5 in block 36 in said City of Fort Calhoun, which temporary structure or stand shall front on 11th Street in said City but shall not be closer than 75 feet from the center of said Street nor be closer than 75 feet from the center of Monroe Street nor be closer than 50 feet from the center of Adams Street in said City, and which temporary stand or structure shall not be closer than 40 feet from any other structure erected and used for such purpose.

This Ordinance shall be in full force and take effect from and after its passage, approval and posting, in accordance with the law.

Passed and approved this 2nd day of May, 1960.

Jane Suverkubbe
City Clerk

Bruce G.
Mayor

ORDINANCE NO. 173

An Ordinance to amend Section 3 of Ordinance No. 166 of the City of Fort Calhoun, Nebraska. Section 3 of said Ordinance to be amended as follows:

SECTION 3. No fireworks, firecrackers or other pyrotechnics shall be stored in or displayed or sold from any building, structure or stand, or otherwise, within 100 feet of any service station or other establishment selling gasoline, kerosene or other inflammable liquids or gases, nor within 10 feet of any other building of any kind, nor in or from any structure or building other than a temporary structure or stand erected and used solely for such purpose, which temporary structure or stand shall be erected only on Lots 4 and 5 in Block 36 in said City of Fort Calhoun, which temporary structure or stand shall front on 11th street in said City but shall not be closer than 75 feet from the center of said street nor be closer than 75 feet from the center of Monroe Street nor be closer than 50 feet from the center of Adams Street in said City, and which temporary stand or structure shall not be closer than 40 feet from any other structure erected and used for such purpose.

This Ordinance shall be in full force and take effect from and after its passage, approval and posting, in accordance with the law.

Passed and approved this _____ day of _____, 1960.

Mayor

City clerk

For the sale of fireworks:-

*Copy furnished
by Ed Smith mkt*

Permit fee to be 100.00 to sell or offer for sale fireworks in the incorporated limits of the City of Fort Calhoun, Nebraska. Permits payable on first day of selling period.

Selling hours shall be, not before 8 A. M. or after 10 P. M. of selling period as prescribed by the Nebraska State Law, June 27th to and including July 5th. Any changes made by the State of Nebraska as to the number of selling days, same will apply to operators in the City of Fort Calhoun.

Persons eligible to hold a permit within the incorporated limits of the City of Fort Calhoun to sell or offer for sale fireworks in the City of Fort Calhoun must be a bonafied resident of the City of Fort Calhoun for a period of one year. City council to rule on all applicants.

Locations of stands shall be on main street (Highway 73) both east and west side of street from 400 feet South to 400 feet North of City Hall. No stands shall be within 50 feet of the City Hall property. No sales will be permitted on any City property or streets or alleys. All stands must be inside of sidewalk line unless permitted by city at an extra permit.

Fireworks stands shall not be erected within twenty five feet of any building or structure unless property owner gives special permission, said owner to have the right to make operator move stand at any time during the selling period.

ORDINANCE NO. 174

An Ordinance to provide for the levy of taxes, levying the same on all taxable property in the City of Fort Calhoun, Nebraska, for all purposes necessary to maintain the City government for the City of Fort Calhoun, Nebraska for the fiscal year, commencing the first Tuesday, May, 1960, also levying poll tax on said inhabitants of said City for said fiscal year.

Be it ordained by the Mayor and the City Council of the City of Fort Calhoun, Nebraska:

SECTION 1

That there be, and hereby are, levied and assessed on all taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year, commencing on the first Tuesday in May, 1960, the following sums, to-wit:

For general purposes ($4\frac{1}{2}$) Four and one-half mills

For street lighting purposes ($1\frac{1}{4}$) One and one-fourth mills

For fire and fire purposes (1) One mill

For park fund ($\frac{1}{2}$) One-half mill

For waterworks maintenance and repairs ($4\frac{1}{2}$) Four and one-half mills

For streets and alleys (3) Three mills

For interest on sewer bonds ($4\frac{1}{2}$) Four and one-half mills

That the same be levied and assessed against all taxable property within the corporate limits of the City of Fort Calhoun, Nebraska and collected as other taxes, as shown by the assessment roll for the year 1959.

SECTION 2

That there be, and hereby is, levied upon each and every male inhabitant of the City of Fort Calhoun, Nebraska, between the ages of 21 and 50 years, not now exempt thereupon by Sec. 17-575 of the compiled statutes of the State of Nebraska or by Ordinance of this City, a poll tax of \$2.00, to be collected as provided by law for said fiscal year, commencing on the first Tuesday in May, 1960.

SECTION 3

This Ordinance shall be in effect and in force from and after passage, approval and publication as required by law.

Passed and approved this 5th day of July, 1960.

Jane Suverkubbe
City Clerk

Bruce Cap
Mayor

Ordinance No. 175

An Ordinance relative to the water works system of the City of Fort Calhoun, Nebraska establishing meter rates for water furnished to persons outside the city limits of the City of Fort Calhoun.

To Section 30 of Ordinance No. 65 of the Revised and Compiled Ordinances of the City of Fort Calhoun, Nebraska will be added the following:

Each and every water consumer outside the city limits of the City of Fort Calhoun supplied with city water will be charged therefor and shall pay for the same at the following rates:

For the first 3,000 gallons, or any part thereof, the sum of ^{4.00} \$3.00 shall be the ~~charge~~ charge. For each additional 1,000 gallons or any part thereof, at the rate of \$.60 per thousand gallons.

All other Sections of Ordinance No. 65 shall remain in effect and shall apply to persons outside the city limits of the City of Fort Calhoun.

This Ordinance shall take effect and be in force from and after its passage, approval and publication, as required by law.

Passed and approved this 1st day of August, 1960.

Attest:

Jane Sverkrubbe
City Clerk

Bruce *ex*
Mayor

ORDINANCE NO. 176

AN ORDINANCE Regulating the Construction, Maintenance, Repair of and Connections with the Sanitary Sewer System of the City of Fort Calhoun, Nebraska; Providing for the Appointment, Duties and Powers of Inspectors of Such System; Providing Rules and Regulations for Connections of Private Property to Such System; Fixing Fees for Such Connections and Inspections Thereof and for Applications for Connections Thereto; Providing a System for Compelling Proper Connections of Private Improved Property to Such System; Providing Penalties for the Violation of this Ordinance; Providing for the Repeal of all Ordinances in Conflict Herewith and Prescribing the Date When this Ordinance Shall Be in Full Force and Take Effect.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. Connections. All connections with the sanitary sewer system of the City, as now or hereafter constituted, and all construction and alterations of fixtures, appurtenances and accessories to sewer connections therewith shall be made in accordance with the provisions of this ordinance.

SECTION 2. Permits. No person, association or corporation shall open, uncover or make any connection with the sanitary sewer system of the City or lay any sanitary sewer or drain or install any appurtenance, fixture or accessory thereto unless duly licensed by the Mayor and Council to so do.

SECTION 3. Inspectors. The Mayor and Council shall have the power to appoint and shall appoint one or more inspectors with all powers necessary or useful to obtain proper supervision

and enforcement of the rules and requirements set forth in this ordinance. Each such inspector shall have free access to private premises upon which sewer connections or services are located or are to be constructed.

SECTION 4. Records. The City Clerk shall keep an accurate and complete record of all connections with the sanitary sewer system and a map of the system showing all connections therewith and showing each Y provided on the sewer mains and laterals for connections, together with the permits granted and applications therefor for all connections.

SECTION 5. Applications. Anyone desiring to make a connection with the sanitary sewer system shall first apply to the City Clerk by written application which shall set forth:

- (1) A proper description of the real estate to be connected;
- (2) the name of the owner or owners of such real estate; (3) the type of use and service required for such connection and whether same be residential, commercial or industrial and whether more than one family occupies the residence to be connected; (4) a full description of any commercial or industrial enterprise located on the property to be connected. Said application shall be accompanied by a plan showing in detail the course and size of the connection applied for through the property and buildings of the applicant, the materials to be used, the method of construction and a list of plumbing fixtures and appliances which will discharge into the sewer connection. Said applications shall be signed by the owners of the real estate concerned, who shall, at the time of filing the application, fully pay the fees hereinafter provided. Application forms shall be provided by the City Clerk at the expense of the City.

SECTION 6. Inspection. Upon the filing of a proper application and payment of the required fees therefor, the City Clerk shall promptly refer the application to a duly appointed inspector of the City, who shall promptly inspect the premises for which connection is applied, and if it appears to him that the requirements of this ordinance have been met, he shall authorize the connection to be made, but otherwise shall refuse the application. Any decision of the inspector may be appealed to the Mayor and the Council, who shall have full power to approve, reverse or modify the same after such hearing as they shall deem proper.

SECTION 7. Rules. The following rules governing the construction and repair of all connections with the sanitary sewer system are hereby adopted:

- (1) All soil pipes and fittings in buildings and to a distance of three feet beyond buildings shall be standard soil pipe, free of defect and of uniform thickness, or wrought iron galvanized pipe with recessed screw drainage fittings.
- (2) All soil pipe more than five feet over the highest fixture may be standard soil pipe.
- (3) All main lines of soil pipe shall run as directly as possible to the principal fixtures and then directly to the roof of the building and at least eighteen inches beyond the roof.
- (4) All soil pipes must have a fall of one-quarter of an inch to the foot and be at least four inches in diameter.
- (5) All horizontal waste pipelines must have an adequate cleanout.
- (6) All joints made with a main or lateral sewer line of the city shall be constructed in the presence of the inspector and approved by him.
- (7) All fixtures connected to any sewer line shall be properly equipped with traps and, if the inspector deems same necessary, shall also be equipped with screens to prevent entrance of objectionable material.
- (8) All sewer pipe shall be laid in a manner such as to prevent rupture or damage by settling or freezing.
- (9) Vitrified clay pipe at least four inches in diameter shall be used from the City sewer line to the building to be

served, if occupied by one family, otherwise at least six inches in diameter.

- (10) All joints and sewer pipe shall be properly sealed and inspected by the inspector.
- (11) Connections with the City sewer line shall be at the Y provided therefor, unless the inspector shall give written permission to the property owner to connect at a different location.
- (12) No gasoline, petroleum grease or oil or other viscous fluid shall be discharged into the sewer system, and suitable traps shall be installed by the property owner to prevent such discharge.
- (13) All excavations for sewer connections shall be to the depth, grade and course specified by the inspector, and all pipe and joints laid therein shall first be inspected and approved by him before they are covered.
- (14) The property owner shall assume all liability for damage to others caused by any excavation made for his sewer connection, and all excavations shall be promptly barricaded and lighted to protect the public from damage or injury, shall be promptly completed and shall be back filled in layers of twelve inches or less, each layer to be properly tamped.
- (15) Any damage to sidewalks, paving, road surfacing or other public property shall be promptly and adequately repaired by the property owner.
- (16) Roof and other drains for rain or surface water shall not be permitted to discharge into the sewer system.
- (17) The conditions, provisions, limitations and terms of "Recommended Minimum Requirements for Plumbing" of the Bureau of Standards of the United States Department of Commerce, three copies of which are on file with the City Clerk, are adopted and made a part hereof.

SECTION 8. Compelling Connections. It shall be the duty of the owner or owners of all improved private real property within the City, if said real property is located upon any street, alley or easement on which is located a main or lateral sewer line of the sanitary sewer system of the City, to properly connect such improvements with such sanitary sewer line for the disposal of sewage from such improvements. If any property owner shall neglect or fail within a period of ten days, after notice has been given to such owner by registered mail or by publication in some newspaper published or of general circulation in the City, to make such

connection with the sewerage system, the Mayor and Council of the City shall have power to cause the same to be done and to assess the cost thereof against the real property of such owner and to collect the assessment thus made in the manner provided by law for collection of other special taxes and assessments, or said cost may be recovered by civil suit brought by the City. Such notice shall be written and signed and served by the City Clerk on direction by the Mayor and Council. Said notice shall describe the real estate required to be connected and shall notify such owner or owners that such connection must be made within ten days of service or publication of the notice and that if such owner or owners fail to comply with such notice, the Mayor and Council will cause such connection to be made and the cost thereof to be assessed against such real property. If such notice be given by publication, it shall be published one time in such newspaper.

SECTION 9. Prohibited Sewage Disposal Systems. It shall be and is hereby declared unlawful for the owner, owners, lessors, lessees, occupant or occupants of any real property within the City which is situated upon any street, alley or easement through which a main or lateral sewer line of the sanitary sewer system of the City is located to keep, use, maintain or have any privy, vault, cesspool or other means or contrivance for the disposal of sewage other than by disposal thereof into such sewer main or lateral. Any person violating this Section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than \$100.00 and in default of payment thereof shall be adjudged to stand committed to jail until such fine and costs of prosecution are paid, secured or otherwise discharged according to law, and the court may, in addition, upon conviction for such offense order that such nuisance or practice be abated and removed.

SECTION 10. Annual Sewer Tax. When included in the annual estimate of expense and appropriation bill for any fiscal year, the Mayor and Council may include the levy of an annual tax of not more than four-tenths of one mill on each dollar of actual valuation of all taxable property, except intangible property, subject to tax by the City, for the purpose of creating a fund to be used exclusively for the maintenance and repairing of any sewers in the City.

SECTION 11. Fees. If the property to be connected to the sewer system has not been specially assessed with benefits in a sanitary sewer district of the City and charged with special assessment therein, the owner or owners of such property shall pay a connection fee in an amount not less than \$125.00 as determined and fixed by the Mayor and Council to preserve uniformity in the cost of sanitary sewer service in the area adjacent to the property of the owner so applying. Every applicant for license to make connection with the sewerage system shall pay an inspection fee of \$50.00. The amount of such fees shall be paid to the City Clerk at the time of filing such application.

SECTION 12. Penalties. Any person violating or failing to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not in excess of \$100.00 and in default of payment thereof be adjudged to stand committed to jail until such fine and costs of prosecution are paid, secured or otherwise discharged according to law.

SECTION 13. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 14. This ordinance shall be in force and take

effect from and after its passage, approval and publication as provided by law.

Passed and adopted this 10th day of October, 1960.

Bruce caf -----,
Mayor.

ATTEST:

Jane Suverkrobbe -----,
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, JANE SUVERKRUBBE, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on Oct. 12, 1960, as follows:

WITNESS my hand and the seal of said City this 12 day of October, 1960.

Jane Suverkrobbe -----,
City Clerk.

ORDINANCE NO. 177

AN ORDINANCE TO AMEND ORDINANCE NO. 176 REGULATING THE CONSTRUCTION, MAINTENANCE, REPAIR OF AND CONNECTIONS WITH SANITARY SEWER SYSTEM OF THE CITY OF FORT CALHOUN, NEBRASKA.

SECTION 11. FEES. TO BE AMENDED AS FOLLOWS: "IF THE PROPERTY TO BE CONNECTED TO THE SEWER SYSTEM HAS NOT BEEN SPECIALLY ASSESSED WITH BENEFITS IN A SANITARY SEWER DISTRICT OF THE CITY AND CHARGED WITH SPECIAL ASSESSMENT THEREIN, THE OWNER OR OWNERS OF SUCH PROPERTY SHALL PAY A CONNECTION FEE IN AN AMOUNT NOT LESS THAN \$100.00 AS DETERMINED AND FIXED BY THE MAYOR AND COUNCIL TO PRESERVE UNIFORMITY IN THE COST OF SANITARY SEWER SERVICE IN THE AREA ADJACENT TO THE PROPERTY OF THE OWNER APPLYING."

ALL OTHER SECTIONS OF ORDINANCE NO. 176 SHALL REMAIN IN EFFECT.

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE, APPROVAL AND POSTING AS REQUIRED BY LAW.

PASSED AND APPROVED THIS 14TH DAY OF APRIL, 1961.

Jane Suverkrubbe
CITY CLERK

Bruce Cyp
MAYOR

AN ORDINANCE, Imposing, Establishing and Levying Rental Charges for Use of the Municipal Sewerage System of the City of Fort Calhoun, Nebraska; Providing the Bases for such Charges and the Manner of Collecting Same; Providing that the Revenue Received Therefrom be Used Only for the Abatement and Reduction of Ad Valorem Taxes to be Levied for the Payment of Bonds to be Issued for the Construction of such Sewerage System and Providing When this Ordinance Shall Take Effect.

BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. It is hereby declared to be necessary for the protection of public health, safety and welfare in the City of Fort Calhoun, Nebraska, to levy and collect rental charges for the use of its municipal sewerage system.

SECTION 2. The following rental charges for the use of said sewerage system are hereby imposed, established and levied:

Class A - Residential: For single-family dwellings, occupied by one or more persons living together as a family, the sum of \$ 1.50 per month;

For multiple-family dwellings the sum of \$ 1.50 per month for each unit of one or more persons living together as a family, whether receiving water from the municipal waterworks from the same meter or from separate meters;

Class B - Commercial: For hotels, motels, tourist homes and rooming houses the sum of \$ 5.00 per month plus 25% of the cost of the water used by such user from the municipal water system in excess of 3000 gallons for such month;

For any other retail or wholesale business or commercial use the sum of \$ 1.50 per month plus 25% of the cost of the water used by such user from the municipal water system in excess of 3000 gallons for such month;

Class C - Industrial: For each manufacturing or industrial user the sum of \$ 10.00 per month plus 25% of the cost of the water used by such user from the municipal water system in excess of 3000 gallons for such month;

Class D - Users Outside the Corporate Limits: For all users outside the corporate limits the rental charges shall be double the applicable city rate hereinbefore stated.

SECTION 3. All such rental charges shall be collected at the same time and in the same manner as charges for water used from the municipal waterworks of the city.

SECTION 4. The rental charges imposed by this ordinance on any user, whether owner or tenant, shall be a charge and lien upon the lot, part of lot or parcel of land on which same is used, until paid. Whenever any sum due thereon shall become delinquent and unpaid for more than 60 days, the water service of the city to the property of such delinquent user may be disconnected and shall not be resumed until after full payment of all sewer rental charges due to the date of payment shall have been made, together with an additional charge of \$3.00 for reconnection and resumption of service. Any sum collected from any user of the municipal sewerage system shall be first applied to any past due or delinquent account due from such user for municipal sewerage services. The City Clerk shall, at the first regular meeting of the Mayor and City Council occurring after January 1 of each year, report to such meeting a list of all delinquent accounts for rental charges for sewer service, with a description of the premises or real estate where such service was used, and upon the examination and approval thereof by the Mayor and City Council, such list shall be certified as correct by the City Clerk and by him promptly filed with the County Clerk of Washington County, Nebraska, and thereafter such accounts shall be collected as other taxes by the County Treasurer of said county.

SECTION 5. All revenue from such rental charges for use of the municipal sewerage system shall only be used for the abatement or the reduction of ad valorem taxes to be levied for the payment of bonds to be issued for the construction of such sewerage system and shall be placed in a separate fund to be known as the "Sewerage Use Fund."

SECTION 6. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Passed and approved this 5th day of June, 1961.

Bruce Eg
MAYOR

ATTEST:

Jane Suverkkrubbe
CITY CLERK

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Jane Suverkkrubbe, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on June 7, 1961, as follows:

U.S. Post Office
Kruses' Store
Sheppard's Store

WITNESS my hand and the seal of said City this 7 day of June, 1961.

Jane Suverkkrubbe
City Clerk.

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

ORDINANCE NO. 179

AN ORDINANCE to Provide for the Levy of Taxes and Levying the Same upon All the Taxable Property in the City of Fort Calhoun, Nebraska, for All Purposes Necessary to Maintain the City Government for the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the First Tuesday in May, 1961, and Providing When this Ordinance Shall Be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be, and hereby is, levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1961, and ending on the first Tuesday in May, 1962, the following sums, taxes and number of mills on the dollar of tax, to-wit:

PURPOSE	AMOUNT
For general revenue purposes	4.5 mills
For street and public lighting purposes	1.25 mills
For purchase of fire department equipment	.5 mill
For operation and maintenance of fire department	.5 mill
For parks and park purposes	.25 mill
For operation, maintenance and extension of water system	4.5 mills
For street, alley and bridge purposes	3.0 mills
For payment of interest on sewer bonds	5.0 mills
For sinking fund for payment of principal of sewer bonds	4.0 mills

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1961.

SECTION 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 3rd day of July, 1961.

Bruce _____, Mayor.

ATTEST:

Jane Suverkrubbe _____,
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Jane Suverkrubbe, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 8, 1961, as follows:

Sheppard's Store
Kruses' Store
U.S. Post office

WITNESS my hand and the seal of said City this 8 day of July, 1961.

Jane Suverkrubbe _____,
City Clerk.

ORDINANCE NO. 180

ANNUAL APPROPRIATION BILL

AN ORDINANCE to be Termed the "Annual Appropriation Bill," Appropriating Such Sum or Sums of Money Necessary to Defray All Necessary Expenses and Liabilities of the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the First Tuesday in May, 1961, and Specifying the Object and Purpose of Each Appropriation and the Amount for Each Object and Purpose and Providing When this Ordinance Shall Be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be, and hereby is, appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year, commencing on the first Tuesday in May, 1961, and out of the General Fund and out of all other available money and funds therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of City officials	\$ 5500.00
For miscellaneous and incidental expenditures	1500.00
For printing and publication	250.00
For expense of civil and criminal suits	500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be, and hereby is, appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year, and out of the Street and Public Lighting Fund, and out of all other money and funds available

therefor, the amounts for each object and purpose as follows:

For street lighting purposes	\$ 1250.00
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Any balance of said fund remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be, and hereby is, appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year, and out of the revenue derived from the water works system and out of the Water Fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of water works system	\$ 10000.00
For salaries of water commissioner and employees	2000.00

Any balance of said fund remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be, and hereby is, appropriated out of the General Fund of the City and out of the Streets and Alleys Fund, and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets, alleys, highways, bridges and sewers	\$ 2750.00
For materials, supplies and incidentals in connection with streets, alleys, highways, bridges and sewers	2750.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be, and hereby is, appropriated from the moneys now on hand for purchase of fire department apparatus and for operation and maintenance of the fire department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of fire department apparatus	\$ 1000.00
For maintenance and operation of the fire department	600.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys now on hand for parks and park purposes and out of the moneys derived from the levy of taxes for said purposes and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For maintenance and operation of parks and public grounds	\$ 600.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Parks and Park Purposes Fund.

SECTION 7. That there be, and hereby is, appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City, and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of

special assessments made in said Sanitary Sewer District and out of all other funds and money available therefor belonging to the City, the amounts for each object and purpose as follows:

For payment of principal of sewer bonds	\$ 6000.00
For payment of interest on sewer bonds	3500.00

Any balance of said fund remaining over and unexpended at the end of the fiscal year shall remain in the Fund for Payment of Interest and Principal on Sewer Bonds.

SECTION 8. This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 3rd day of July, 1961.

Bruce Ego,
Mayor.

ATTEST:

Jane Suverkrubbe,
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Jane Suverkrubbe, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 8, 1961, as follows:

Sheppard's Store
Kruses' Store
Post Office

WITNESS my hand and the seal of said City this 8 day of July, 1961.

Jane Suverkrubbe,
City Clerk.

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

J cliff Rahel & Co

CITY OF FORT CALHOUN, NEBRASKA

ORDINANCE NO. 181

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, AUTHORIZING THE ISSUANCE OF SEWER BONDS OF SAID CITY OF THE PRINCIPAL AMOUNT OF SEVENTY-EIGHT THOUSAND DOLLARS (\$78,000) TO PAY THE COST OF CONSTRUCTING A SYSTEM OF SANITARY SEWERS IN SANITARY SEWER DISTRICT NO. 1, PRESCRIBING THE FORM OF SAID BONDS AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

Section 1. The Mayor and Council of the City of Fort Calhoun, Nebraska, hereby find and determine: Pursuant to resolutions of necessity which were duly proposed and passed by the Mayor and Council of said City there has been constructed a system of sanitary sewers in Sewer District No. 1 of said City; that said improvements have been completed in accordance with plans, specifications and contracts therefor and have been accepted by the City; the total cost of said improvements was \$ 108,502.37; after applying all moneys collected on the special assessments levied to pay a part of said improvements and other funds available therefor, there remains due and unpaid on the cost of the improvements a sum in excess of \$78,000; special assessments have been levied in said District which are valid liens on the respective lots and parcels of land upon which they are levied; that all conditions, acts and things required by law to exist or to be done precedent to the issuance of Sewer Bonds of the City of the amount provided in this ordinance to pay for said improvements do exist and have been done in due form and time as provided by law.

Section 2. To pay the cost of constructing a system of sanitary sewers in Sewer District No. 1 in said City there shall be and there are hereby ordered issued negotiable Sewer Bonds of the City of Fort Calhoun, Nebraska, in the principal amount of Seventy-eight Thousand Dollars (\$78,000) consisting of 78 bonds numbered from 1 to 78 inclusive, of \$1,000 each, dated August 1, 1961; said bonds shall bear interest and become due and payable

as set out in the following schedule:

BOND NO.	AMOUNT	MATURITY DATE	INTEREST RATE
1 to 3	\$3000.00	August 1, 1963	4%
4 to 6	3000.00	August 1, 1964	4%
7 to 10	4000.00	August 1, 1965	4%
11 to 14	4000.00	August 1, 1966	4%
15 to 18	4000.00	August 1, 1967	3-3/4%
19 to 22	4000.00	August 1, 1968	3-3/4%
23 to 26	4000.00	August 1, 1969	3-3/4%
27 to 30	4000.00	August 1, 1970	3-3/4%
31 to 34	4000.00	August 1, 1971	3-3/4%
35 to 38	4000.00	August 1, 1972	3-3/4%
39 to 42	4000.00	August 1, 1973	3-3/4%
43 to 46	4000.00	August 1, 1974	3-3/4%
47 to 50	4000.00	August 1, 1975	3-7/8%
51 to 54	4000.00	August 1, 1976	3-7/8%
55 to 58	4000.00	August 1, 1977	3-7/8%
59 to 63	5000.00	August 1, 1978	4%
64 to 68	5000.00	August 1, 1979	4%
69 to 73	5000.00	August 1, 1980	4%
74 to 78	5000.00	August 1, 1981	4%

provided, however, any or all of said bonds shall be redeemable at the option of the City at any time on or after five years from date of issuance thereof. Attached to each bond shall be interest coupons.

Section 3. Said bonds shall be executed on behalf of the City by being signed by the Mayor and Clerk and the City Clerk shall attach the city seal to each bond. Attached to each bond shall be interest coupons for the amount of the interest payments thereon and falling due at the time such interest becomes due, and such coupons shall be executed on behalf of the City by the Mayor and Clerk, either by affixing their own proper signatures to each coupon or by causing their facsimile signatures to be affixed to each coupon, and the Mayor and Clerk shall, by the execution of each bond, be deemed to have adopted as and for their own proper signatures their facsimile signatures on the coupons attached to such bonds.

Section 4. Said bonds and coupons shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF WASHINGTON

NO. _____ SEWER BOND OF THE CITY OF FORT CALHOUN \$1,000.00

KNOW ALL MEN BY THESE PRESENTS: That the City of Fort Calhoun in the County of Washington in the State of Nebraska hereby acknowledges itself to owe and for value received promises to pay to the bearer the sum of ONE THOUSAND DOLLARS in lawful money of the United States on the first day of August, 19____ with interest thereon from the date hereof at the rate of

(INSERT in Bonds 1 to 14 inclusive and
59 to 63 both inclusive: "four per centum (4%) per annum")

(INSERT in Bonds 15 to 46 both inclusive:
"three and three-fourths per centum (3 3/4%) per annum")

(INSERT in Bonds 47 to 58 both inclusive:
"three and seven eighths per centum (3 7/8%) per annum")

payable August 1, 1962, and annually thereafter on the first day of August of each year on presentation and surrender of the interest coupons hereto attached as they severally become due; provided, however, this bond and the other bonds of this issue are redeemable at the option of the City at any time on or after five years from date in the inverse order of their serial numbers, a bond or bonds bearing a higher serial number being redeemed before a bond or bonds bearing a lower serial number. Both the principal hereof and the interest hereon are payable at the office of the County Treasurer of Washington County in Blair, Nebraska. For the prompt payment of this bond, principal and interest, as and when the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

This bond is one of an issue of 78 bonds numbered from 1 to 78 inclusive of the total principal amount of \$78,000 of even date and like tenor herewith except as to rate of interest and date of maturity, which bonds are issued by said City for the purpose of paying the cost of constructing a system of sanitary sewers in Sewer District No. 1 in said City in strict compliance with Section 17-925, Reissue Revised Statutes of Nebraska, 1943, and the statutes of said State applicable thereto and the issuance of said bonds has been lawfully authorized by proceedings duly had and by an ordinance duly passed, signed and published by the Mayor and Council of said City.

Special assessments have been levied upon the properties in said District specially benefited by said improvements which special assessments are valid liens on the respective lots and parcels of land upon which they are levied. The City agrees that it will collect said special assessments and that the same shall be set aside and constitute a sinking fund for the payment of the interest and principal of said bonds and that the City will cause to be levied annually upon all the taxable property in said City a tax, which, together with such sinking fund derived from special assessments, will be sufficient to meet payments of interest and principal as the same become due on said bonds; said tax shall be known as the Sewer Tax and shall be payable annually in money.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond, did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said City, including this bond, does not exceed any limitation imposed by law.

IN WITNESS WHEREOF the Mayor and Council of the City of Fort Calhoun have caused this bond to be executed on behalf of the City by being signed by its Mayor and attested by its Clerk and by causing the corporate

seal of the City to be affixed, and have caused the interest coupons hereto attached to be executed on behalf of the City by having affixed thereto the facsimile signatures of its Mayor and Clerk, and the Mayor and Clerk do by signing this bond adopt as and for their own proper signatures their respective facsimile signatures affixed to said coupons.

DATED this first day of August, 1961.

CITY OF FORT CALHOUN, NEBRASKA

By: Bruce cf
Mayor

(SEAL)

ATTEST: Jane Suverkubbe
City Clerk

(FORM OF COUPON)

NO. _____ \$ _____

On the first day of August, 19____, the City of Fort Calhoun will pay to bearer _____ DOLLARS at the office of the Treasurer of Washington County in Blair, Nebraska, for interest due on that day on its Sewer Bond, dated August 1, 1961, No. _____, unless said bond shall have been called for redemption and redeemed or money for the redemption of the same provided prior to the due date of this coupon.

Jane Suverkubbe Bruce
City Clerk Mayor

Section 5. The City Clerk shall make and certify a complete statement and transcript in duplicate of all of the proceedings had and done by the City precedent to the issuance of said bonds, one of which transcripts shall be filed with the Auditor of Public Accounts of the State of Nebraska and the other shall be delivered to the bond purchaser.


Section 6. After being executed by the Mayor and Clerk, said bonds shall be delivered to the City Treasurer who shall be responsible therefor under his official bond. The Treasurer shall cause said bonds to be transmitted with the certified transcript aforesaid to the Auditor of Public Accounts of the State of Nebraska and shall cause said bonds to be duly registered in said Auditor's office and in the office of the County Clerk of Washington County, Nebraska.

Section 7. All moneys collected from special assessments upon property specially benefited by said improvements shall be when collected set aside and constitute a sinking fund for the payment of the principal and interest of said bonds. There shall be levied annually upon all the taxable property in said City a tax, which, together with such sinking fund derived from special assessments, will be sufficient to meet payments of interest and principal of said bonds as the same become due. Such tax shall be known as the Sewer Tax and shall be payable annually in money.

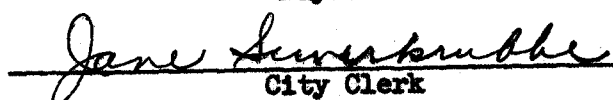
Section 8. The said bonds having been sold to J. Cliff Rahel & Co. at not less than par as provided by resolution of the Council, the Treasurer is authorized to deliver the bonds to said purchaser upon full payment for the same.

Section 9. This ordinance shall take effect and be in force from and after its passage according to law.

PASSED AND APPROVED this 17th day of July, 1961.



Mayor



City Clerk

STATE OF NEBRASKA)
)
WASHINGTON COUNTY)
)
CITY OF FORT CALHOUN)

I, Jane Suverkubbe, the duly
elected, qualified and acting City Clerk of the City of Fort Cal-
houn, Nebraska, do hereby certify:

That a full, true and correct
copy of Ordinance No. 181 of said City, as the same appears of
record on the journal and ordinance books of said City, which
ordinance was duly passed by the Council and approved and signed
by the Mayor on the 17th day of July, 1961, was posted by me on
July 21, 1961, in each of the following public places in said
City, to-wit:

In the lobby of the United States Post Office
in said City;

On the front door of the Sheppard's Store in
said City;

On the front door of the Kruse Store in said City.

IN WITNESS WHEREOF, I have here-
unto set my hand and affixed the seal of said City this 21st day
of July, 1961.

--- Jane Suverkubbe ---
City Clerk.

325
Jan 31, 1966.
2
ORDINANCE NO. 182

AN ORDINANCE, Declaring it Expedient and for the Public Good that Eighth Street from the South Line of Madison Street to the North Line of Jefferson Street in the City of Fort Calhoun be Vacated, That Said Street Is No Longer Useful for Street Purposes, and Providing that the Land so Vacated shall Revert to the Owners of Real Estate Abutting Thereon, and also Providing When this Ordinance shall be in Force and Providing for the Repeal of all Ordinances in Conflict Therewith.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. The Mayor and City Council find that Eighth Street from the south line of Madison Street to the north line of Jefferson Street in the City is not used or useful for street and public way purposes and that no damage to any property holder of said City or to the public generally will be occasioned by the vacation thereof, and that it is expedient and for the best interests of said City and the public generally to vacate said portion of Eighth Street.

SECTION 2. That Eighth Street from the south line of Madison Street to the north line of Jefferson Street is hereby vacated and shall no longer be or constitute such street or a public way and that the land so vacated shall revert to the owners of the abutting real estate as provided by law.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and posting according to

law.

Passed and approved this 6 ^{November} day of ~~October~~, 1961.

Bruce Cox
Mayor.



Jane Suverkubbe
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, JANE SUVERKRUBBE, the duly
elected, qualified and acting City Clerk of the City of Fort Cal-
houn, Nebraska, do hereby certify that a true and certified copy
of the foregoing ordinance was be me posted in three public places
in the City of Fort Calhoun, Nebraska, on ^{November} ~~October~~ 7, 1961, as
follows:

WITNESS my hand and the seal of
said City this 7 ^{November} day of ~~October~~, 1961.

Jane Suverkubbe
City Clerk.

Recorded ✓
General ✓
Numerical ✓
Photostat ✓

State of Nebraska }
County of Washington } ss. 1067
Entered in Numerical Index and filed for record
this 30 day of January
A. D., 1966 at 4:00 o'clock P. M.
and recorded in book 71 at page 82-83
William A. Bulson
County Clerk

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

ORDINANCE NO. 183

AN ORDINANCE to Provide for the Levy of Taxes and Levying the Same upon all the Taxable Property in the City of Fort Calhoun, Nebraska, for all Purposes Necessary to Maintain the City Government for the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the First Tuesday in May, 1962, and Providing When this Ordinance Shall Be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1962, and ending on the first Tuesday in May, 1963, the following sums, taxes and number of mills on the dollar of tax, to-wit:

<u>PURPOSE</u>	<u>AMOUNT</u>
For general revenue purposes	4.0 mills
For street and public lighting purposes	1.75 mills
For purchase of fire department equipment	.5 mill
For operation and maintenance of fire department	.5 mill
For parks and park purposes	.25 mill
For operation, maintenance and extension of water system	4.5 mills
For street, alley and bridge purposes	3.0 mills
For payment of interest on sewer bonds	5.0 mills
For sinking fund for payment of principal of sewer bonds	4.0 mills

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1962.

SECTION 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of ^{July}~~June~~, 1962.

J. A. Mitchell,
Mayor.

ATTEST:

Mrs. Laura K. Dey,
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on ^{July}~~June~~ 3, 1962, as follows:

Sheppard's Store
Krusie's Store
U. S. Post Office

WITNESS my hand and the seal of said City this 3 day of ^{July}~~June~~, 1962.

Mrs. Laura K. Dey,
City Clerk.

ORDINANCE NO. 184

ANNUAL APPROPRIATION BILL

AN ORDINANCE to be Termed the "Annual Appropriation Bill," Appropriating such Sum or Sums of Money Necessary to Defray all Necessary Expenses and Liabilities of the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the first Tuesday in May, 1962, and Specifying the Object and Purpose of each Appropriation and the Amount for each Object and Purpose and Providing When this Ordinance shall be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing on the first Tuesday in May, 1962, and out of the General Fund and out of all other available money and funds therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of city officials	\$ 5500.00
For miscellaneous and incidental expenditures	1500.00
For printing and publication	250.00
For expense of civil and criminal suits	500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting Fund, and out of all other money and funds available therefor, the amounts for each object and purpose as follows:

For street lighting purposes

\$ 1250.00

Any balance of said fund remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the Water Fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and
maintenance of waterworks system

\$ 10000.00

For salaries of water commissioner and
employees

2000.00

Any balance of said fund remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Streets and Alleys Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets,
alleys, highways, bridges and sewers

\$ 2750.00

For materials, supplies and incidentals in
connection with streets, alleys, highways,
bridges and sewers

2750.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be and hereby is appropriated from the moneys now on hand for purchase of fire department apparatus and

for operation and maintenance of the fire department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of fire department apparatus	\$ 1000.00
For maintenance and operation of the fire department	600.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys now on hand for parks and park purposes and out of the moneys derived from the levy of taxes for said purposes, and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For maintenance and operation of parks and public grounds	\$ 600.00
---	-----------

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Parks and Park Purposes Fund.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of special assessments made in said Sanitary Sewer District and out of all other funds and money available therefor belonging to the City, the amounts for each

object and purpose as follows:

For payment of principal of sewer bonds	\$ 6000.00
For payment of interest on sewer bonds	3500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Fund for Payment of Interest and Principal on Sewer Bonds.

SECTION 8. This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 2 day of ^{July}~~June~~, 1962.

J. S. Mitchell_____,
Mayor.

ATTEST:

Mrs. Laura K. Dey_____,
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on ^{July}~~June~~ 3, 1962, as follows:

Sheppard's Store
Kruse's Store
U. S. Post Office

WITNESS my hand and the seal of said City this 3 day of ^{July}~~June~~, 1962.

Mrs. Laura K. Dey_____,
City Clerk.

ORDINANCE NO. 185

AN ORDINANCE Authorizing and Establishing a City Planning Commission, Providing for the Appointment, Qualifications, Meetings, Powers and Duties of the Members Thereof, Providing for the Repeal of any Ordinance in Conflict Herewith, and Providing When this Ordinance shall be in Force.

BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. There is hereby created a City Planning Commission, which shall consist of nine members, residents of the City, who shall represent, insofar as is possible, different professions or occupations in the City and who shall be appointed by the Mayor, by and with the approval of a three-fourths vote of the City Council. All members of the Commission shall serve as such without compensation, and none shall hold any other municipal office. The term of each member shall be three years, provided that the initial board shall consist of three members appointed for the term of one year, three members appointed for the term of two years and three members appointed for the term of three years. Thereafter, three members of the Commission shall be appointed by the Mayor and approved by the City Council each year.

SECTION 2. The City Planning Commission shall elect its chairman from its members and create and fill such other offices as it may determine. The term of the chairman shall be one year, and the chairman shall be eligible for re-election. The Commission shall hold at least one regular meeting each month, and it

shall adopt rules for the transaction of its business and keep a record of its resolutions, transactions, findings and determinations, which shall be a public record.

SECTION 3. It shall be the function and duty of the City Planning Commission to make and adopt plans for the physical development of the City, including any areas outside the City limits which in the judgment of the Commission bear relation to the planning for the municipality.

SECTION 4. The Planning Commission shall from time to time recommend to appropriate City officials programs for public structures and improvements and for the financing thereof. It shall be part of its duties to consult and advise with public officials and agencies, public utility companies, civic, educational, professional and other organizations and with the citizens of the City with relation to the protecting and carrying out of its plans for the City.

SECTION 5. Vacancies occurring on the Planning Commission shall be filled by appointment by the Mayor and confirmation by the City Council for the unexpired terms in the same manner as original appointments.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. This ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 6th day of August, 1962.

ATTEST:

J. A. Mitchell,
MAYOR.

Mrs. Laura K. Day,
CITY CLERK

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that a true and certified copy of the
foregoing ordinance, No. 185, was by me posted in three public
places in the City of Fort Calhoun, Nebraska, on August 9, 1962,
as follows:

Krusie's Store
Post Office
Sheppard's Store

WITNESS my hand and the seal of
said City this 9 day of August, 1962.

Mrs. Laura K. Dey,
City Clerk.

ORDINANCE NO. 186

AN ORDINANCE CREATING A ZONING COMMISSION FOR THE CITY OF FORT CALHOUN, NEBRASKA; PROVIDING THE POWERS AND DUTIES OF SUCH ZONING COMMISSION; DESIGNATING THE CITY PLANNING COMMISSION OF THE CITY AS SUCH ZONING COMMISSION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. To promote health, safety, morals and general welfare of the community, a Zoning Commission for the City of Fort Calhoun, Nebraska, is hereby created and established.

SECTION 2. The City Planning Commission of the City of Fort Calhoun, Nebraska, is hereby designated and appointed as such Zoning Commission.

SECTION 3. Such Zoning Commission shall recommend the boundaries of the districts into which the City and the area within one-half mile of the corporate limits of the City shall be divided in a manner it deems best suited to carry out the zoning of such area and shall prepare a comprehensive zoning plan of such area and appropriate regulations to be enforced therein, designed to lessen congestion in the streets; secure safety from fire, panic and other dangers; promote health and the general welfare; prevent the overcrowding of land; avoid undue concentration of population and facilitate adequate provision of transportation, water, sewerage, schools, parks and other requirements and shall make a preliminary report thereof and hold public hearings thereon and thereupon make its final report thereof to the Mayor and City Council, all as by law provided.

140

MAYOR.

CITY CLERK.

: SS :

February 5.

Sheppard's Store
Post Office

February

City Clerk.

BLAIR, NEBRASKA

ZONING ORDINANCE

ORDINANCE NO. 187

AN ORDINANCE, to Promote Health, Safety, Morals and the General Welfare of the City of Fort Calhoun, Nebraska; Regulating and Restricting the Height, Number of Stories and Size of Buildings and other Structures, the Percentage of Lot that may be Occupied, the Size of Yards and other Open Spaces, the Density of Population and the Location and Use of Buildings, Structures and Land for Trade, Industry, Residence and other Purposes; Establishing Set-back Building Lines; Providing for the Issuance of Building Permits and Certificates of Occupancy; Providing the Methods of Amending and Changing Regulations, Restrictions, Boundaries and Maps Incident Thereto; Creating a Board of Adjustment; Prescribing Penalties for Violations Hereof; Repealing all Ordinances and Parts of Ordinances in Conflict Herewith and Providing when this Ordinance Shall Take Effect.

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF FORT CALHOUN, NEBRASKA:**

SECTION
I

The City of Fort Calhoun, Nebraska, and the area in all directions within one-half mile of the corporate limits thereof, as now existing or as hereafter extended, changed or altered, is hereby divided into Districts as follows:

1st Residence District

2nd Residence District

1st Commercial District

1st Industrial District

1st Agricultural District

The boundaries of the various Districts within said City are hereby established as shown on the official zoning map of the City of Fort Calhoun, which map with all its designations is hereby declared to be a part of this Ordinance.

Except as hereinafter provided:

- (a) No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all of the District Regulations established by this Ordinance for the District in which the building or land is located.
- (b) No lot upon which a building has been erected shall be so reduced or diminished in area that the yards or open spaces shall be smaller than those prescribed by this Ordinance; nor shall the density of use be increased in any manner except in conformity with regulations hereby established for the District in which such property is located.
- (c) Every dwelling hereafter erected, or structurally altered, shall be located on a lot as herein defined and in no case shall there be more than one dwelling on one lot; and in no event shall any dwelling be constructed on a lot having a frontage of less than 66 feet.

SECTION
II

LET RESIDENCE DISTRICT REGULATIONS

- (a) Use: The building or premises shall be used only for the following purposes:
- (1) Single-family dwellings.
 - (2) Two-family dwellings.
 - (3) Churches.
 - (4) Schools, elementary and high.
 - (5) Publicly owned and operated libraries, museums, parks, playgrounds, fire stations, community buildings, non-commercial recreational uses.
 - (6) Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of any business.
 - (7) Accessory buildings.
- (b) Height Regulations: No building shall exceed 2-1/2 stories, nor 35 feet, in height.
- (c) Area Regulations:
- (1) Building Area: No building for residential use shall be constructed in this District containing less than 1,000 square feet, exclusive of garages, and other attached accessory units; and no building for use as a two-family dwelling shall be constructed containing less than 2,000 square feet, or 1,000 square feet per unit, exclusive of garages and other attached accessory units.
 - (2) Front Yard: There shall be a front yard having a depth of not less than 30 feet.
 - (3) Side Yard: There shall be a side yard of not less than 15 feet in width on each side of a building.

- (4) Rear Yard: There shall be a rear yard of not less than 35 feet.

SECTION
III

2nd RESIDENCE DISTRICT REGULATIONS

- (a) Uses: The building or premises shall be used only for the following purposes:
- (1) Single-family dwellings.
 - (2) Two-family dwellings.
 - (3) Churches.
 - (4) Schools, elementary and high.
 - (5) Publicly owned and operated libraries, museums, parks, playgrounds, fire stations, community buildings, non-commercial recreational uses.
 - (6) Accessory buildings.
 - (7) Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of any business.
- (b) Height Regulations: No building shall exceed 2-1/2 stories, nor 35 feet, in height.
- (c) Area Regulations:
- (1) Building Area: No building for use as a single-family dwelling shall be constructed in this District containing less than 800 square feet, exclusive of garages, ^{porches, patios} and other attached accessory units, and no building for use as a two-family dwelling shall be constructed containing less than 1,600 square feet, or 800 square feet per unit, exclusive of garages and other attached accessory units.
 - (2) Front Yard: There shall be a front yard having a depth of not less than 30 feet.

- (3) Side Yard: There shall be a side yard of not less than 10 feet; provided, however, on that side where a garage is erected as an integral part of the dwelling, a side yard of 5 feet will be permitted.
- (4) Rear Yard: There shall be a rear yard of not less than 25 feet.

SECTION
IV

1st COMMERCIAL DISTRICT REGULATIONS

- (a) Use: A building or premises shall be used only for the following purposes:
 - (1) On the west side of Main Street, any use permitted in 1st Residence District and subject to the requirements and regulations for that District; and on the east side of Main Street, any use permitted in 2nd Residence District subject to the requirements and regulations for that District.
 - (2) Retail Stores.
 - (3) Office buildings; studios.
 - (4) Filling stations.
 - (5) Bakeries.
 - (6) Ice delivery stations; newspaper depots.
 - (7) Laundry and/or cleaning establishments, when a permit for the operation of such business has been issued by the Mayor and City Council.
 - (8) Parking lots.
 - (9) Photograph shops.
 - (10) Barber and beauty shops.
 - (11) Automotive and implement salesrooms and repair shops.
 - (12) Restaurants, including drive-ins, liquor stores and bars.

- (13) Motor transportation and drayage firms.
 - (14) Outdoor advertising signs and outdoor advertising structures, but only when attached to or made a part of the commercial structure in accordance with the Ordinances of the City of Fort Calhoun.
 - (15) Clinics, doctors and dentists.
 - (16) Greenhouses.
 - (17) Motels.
 - (18) Recreational buildings, including bowling alleys and theatres.
- (b) Height Regulations: No building shall exceed 2-1/2 stories, nor 35 feet, in height.
- (c) Area Regulations: When the building or premises are used for residential purposes, the Area Regulations for the 1st Residence District shall apply. When used for commercial purposes, the following shall apply:
- (1) Front Yard: There shall be a front yard of not less than 20 feet.
 - (2) Side Yard: The side yard adjoining a residence district shall be not less than 5 feet. The side yard adjacent to a street for lots situated at the intersection of two or more streets shall be not less than 15 feet.
 - (3) Rear Yard: There shall be a rear yard of not less than 10 feet.

SECTION V

1st INDUSTRIAL DISTRICT REGULATIONS

- (a) Use: In the 1st Industrial District, all buildings and premises may be used for any use permitted in the 1st Commercial District and, in addition, may be used for trailer courts. Also, said buildings and premises may

be used for warehouses or lumberyards or for any other similar non-nnoxious use when a permit for such use has been granted by the Mayor and City Council of the City of Fort Calhoun, Nebraska, which, after a public hearing, shall have found and determined that the use applied for in the place specified will not be injurious to public health, safety, convenience and general welfare, and not in conflict with the intent and purpose of this Ordinance, except for the following:

- (1) Acetylene gas manufacturing or storage.
- (2) Ammonia, bleaching powder or chlorine manufacture.
- (3) Arsenal.
- (4) Asphalt manufacture or refining.
- (5) Blast furnace.
- (6) Boiler works.
- (7) Brick, tile or terra cotta manufacture.
- (8) Burlap manufacture.
- (9) Bag cleaning.
- (10) Celluloid manufacture.
- (11) Cement, lime, gypsum or plaster-of-paris manufacture.
- (12) Coke ovens.
- (13) Coal and coke yards.
- (14) Coal tar products manufacture.
- (15) Crematory.
- (16) Creosote treatment or manufacture.
- (17) Disinfectants manufacture.
- (18) Distillation of bones, coal or wood.
- (19) Dyestuff manufacture.
- (20) Exterminator and insect poison manufacture.
- (21) Emery cloth and sandpaper manufacture.
- (22) Fat rendering.
- (23) Fertilizer manufacture and bone grinding.
- (24) Fireworks or explosives manufacture.
- (25) Forage plant.
- (26) Gas (illumination or heating) manufacture and storage.
- (27) Glue, size or gelatine manufacture.
- (28) Gunpowder manufacture or storage.
- (29) Incinerator or reduction of garbage, dead animals, offal or refuse.
- (30) Iron, steel, brass or copper foundry.
- (31) Lamp-black manufacture.
- (32) Junk yard.
- (33) Oilcloth or linoleum manufacture.

- (34) Oiled, rubber or leather goods manufacture.
- (35) Ore reduction.
- (36) Packing house.
- (37) Paint, oil, shellac, turpentine or varnish manufacture.
- (38) Paper and pulp manufacture.
- (39) Plating works.
- (40) Potash works.
- (41) Printing ink manufacture.
- (42) Pterosylene manufacture.
- (43) Rock crusher.
- (44) Rolling mill.
- (45) Rubber or gutta percha manufacture.
- (46) Salt works.
- (47) Sauserkaut manufacture.
- (48) Sausage manufacture.
- (49) Shoe-blackening manufacture.
- (50) Slaughterhouse.
- (51) Smelter.
- (52) Soap manufacture.
- (53) Soda compound manufacture.
- (54) Stock yards.
- (55) Stone mill or quarry.
- (56) Storage or baling of scrap paper, iron, bottles, rags or junk.
- (57) Stove polish manufacture.
- (58) Sulphuric, nitric or hydrochloric acid manufacture.
- (59) Tallow, grease or lard manufacture or refining from animal fat.
- (60) Tanning, curing or storage of rawhides or skins.
- (61) Tar distillation or manufacture.
- (62) Tar roofing or waterproofing manufacture.
- (63) Tobacco (chewing) manufacture or treatment.
- (64) Vinegar manufacture.
- (65) Wool pulling or scaring.
- (66) Yeast plant.

SECTION
VI

1st AGRICULTURAL DISTRICT REGULATIONS

(a) USE: A structure or premises may be used for only the following purposes:

- (1) Any use permitted in 1st Residence District.

- (2) Farming; specialized poultry, pigeon, rabbit and other animal farms, but not including the feeding or disposal of community or collected garbage or offal.
 - (3) Apiaries.
 - (4) Mushroom barns.
 - (5) Greenhouses.
 - (6) Nurseries.
 - (7) Dog Kennels.
 - (8) Removal of black dirt or topsoil, stone, gravel and clay only by special permit.
 - (9) Sale of products from any of the above uses.
 - (10) Storage of farm products.
 - (11) Recreational camps.
 - (12) Riding stables.
 - (13) Veterinary establishments.
 - (14) Athletic fields.
 - (15) Cemeteries.
 - (16) Commercial feedlots, but prohibiting the feeding or disposal of community or collected garbage or offal to swine or other animals.
 - (17) Sale and storage of stock in trade and commodities used in connection with or the production of any of the above uses.
- (b) Height Regulation: No building shall exceed 2-1/2 stories, nor 40 feet, in height.

(c) Area Regulations:

- (1) Front Yard: There shall be a front yard having a depth of not less than 30 feet.
- (2) Side Yard: There shall be a side yard of not less than 15 feet in width on each side of a building.

SECTION
VII

ADDITIONAL REGULATIONS

(a) Off-Street Parking: Off-street parking space shall be provided on land immediately adjoining the land on which the following uses are maintained:

- (1) Residences and Multiple Dwellings: Space for at least one automobile for each residence or dwelling unit.
- (2) Groceries, Department Stores, and Sales Establishments: Parking space at least equivalent to floor space devoted to selling.
- (3) Restaurants, Taverns, Night Clubs and Places of Assembly: At least 200 square feet of parking area for each six seats located in such structure.
- (4) Non-Retail Commercial Establishments Employing Five or More: At least 400 square feet of parking area for each four employees.
- (5) Motels: At least 200 square feet of parking space for each bedroom, cottage or cabin.

(b) Obstruction to view: On any corner lot on which a set-back line is established by this regulation, no wall, fence or other structure shall be erected and no hedge, shrub, tree or other growth shall be maintained in such location between such set-back line and the street line as to cause danger to traffic, as may be determined by the City Building Inspector.

- (c) Basement and Cellar Houses: In none of the Districts set forth herein shall cellar or basement houses be allowed.
- (d) House Moving: No dwelling house or other structure shall be moved upon lands encompassed by any of the Districts herein set forth without obtaining a permit therefor. Application for such moving permit shall be in writing and shall be delivered to the City Clerk, who shall refer such applications to the City Council for rejection or authorization for issuance of a permit. No such permit will be granted unless satisfactory proof is submitted with the application that the dwelling house or other structure when attached to the realty will conform to required standards of the District to which same is being moved.
- (e) Exception to Setback Rules: In the event that 60 percent or more of the existing structures in any one block have a uniform set-back less than that prescribed herein, any new construction may, if the City Council approves, conform to the existing set-back,
- (f) Unless an unattached garage abuts the rear property line, it must conform to all area regulations of the District.

SECTION
VIII

NON-CONFORMING USES DISCONTINUED

- (a) The lawful use of a building and premises existing at the time of the effective date of this Ordinance may be continued although such use does not conform to the provisions hereof. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.
- (b) Whenever the use of a building becomes a non-conforming use through a change in the Zoning Ordinance or District boundaries, such use may be continued and, if no structural alterations are made, it may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.

- (c) In the event that a non-conforming use of any building or premises is discontinued, or its normal operation stopped, for a period of two years, the use of the same shall thereafter conform to the uses permitted in the District in which it is located.
- (d) No existing building devoted to a use not permitted by this Ordinance in the District in which such building is located, except when required to do so by law or order, shall be enlarged, extended or reconstructed unless such use is changed to a use permitted in the District in which such building is located.
- (e) When a building, the use of which does not conform to the provisions of this Ordinance, is damaged by fire, explosion, Act of God, or the public enemy, to the extent of more than fifty percent of its fair market value, it shall not be restored except in conformity with the District regulations of the District in which the building is situated.

SECTION
IX

BUILDING PERMITS

- (a) It shall be unlawful to commence or to proceed with the erection, construction, reconstruction, conversion, alteration, enlargement or extension of the exterior of any building or any part thereof when the cost of said work is over \$100, or to move or raze any building or structure, without first having applied to the City Clerk for a building permit to do so.
- (b) Application for a building permit shall be in writing and shall be delivered to the City Clerk, who shall refer such applications to the City Council for rejection or authorization for issuance of a permit. Such applications shall be accompanied by plans and specifications showing the size of the proposed building or structure and its location on the lot, and in all cases the proposed construction materials and details and type of construction to be used.
- (c) Blank forms shall be provided said City Clerk for the use of those applying for permits as provided

for in this Ordinance. Any permits authorized by the City Council shall be issued by the City Clerk and shall be on standard forms for such purposes and furnished by the City.

- (d) A careful record of all such applications, plans and permits shall be kept in the office of the City Clerk.
- (e) The fees to be charged for building permits from and after the passage of this Ordinance shall be as follows:
 - (1) For work costing over \$100 but not over \$1,000 -- \$3.00.
 - (2) For all work costing over \$1,000 -- \$1.00 for each additional \$1,000 increase in value or fraction thereof.
- (f) Any building permit under which no construction work has been commenced within six months after the date of issue of said permit, or under which the proposed construction has not been completed within two years of the date of issue shall expire by limitation; and no work or operation shall take place under such permit after such expiration. Upon payment of ten cents per month on each \$1,000 of the construction cost on which the original permit was issued, but not less than \$1.00 per month in any case, a building permit may be extended for a period not exceeding six months, by the City Clerk.

SECTION
X

CERTIFICATE OF OCCUPANCY

No vacant land shall be occupied or used, and no building hereafter erected or altered shall be occupied or used until a Certificate of Occupancy shall have been issued by the City Clerk upon authorization by the City Council.

The use of an existing building or any land shall not be changed unless and until a Certificate of Occupancy shall have been obtained from the City Clerk upon authorization by the City Council.

Certificate of Occupancy for a new building, or for the alteration of an existing building, shall be applied for coincident with the application for a building permit and shall be issued within 30 days after the erection or the alteration of such building shall have been completed in conformity with the provisions of these regulations.

The Certificate of Occupancy shall describe the premises, the use proposed to be made thereof by the applicant, and shall state that such proposed use complied with the provisions of the Building Code and the Zoning Ordinances of the City of Fort Calhoun, or that such use is a permitted non-conforming use.

SECTION XI

AMENDMENTS AND CHANGES

The regulations, restrictions, boundaries and maps may, from time to time, be amended, modified, changed or repealed by the Mayor and City Council of Fort Calhoun, Nebraska, in the following manner:

- (a) Upon recommendation of the Planning Board of the City of Fort Calhoun upon its own motion to the Mayor and City Council and after published notice and public hearing before the Mayor and City Council on such recommendation; or
- (b) By the Mayor and City Council, upon their own motion, after published notice and hearing, and after submission to and report from the Planning Board of the City of Fort Calhoun upon such proposed change; or
- (c) On petition signed by the owners of at least 20 per cent of the frontage of the property proposed to be altered or changed, and by the owners of at least 20 per cent of the frontage of the property immediately in the rear thereof, and by the owners of at least 20 per cent of the frontage of the property directly opposite to the frontage proposed to be altered, said petition to be filed with the City Clerk and to be submitted to the Planning Board, who shall make report and recommendation thereon to the Mayor and City Council, after which the Mayor

and City Council shall publish notice of hearing upon such report or recommendation and conduct hearings thereon, as provided by law.

**SECTION
XII**

BOARD OF ADJUSTMENT

The City Council shall act as a Board of Adjustment for the enforcement and interpretation of this Ordinance. The general powers of the Board are those contained in Sections 19-907 to 19-912, inclusive, Revised Statutes of Nebraska, 1943; and those statutes, together with any amendments thereto, are made a part hereof by specific reference, appeals from decisions of the Board of Adjustment to be had as provided by Section 19-912 of said Statutes.

**SECTION
XIII**

VIOLATION

The City Council of Fort Calhoun, Nebraska, shall appoint such agent or agents as shall be required to insure compliance with the provisions of this Ordinance; and in the event of any neglect, refusal or failure to comply with any provision hereof, such agents shall have the power to immediately stop any construction, alteration or other work in progress. If, after written notice directing compliance, any person neglects, refuses or fails to comply with the provisions of this Ordinance, such person shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed One Hundred Dollars (\$100). Each day following the receipt of such written notice in which there is no compliance shall be considered a separate and distinct offense hereunder.

**SECTION
XIV**

REPEAL

All Ordinances or parts thereof in conflict herewith are hereby repealed.

SECTION
XV

EFFECTIVE DATE

This Ordinance was proposed by the City Planning Commission in its capacity as Zoning Commission as a part of its final report to the Mayor and City Council. A public hearing thereon was held on April 23, 1963, by the Mayor and City Council after due notice of the time and place of such hearing was published. This Ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved April 30, 1963.

ATTEST:

/s/ J. S. Mitchell
Mayor

/s/ Laura K. Dey
City Clerk

(SEAL)

STATE OF NEBRASKA)
WASHINGTON COUNTY) :ss:

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that the foregoing is a true and complete copy of the original Ordinance passed by the Mayor and City Council of said City on April 30, 1963.

WITNESS my hand and the seal of said City
this 1 day of May, 1963.

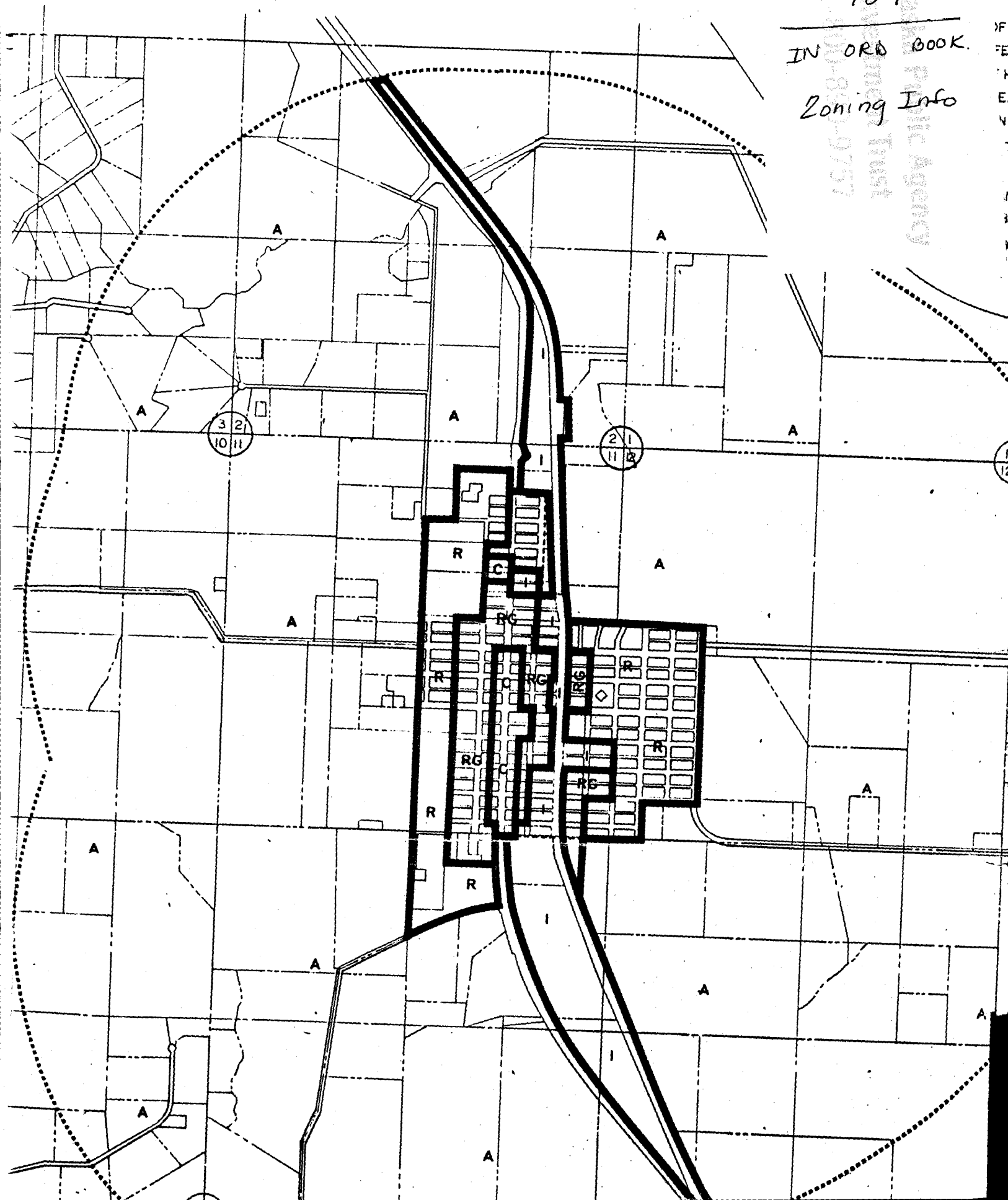
Mrs. Laura K. Dey
City Clerk



Ordinance
187

IN ORD BOOK.

Zoning Info



ORDINANCE NO. 188

AN ORDINANCE to Provide for the Levy of Taxes and Levying the Same upon all the Taxable Property in the City of Fort Calhoun, Nebraska, for all Purposes Necessary to Maintain the City Government for the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the first Tuesday in May, 1963, and Providing When this Ordinance shall be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1963, and ending on the first Tuesday in May, 1964, the following sums, taxes and number of mills on the dollar of tax, to-wit:

<u>Purpose</u>	<u>Amount</u>
For general revenue purposes	4.0 mills
For street and public lighting purposes	1.75 mills
For purchase of fire department equipment	.5 mill
For operation and maintenance of fire department	.5 mill
For parks and park purposes	.25 mill
For operation, maintenance and extension of water system	6.5 mills
For street, alley and bridge purposes	3.0 mills
For payment of interest on sewer bonds	5.0 mills
For sinking fund for payment of principal of sewer bonds	2.0 mills

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1963.

SECTION 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 1 day of July, 1963.

J. S. Mitchell
Mayor.

ATTEST:

Mrs. Laura K. Dey
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 2, 1963, as follows:

Kruse's Store
Post Office

Sheppard's Store

WITNESS my hand and the seal of said City this 2 day of July, 1963.

Mrs. Laura K. Dey
City Clerk.

ORDINANCE NO. 189

ANNUAL APPROPRIATION BILL

AN ORDINANCE to be Termed the "Annual Appropriation Bill," Appropriating such Sum or Sums of Money Necessary to Defray all Necessary Expenses and Liabilities of the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the first Tuesday in May, 1963, and Specifying the Object and Purpose of each Appropriation and the Amount for each Object and Purpose and Providing When this Ordinance shall be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing on the first Tuesday in May, 1963, and out of the General Fund and out of all other money and funds available therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of city officers and employees	\$ 5500.00
For miscellaneous and incidental expenditures	2000.00
For printing and publication	250.00
For expense of civil and criminal suits	500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting Fund, and out of all other money and funds available

therefor, the amounts for each object and purpose as follows:

For street lighting purposes	\$ 1250.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the Water Fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of waterworks system	\$ 10000.00
For salaries of water commissioner and employees	2000.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Streets and Alleys Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets, alleys, highways, bridges and sewers	\$ 2750.00
For materials, supplies and incidentals in connection with streets, alleys, highways, bridges and sewers	2750.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be and hereby is appropriated from the

moneys now on hand for purchase of fire department apparatus and for operation and maintenance of the fire department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of fire department apparatus	\$ 1000.00
For maintenance and operation of the fire department	600.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys now on hand for parks and park purposes and out of the moneys derived from the levy of taxes for said purposes, and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For maintenance and operation of parks and public grounds	\$ 600.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Parks and Park Purposes Fund.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of special assessments made in said Sanitary Sewer District, and out of all other funds

and moneys available therefor belonging to the City, the amounts for each object and purpose as follows:

For payment of principal of sewer bonds	\$ 6000.00
For payment of interest on sewer bonds	3500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Fund for Payment of Interest and Principal on Sewer Bonds.

SECTION 8. This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 1 day of July, 1963.

ATTEST:

J. S. Mitchell
Mayor.

Mrs. Laura K. Dey
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 2, 1963, as follows:

Kruse's Store Sheppard's Store
Post Office

WITNESS my hand and the seal of said City this 2 day of July, 1963.

Mrs. Laura K. Dey
City Clerk.

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS PERTAINING TO THE CONSTRUCTION OF BUILDINGS, THE INSTALLATION OF PLUMBING AND ELECTRICAL APPARATUS, AND THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, RENEWAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE THEREOF.

WHEREAS, the City Council of Fort Calhoun, Nebraska, deems it necessary in order to promote health, safety and general welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

Section 1 -- There is hereby adopted by the City of Fort Calhoun, Nebraska, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, that certain Building Code, known as The National Building Code, abbreviated edition, recommended by the National Board of Fire Underwriters, being particularly the 1955 edition thereof, and the whole whereof, save and except the portions as are hereinafter deleted, modified or amended, of which not less than three copies have been and now are filed in the office of the City Clerk of the City of Fort Calhoun, 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 in the erection, construction, reconstruction, alteration, repair, removal, equipment, demolition, use and occupancy, location and maintenance of buildings and other structures within the corporate limits of the City of Fort Calhoun, Nebraska, and the area, in all directions, within one-half mile of the corporate limits of the City of Fort Calhoun, Nebraska, as now existing or as hereafter extended, changed or altered.

Section 1(a) -- Penalty: If, after written notice from the City Council of Fort Calhoun, Nebraska, or its duly authorized agents, directing compliance with the provisions of Section 1 of this Ordinance, any person neglects, refuses or fails to comply with the provisions of this Ordinance, where no other penalty is specifically provided, such person shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed \$100.00. Each day following the receipt of such written notice in which there is no compliance shall be considered a separate and distinct offense.

Section 2 -- There is hereby adopted by the City of Fort Calhoun, Nebraska, for the purpose of establishing rules and regulations pertaining to electrical work for the erection, construction reconstruction, alteration, repair, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures in the City of Fort Calhoun, Nebraska, and the area, in all directions, within one-half mile of the corporate limits of the City of Fort Calhoun, Nebraska, as now existing or as hereafter extended, changed or altered, that certain Electrical Code known as The 1953 National Electrical Code, Standard of the National Board of Fire Underwriters for Electrical Wiring and Apparatus, as recommended by the National Fire Protection Association, American Standard, approved May 25, 1962, by American Standards Association, as recommended by the National Board of Fire Underwriters of

of New York, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which not less than three copies have been and are filed in the office of the City Clerk of the City of Fort Calhoun, Nebraska, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date from which this Ordinance shall take effect, the provisions thereof shall be controlling in the construction of buildings and other structures within the corporate limits of the City of Fort Calhoun, Nebraska, and the area in all directions, within one-half mile of the corporate limits of the City of Fort Calhoun, Nebraska, as now existing or as hereafter extended, changed or altered.

Section 2(a) -- Penalty: If, after written notice from the City Council of Fort Calhoun, Nebraska, or its duly authorized agents, directing compliance with the provisions of Section 2 of this Ordinance, any person neglects, refuses or fails to comply with the provisions of this Ordinance, where no other penalty is specifically provided, such person shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed \$100.00. Each day following the receipt of such written notice in which there is no compliance shall be considered a separate and distinct offense.

Section 3. -- There is hereby adopted by the City of Fort Calhoun, Nebraska, for the purpose of establishing rules and regulations pertaining to plumbing work for the erection, construction, reconstruction, alteration, repair, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures in the City of Fort Calhoun, Nebraska, as now existing or as hereafter extended, changed or altered, that certain Plumbing Code known as The National Plumbing Code, Illustrated, Third Edition, 1962, published by Manas Publications, 4513 Potomac Avenue, N. W., Washington 7, D.C., and the whole thereof, save and except such portions as are hereinafter deleted, modified and amended, of which not less than three copies have been and now are filed in the office of the City Clerk of the City of Fort Calhoun, Nebraska, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date from which this Ordinance shall take effect, the provisions thereof shall be controlling in the construction of buildings and other structures within the corporate limits of the City of Fort Calhoun, Nebraska, and the area, in all directions, within one-half mile of the corporate limits of the City of Fort Calhoun, Nebraska, as now existing or as hereafter extended, changed or altered.

Section 3(a) -- Penalty: If, after written notice from the City Council of Fort Calhoun, Nebraska, or its duly authorized agents, directing compliance with the provisions of Section 3 of this Ordinance, any person neglects, refuses or fails to comply with the provisions of this Ordinance, where no other penalty is specifically provided, such person shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed \$100.00. Each day following the receipt of such written notice in which there is no compliance shall be considered a separate and distinct offense.

Section 4 -- All Ordinances or parts thereof in conflict herewith are hereby repealed. This Ordinance shall be

published as by law provided, and shall take effect and be in force from and after its passage and publication.

DATED August 5, 1963.

APPROVED:

J. S. Mitchell
Mayor

ATTEST:

Mrs. Laura K. Dey
City Clerk

STATE OF NEBRASKA)
WASHINGTON COUNTY) : s s :

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do
hereby certify that a true and certified copy of the foregoing Ordinance
was by me posted in three public places in the City of Fort Calhoun, Nebraska,
on August 5, 1963, as follows:

Krusie's Store
Sheppard's Store
Post Office

WITNESS my hand and seal of said

City this 5 day of August, 1963

Mrs. Laura K. Dey
CITY CLERK

ORDINANCE NO. 191

AN ORDINANCE, REZONING, RECLASSIFYING AND REDISTRICTING SIEVERS ADDITION TO THE CITY OF FORT CALHOUN, NEBRASKA, SO THAT SAME IS A PART OF 2ND RESIDENCE DISTRICT OF SAID CITY, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA, CONSTITUTING ALSO THE BOARD OF ADJUSTMENT OF SAID CITY UNDER ORDINANCE NO. 187 OF THE CITY:

SECTION 1. That Sievers Addition to the City of Fort Calhoun, Nebraska, as platted and dedicated under date of August 26, 1963, which is now zoned and classified as part of 1st Residence District of said City under Ordinance No. 187 thereof, is hereby rezoned, classified and changed to 2nd Residence District and the official zoning map of the City which is part of said Ordinance No. 187 is changed accordingly.

SECTION 2. That the notice, hearing and approval of such zoning change by the Planning Board of the City have all been duly given, held and obtained as required by said Ordinance No. 187 and the laws of Nebraska.

SECTION 3. This ordinance shall be in full force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 26 day of August, 1963.

J. S. Mitchell
MAYOR.

ATTEST:

Mrs. Laura K. Dey
CITY CLERK.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that a true and certified copy of the
foregoing Ordinance was by me posted in three public places in the
City of Fort Calhoun, Nebraska, on August 26, 1963, as
follows:

Kensie's Store
Sheppard's Store
Post Office

WITNESS my hand and the seal of
said City this 26 day of August, 1963.

Mrs. Laura K. Dey
CITY CLERK.

ORDINANCE NO. 192

AN ORDINANCE RELATING TO BINGO AND DEFINING BINGO; PROHIBITING THE PLAYING OF BINGO EXCEPT WHEN CONDUCTED BY A LICENSEE HEREUNDER; PROVIDING REGULATIONS FOR THE ISSUANCE OF SUCH LICENSES AND FOR APPLICATIONS THEREFOR; PROVIDING A FEE FOR THE ISSUANCE OF SUCH LICENSES; PROVIDING FOR DIVISION OF THE GROSS PROCEEDS FROM THE OPERATION OF BINGO GAMES; PROVIDING FOR AND IMPOSING TAXES ON THE PROCEEDS FROM BINGO GAMES AND PROVIDING FOR THE COLLECTION AND REMITTANCE OF SAME; AUTHORIZING LAW ENFORCEMENT OFFICERS TO ENTER PREMISES WHERE BINGO IS PLAYED; REGULATING THE CONDUCT OF BINGO GAMES; REQUIRING REPORTS FROM LICENSEES; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. As used in this ordinance, "bingo" shall mean a game, however designated, in which each participant receives one or more cards, each of which is marked off into twenty-five squares arranged in five horizontal rows of five squares each, with each square being designated by number, letter, or combination of numbers and letters, no two cards being identical, with the players covering squares as the operator of such game announces the number, letter or combination of numbers and letters appearing on an object selected by chance, either manually or mechanically, from a receptacle in which have been placed objects bearing numbers, letters, or combinations of numbers and letters corresponding to the system used for designating the squares on such cards, with the winner of each game being the player or players first properly covering a predetermined and announced pattern of squares on a card being used by him or them, and the word "person" shall mean any person, partnership, firm, corporation or association.

SECTION 2. No person except a licensee operating pursuant to the provisions of this ordinance and the laws of Nebraska shall conduct any game of bingo for which a charge is made or to the winner of which any money, property or other prize is awarded, and no person shall play at any game of bingo within the City in violation of this section.

SECTION 3. A license to conduct bingo games shall be issued only to a corporation recognized by the Internal Revenue Service as a nonprofit corporation and exempt from payment of federal income taxes as provided by Section 501(c) (4), (5), (6), (7) and (8) of the Internal Revenue Code of 1954, or any single incorporated church, or the governing body of any single church that is not incorporated, when such church maintains an established place of worship within the City, and no license issued under the terms of this ordinance shall be transferable or assigned nor shall any license be granted to any applicant unless such applicant has been in existence for a period of at least five years immediately preceding the application for license and unless such applicant shall have a license from the Governor of the State of Nebraska.

SECTION 4. Any applicant for a license hereunder shall pay an annual license fee of \$10.00 to the City Clerk, for the use of the General Fund of the City, before bingo is played. When bingo is to be conducted jointly by two or more licensees, each such licensee shall obtain a city license and one of the licensees shall be designated as in charge. No licensee shall conduct bingo within the City with any person not licensed as provided by this ordinance. All such licenses or permits shall expire on March 31 of each year and shall be displayed conspicuously at the place

where bingo is conducted, at all times during the conduct thereof.

SECTION 5. No bingo shall be conducted by any licensee hereunder on Sunday or between the hours of twelve o'clock midnight and ten o'clock A. M. on secular days.

SECTION 6. No person under the age of twenty-one years shall be permitted to participate in a bingo game conducted by a licensee hereunder.

SECTION 7. No licensee hereunder shall sell, serve or permit to be consumed any alcoholic liquor, including beer, in any room or outdoor area where bingo is conducted during the time that it is being so conducted.

SECTION 8. No licensee hereunder shall charge or receive more than thirty cents per player for each game of bingo to be played, regardless of the number of cards issued by such licensee to such player during such bingo game. No charge shall be made of any person for admission to the place where bingo is conducted.

SECTION 9. No licensee hereunder shall pay more than the fair and reasonable rental value for the premises rented or leased for the purpose of conducting bingo in the City, and in no event shall such fair and reasonable rental value be based upon a percentage of the receipts accruing to such licensee by virtue of the bingo operations.

SECTION 10. A tax of ten per cent on the gross proceeds received from the conducting of bingo within the City is hereby imposed, levied and assessed. One-half of such tax so collected shall be paid to the Governor of the State of Nebraska for transmission to

the State Treasurer, and one-half shall be credited to the General Fund of the City.

SECTION 11. From the gross proceeds of each daily session of bingo, the licensee shall first deduct the tax provided by Section 10 hereof and the licensee shall next pay to the winner or winners of each game of bingo a cash prize, or merchandise, except alcoholic liquors, in an amount not less than fifty per cent of the gross proceeds of such game after said tax has been deducted, and where merchandise is offered as a prize the winner of such bingo game shall have the option of receiving an amount in cash equivalent to the retail value of such prize. The licensee shall be entitled to retain the amount remaining after making the deductions required by this section. No licensee shall pay to the winners of bingo conducted in any one daily session cash prizes or merchandise in excess of \$750.00 nor receive in gross receipts from conducting bingo any amount in excess of \$1500.00 in any one daily session, nor conduct bingo oftener than ten times per month.

SECTION 12. Each licensee shall make and file with the City Clerk a report covering the preceding calendar quarter, which report shall be due on or before the tenth day of the immediately succeeding quarter. The report shall include a detailed financial statement of each separate session of bingo conducted under the license for the period of the report, prepared on the form required by state law and so as to permit a determination of whether the provisions of Section 10 and Section 11 hereof have been complied with. At the time of submitting such report, any tax due shall be remitted.

SECTION 13. Any person violating any of the provisions of this

ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding \$100.00 and shall stand committed until such fine and costs of prosecution shall be fully paid.

SECTION 14. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 15. This ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 7th day of October, 1963.

ATTEST:

J. S. Mitchell,
Mayor.

Mrs. Laura K. DeY,
City Clerk.

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, LAURA K. DEY, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on October 8, 1963, as follows:

*Kruse's Store
Post Office
Shepherd's Store*

WITNESS my hand and the seal of said City this 8 day of October, 1963.

Mrs. Laura K. DeY,
City Clerk.

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

ORDINANCE NO. 193

AN ORDINANCE REPEALING ORDINANCE NO. 91 OF THE CITY OF FORT CALHOUN, NEBRASKA, AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH; FIXING THE SALARIES OF THE OFFICERS OF SAID CITY AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. The salary of the City Clerk of the City shall be \$600.00 per annum, payable monthly.

SECTION 2. The salary of the City Treasurer of the City shall be \$100.00 per annum, payable annually.

SECTION 3. The salary of the Mayor of the City shall be \$100.00 per annum, payable annually.

SECTION 4. The salary of each member of the City Council of the City shall be \$60.00 per annum, payable annually.

SECTION 5. Ordinance No. 91 of the City and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of March, 1964.

ATTEST:

J. S. Mitchell _____
Mayor

Mrs. Laura K. Dey _____
City Clerk

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that a true and certified copy of the
foregoing Ordinance was by me posted in three public places in the
City of Fort Calhoun, Nebraska, on March 3, 1964, as
follows:

Kruse's Store
Sheppard's Store
Post Office

WITNESS my hand and the seal of
said City this 3 day of March, 1964.

-- Mrs. Laura K. Dey --
City Clerk.

ORDINANCE NO. 194

AN ORDINANCE, DECLARING IT EXPEDIENT AND FOR THE PUBLIC GOOD THAT THE ALLEY IN BLOCK 72 IN THE CITY OF FORT CALHOUN, NEBRASKA, AS ~~THE SAME IS~~ PLATTED BE VACATED; DECLARING THAT SAME IS NO LONGER USEFUL FOR STREET AND ALLEY PURPOSES; PROVIDING THAT THE LAND SO VACATED SHALL REVERT TO THE OWNERS OF THE REAL ESTATE ABUTTING THEREON; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. The Mayor and City Council of the City of Fort Calhoun, Nebraska, find that the alley in Block 72 of said City, as platted in the plat of resurvey of said City, is no longer useful for street and alley purposes, that no damage to any property holder of said City or to the public generally will be occasioned by the vacation of such alley, and that it is expedient and for the best interests of said City and the public generally to vacate such alley.

SECTION 2. That said alley in Block 72 of the City, as shown by the plat of resurvey of the City, is hereby vacated and shall no longer constitute or be an alley, and that the land occupied by such alley shall revert to the owners of the adjacent real estate as provided by law.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and posting as provided by law.

Passed and approved this 7 day of April, 1964.

ATTEST:

Mrs. Laura K. Dey ---
CITY CLERK

J. S. Mitchell ---
MAYOR



ORDINANCE NO. 194

AN ORDINANCE, DECLARING IT EXPEDIENT AND FOR THE PUBLIC GOOD THAT THE ALLEY IN BLOCK 72 IN THE CITY OF FORT CALHOUN, NEBRASKA, AS THE SAME IS PLATTED BE VACATED; DECLARING THAT SAME IS NO LONGER USEFUL FOR STREET AND ALLEY PURPOSES; PROVIDING THAT THE LAND SO VACATED SHALL REVERT TO THE OWNERS OF THE REAL ESTATE ABUTTING THEREON; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. The Mayor and City Council of the City of Fort Calhoun, Nebraska, find that the alley in Block 72 of said City, as platted in the plat of resurvey of said City, is no longer useful for street and alley purposes, that no damage to any property holder of said City or to the public generally will be occasioned by the vacation of such alley, and that it is expedient and for the best interests of said City and the public generally to vacate such alley.

SECTION 2. That said alley in Block 72 of the City, as shown by the plat of resurvey of the City, is hereby vacated and shall no longer constitute or be an alley, and that the land occupied by such alley shall revert to the owners of the adjacent real estate as provided by law.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

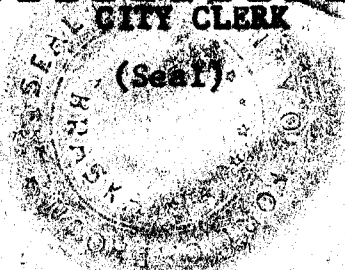
SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and posting as provided by law.

Passed and approved this 7 day of April, 1964.

ATTEST:

----- L. S. Mitchell -----
MAYOR

----- Laura K. De -----
CITY CLERK



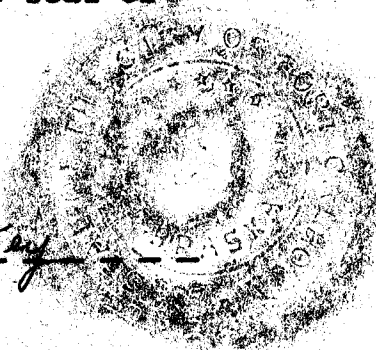
OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) : ss:

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that the foregoing is a true and complete
copy of the original ordinance passed by the Mayor and City Coun-
cil of said City on April 7, 1964.

WITNESS my hand and the seal of
said City this 8 day of April, 1964.

Mrs. Laura K. Dey
CITY CLERK



STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that a true and certified copy of the
foregoing ordinance was by me posted in three public places in the
City of Fort Calhoun, Nebraska, on April 7, 1964, as follows:

*Krusie's Store
Sheppard Store
Post Office.*

WITNESS my hand and the seal of
said City this 8 day of April, 1964.

Mrs. Laura K. Dey ---
CITY CLERK

ORDINANCE NO. 195

AN ORDINANCE to Provide for the Levy of Taxes and Levying the Same upon all the Taxable Property in the City of Fort Calhoun, Nebraska, for all Purposes Necessary to Maintain the City Government for the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the first Tuesday in May, 1964, and Providing When this Ordinance shall be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1964, and ending on the first Tuesday in May, 1965, the following sums, taxes and number of mills on the dollar of tax, to-wit:

<u>Purpose</u>	<u>Amount</u>
For general revenue purposes	4.0 mills
For street and public lighting purposes	2.00 mills
For purchase of fire department equipment	.5 mill
For operation and maintenance of fire department	.5 mill
For operation, maintenance and extension of water system	4.0 mills
For street, alley and bridge purposes	3.0 mills
For payment of interest on sewer bonds	5.0 mills
For sinking fund for payment of principal of sewer bonds	2.0 mills
For interest on various purpose bonds	2.5 mills

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1964.

SECTION 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 6th day of July, 1964.

ATTEST:

J. J. McIntire

Mayor

Laura K. Dey

City Clerk

(SEAL)

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 7, 1964, as follows:

Kruse's Store
Sheppard's Store
Post Office

WITNESS my hand and the seal of said City
this 7 day of July, 1964.

Laura K. Dey

City Clerk

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

ORDINANCE NO. 196

ANNUAL APPROPRIATION BILL

AN ORDINANCE to be Termed the "Annual Appropriation Bill," Appropriating such Sum or Sums of Money Necessary to Defray all Necessary Expenses and Liabilities of the City of Fort Calhoun, Nebraska, for the Fiscal Year Commencing on the first Tuesday in May, 1964, and Specifying the Object and Purpose of each Appropriation and the Amount for each Object and Purpose and Providing When this Ordinance shall be in Force.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing on the first Tuesday in May, 1964, and out of the General Fund and out of all other money and funds available therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of city officers and employees	\$ 5500.00
For miscellaneous and incidental expenditures	2000.00
For printing and publication	250.00
For expense of civil and criminal suits	500.00
For maintenance and improvement of municipal building	2500.00
Any balance of said funds remaining over and unexpended at the	

end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting

Fund, and out of all other money and funds available therefor, the amounts for each object and purpose as follows:

For street lighting purposes	\$ 1,250.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the Water Fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of waterworks system	\$15,000.00
For salaries of water commissioner and employees	2,000.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Streets and Alleys Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets, alleys, highways, bridges and sewers	\$ 2,750.00
For materials, supplies and incidentals in connection with streets, alleys, highways, bridges and sewers	2,750.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

-2-

SECTION 5. That there be and hereby is appropriated from the moneys now on hand for purchase of fire department apparatus and for operation and maintenance of the fire department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of fire department apparatus	\$ 1,000.00
For maintenance and operation of the fire department	600.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys derived from the levy of taxes for the payment of interest on various purpose bonds of the City and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For payment of interest on various purpose bonds of the City	\$ 1,000.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Payment of Interest and Principal of Various Purpose Bonds.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

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WITNESS my hand and the seal of said
City this 9 day of July, 1964.

Mrs. Laure K. Day
City Clerk

ORDINANCE NO. 197

AN ORDINANCE, ANNEXING FRACTIONAL BLOCK 12 AND ALL OF BLOCK 11 AS ORIGINALLY PLATTED IN THE CITY OF FORT CALHOUN, NEBRASKA, AND ALSO BLOCK 74 IN CALHOUN CITY COMPANY'S ADDITION TO SAID CITY AND THE VACATED PORTIONS OF WEBSTER, ROHWER, STEVESON AND SIXTEENTH STREETS ABUTTING SAID BLOCK 74 AS SAME WERE PLATTED ON THE PLAT OF RESURVEY OF SAID CITY, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PRESCRIBING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. The petition of Paul S. Kruger and Beatrice C. Kruger requesting the annexation to the City of Fort Calhoun of Fractional Block 12, being Lots 1, 2, 7 and 8, and all of Block 11 of the City of Fort Calhoun, Nebraska, Block 74 in Calhoun City Company's Addition to said City, and the vacated portions of Webster, Rohwer, Steveson and Sixteenth Streets abutting said Block 74, all as platted on the Plat of Resurvey of said City, is in accordance with law and said petitioners are all of the owners and inhabitants of said territory sought to be annexed.

SECTION 2. All of said territory so described in said petition and hereinbefore described is annexed to the City of Fort Calhoun, Nebraska, and shall henceforth be a part thereof, and the corporate limits of the City are hereby enlarged and extended accordingly.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication as provided by law.

Passed and adopted this ^{5th} ~~8th~~ day of ^{Oct.} ~~July~~, 1964.

ATTEST:

Mrs. Laura K. Dey ---
CITY CLERK

J. S. Mitchell ---
MAYOR

AN ORDINANCE, ANNEXING FRACTIONAL BLOCK 12 AND ALL OF BLOCK 11 AS ORIGINALLY PLATTED IN THE CITY OF FORT CALHOUN, NEBRASKA, AND ALSO BLOCK 74 IN CALHOUN CITY COMPANY'S ADDITION TO SAID CITY AND THE VACATED PORTIONS OF WEBSTER, ROHWER, STEVESON AND SIXTEENTH STREETS ABUTTING SAID BLOCK 74 AS SAME WERE PLATTED ON THE PLAT OF RESURVEY OF SAID CITY, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PRESCRIBING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. The petition of Paul S. Kruger and Beatrice C. Kruger requesting the annexation to the City of Fort Calhoun of Fractional Block 12, being Lots 1, 2, 7 and 8, and all of Block 11 of the City of Fort Calhoun, Nebraska, Block 74 in Calhoun City Company's Addition to said City, and the vacated portions of Webster, Rohwer, Steveson and Sixteenth Streets abutting said Block 74, all as platted on the Plat of Resurvey of said City, is in accordance with law and said petitioners are all of the owners and inhabitants of said territory sought to be annexed.

SECTION 2. All of said territory so described in said petition and hereinbefore described is annexed to the City of Fort Calhoun, Nebraska, and shall henceforth be a part thereof, and the corporate limits of the City are hereby enlarged and extended accordingly.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication as provided by law.

Passed and adopted this ^{5th} day of ^{Oct.} July, 1964.

ATTEST:

----- J. S. Mitchell -----
MAYOR

----- Laura K. Dey -----
CITY CLERK

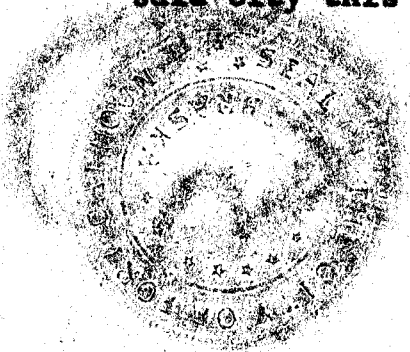
(Seal)

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) :ss:

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that the foregoing is a true and com-
plete copy of the original ordinance passed by the Mayor and City
Council of said City on ^{October 5} ~~July~~ 8, 1964.

WITNESS my hand and the seal of
said City this 6 day of ^{Oct.} ~~July~~, 1964.



Mrs. Laura K. Dey ---
CITY CLERK

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) : ss:

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that a true and certified copy of the
foregoing ordinance was by me posted in three public places in the
City of Fort Calhoun, Nebraska, on ^{Oct.} ~~July~~ 6, 1964, as follows:

Kruses' Store
Sheppard's Store
Post Office

WITNESS my hand and the seal of
said City this 6 day of ^{Oct.} ~~July~~, 1964.

Mrs. Laura K. Dey ---
CITY CLERK

ORDINANCE NO. 199

AN ORDINANCE vacating the alley bisecting Block 72, Calhoun City Company's Addition to the City of Fort Calhoun, Nebraska, and providing the effective date hereof.

WHEREAS, a petition to vacate representing owners of 100 per cent of the property abutting on the alley bisecting Block 72, Calhoun City Company's Addition to the City of Fort Calhoun, Nebraska, has been filed with the City of Fort Calhoun; and

WHEREAS, said property owners have in and by said petition waived any and all damages that may be occasioned by said vacation; and

WHEREAS, the Fort Calhoun Planning Board, at a regular meeting held October 29, 1964, has approved said vacation;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

Section 1. That the alley bisecting Block 72, Calhoun City Company's Addition to the City of Fort Calhoun, Nebraska, be, and is hereby, vacated.

Section 2. That this ordinance shall take effect and be in force 30 days from and after its passage.

PASSED and approved the ²~~30th~~ day of ^{Nov.}~~October~~, 1964.

ATTEST:

J. S. Mitchell
Mayor

Mrs. Laura K. Dey
City Clerk

Book 71
Page 54

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ORDINANCE NO. 199

AN ORDINANCE vacating the alley bisecting Block 72, Calhoun City Company's Addition to the City of Fort Calhoun, Nebraska, and providing the effective date hereof.

WHEREAS, a petition to vacate representing owners of 100 per cent of the property abutting on the alley bisecting Block 72, Calhoun City Company's Addition to the City of Fort Calhoun, Nebraska, has been filed with the City of Fort Calhoun; and

WHEREAS, said property owners have in and by said petition waived any and all damages that may be occasioned by said vacation; and

WHEREAS, the Fort Calhoun Planning Board, at a regular meeting held October 29, 1964, has approved said vacation;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

Section 1. That the alley bisecting Block 72, Calhoun City Company's Addition to the City of Fort Calhoun, Nebraska, be, and is hereby, vacated.

Section 2. That this Ordinance shall take effect and be in force 30 days from and after its passage.

PASSED and approved the 2 day of Nov., 1964.

ATTEST:

J. S. Mitchell
Mayor

Mrs. Laura K. Dey
City Clerk

STATE OF NEBRASKA)

) :ss:

WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that the foregoing is a true and complete copy of the original ordinance passed by the Mayor and City Council of said City on November 2, 1964.

WITNESS my hand and the seal of said City
this 3 day of November, 1964

Laura K. Dey - City Clerk

State of Nebraska }
County of Washington } ss.

Entered in Numerical Index and filed for record
this 13 day of March
A. D., 1945 at 8:30 o'clock P. M.
and recorded in book 2071 at page 54

Shirley K. Kelson
County Clerk

Deputy

Recorded ✓
General ✓
Numerical ✓
Photostat ✓

CITY of FORT CALHOUN

Fort Calhoun, Nebraska

STATE OF NEBRASKA

WASHINGTON COUNTY

)
)
)

:ss:

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun,
Nebraska, do hereby certify that a true and certified copy of the
foregoing ordinance was by me posted in three public places in the
City of Fort Calhoun, Nebraska, on November 3, 1964, as follows:

Kruse's Store
Sheppards Store
Post Office.

WITNESS my hand and the seal of said

City this 3 day of November, 1964

City Clerk

ORDINANCE NO. 200

AN ORDINANCE, AMENDING SECTION 2 OF ORDINANCE NO. 83 OF THE CITY OF FORT CALHOUN, NEBRASKA, PROVIDING FOR METER DEPOSITS BY WATER USERS AND FOR ADVANCE DEPOSITS BY TENANT USERS OF WATER AND FOR WATER SERVICE CONNECTION CHARGES, REPEALING SAID SECTION 2 OF ORDINANCE NO. 83 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 2 of Ordinance No. 83 of the City be and is amended to provide as follows:

Section 2. Hereafter every person, firm, association or corporation desiring to use water from the municipal water-works for real estate owned by the applicant shall first make application therefor to the City Clerk and accompany such application with a meter deposit of \$30.00, and if such deposit be inadequate to pay the cost of the meter for such service, then shall accompany such application with a deposit adequate to pay the cost of such meter as determined by the water commissioner, and if applicant be a tenant user of water, such applicant shall deposit \$7.50 if the water is to be used only for residential purposes and not less than \$10.00, as determined by the water commissioner, if the water is for commercial or industrial use. Upon termination of water use by the applicant, any of the above designated deposits made by such user shall be refunded, less any amount due for water used by the depositor or the depositor's tenant. An initial connection charge of \$1.00 shall also be paid by the water user to the City Clerk.

SECTION 2. That Section 2 of Ordinance No. 83 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 1st day of February, 1965.

ATTEST:

Mrs. Laura K. Dey
CITY CLERK

J. S. Mitchell
MAYOR

STATE OF NEBRASKA)
)
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected,
qualified and acting City Clerk of the City of Fort Calhoun, Ne-
braska, do hereby certify that a true and certified copy of the
foregoing ordinance was by me posted in three public places in the
City of Fort Calhoun, Nebraska, on February 2, 1965, as follows:

Trading Post
Sheppard's Store
Post Office

WITNESS my hand and the seal of
said City this 2 day of February, 1965.

City Clerk

ORDINANCE NO. 201

AN ORDINANCE, TO PROVIDE FOR THE LEVY OF TAXES AND LEVYING THE SAME UPON ALL THE TAXABLE PROPERTY IN THE CITY OF FORT CALHOUN, NEBRASKA, FOR ALL PURPOSES NECESSARY TO MAINTAIN THE CITY GOVERNMENT FOR THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1965, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1965, and ending on the first Tuesday in May, 1966, the following sums, taxes and number of mills on the dollar of tax, to-wit:

<u>Purpose</u>	<u>Amount</u>
For general revenue purposes	6.0 mills
For street and public lighting purposes	1.5 mills
For purchase of fire department equipment	.5 mill
For operation and maintenance of fire department	.5 mill
For operation, maintenance and extension of water system	3.0 mills
For street, alley and bridge purposes	4.0 mills
For payment of interest on sewer bonds	3.5 mills
For sinking fund for payment of principal of sewer bonds	2.0 mills
For interest on various purpose bonds	2.5 mills

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1965.

SECTION 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 5th day of July, 1965.

ATTEST:

-----
MAYOR

-----
CITY CLERK

STATE OF NEBRASKA)
) : ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 12, 1965, as follows:

Post Office
Conoco Station
Trading Post

WITNESS my hand and the seal of
said City this 12th day of July, 1965.

— Laura K. Dey —
City Clerk

ORDINANCE NO. 202

ANNUAL APPROPRIATION BILL

AN ORDINANCE, TO BE TERMED THE "ANNUAL APPROPRIATION BILL," APPROPRIATING SUCH SUM OR SUMS OF MONEY NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1965, AND SPECIFYING THE OBJECT AND PURPOSE OF EACH APPROPRIATION AND THE AMOUNT FOR EACH OBJECT AND PURPOSE AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing on the first Tuesday in May, 1965, and out of the General Fund and out of all other money and funds available therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of city officers and employees	\$ 5500.00
For miscellaneous and incidental expenditures	2000.00
For printing and publication	250.00
For expense of civil and criminal suits	500.00
For maintenance and improvement of municipal building	2500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting Fund, and out of all other money and funds available therefor, the amounts for each object and purpose as follows:

For street lighting purposes	\$ 1250.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the Water Fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of waterworks system	\$ 15000.00
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For salaries of water commissioner and employees \$ 2000.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Streets and Alleys Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets, alleys, highways, bridges and sewers	\$ 2750.00
For materials, supplies and incidentals in connection with streets, alleys, highways, bridges and sewers	2750.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be and hereby is appropriated from the moneys now on hand for purchase of fire department apparatus and for operation and maintenance of the fire department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of fire department apparatus	\$ 1000.00
For maintenance and operation of the fire department	600.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys derived from the levy of taxes for the payment of interest on various purpose bonds of the City and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For payment of interest on various purpose bonds of the City	\$ 1000.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Payment of Interest and Principal of Various Purpose Bonds.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of special assessments

made in said Sanitary Sewer District, and out of all other funds and moneys available therefor belonging to the City, the amounts for each object and purpose as follows:

For payment of principal of sewer bonds	\$ 6000.00
For payment of interest on sewer bonds	3500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Fund for Payment of Interest and Principal on Sewer Bonds.

SECTION 8. This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 5th day of July, 1965.

--- *J. S. Mitchell* ---
MAYOR

ATTEST:

--- *Laura K. Dey* ---
CITY CLERK

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 12, 1965, as follows:

Conaco Station
Trading post
Post Office

WITNESS my hand and the seal of said City this 12 day of July, 1965.

--- *Laura K. Dey* ---
City Clerk

ORDINANCE NO. 203

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 104 OF THE CITY OF FORT CALHOUN, NEBRASKA, PROVIDING FOR THE LEVY OF OCCUPATION TAXES UPON THE BUSINESSES OF DEALING IN ALCOHOLIC LIQUORS AT RETAIL AND AT WHOLESALE, PROVIDING THAT THE DESIGNATED OCCUPATION TAX MAY BE LEVIED IN FULL OR IN PART OR MAY BE WAIVED AT THE OPTION OF THE CITY COUNCIL.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 1 of Ordinance No.

104 of the City of Fort Calhoun, Nebraska, be amended to read and provide as follows:

OCCUPATION TAX. For the purpose of raising revenue within said City there is hereby levied upon the following described businesses conducted in said City the following designated occupation taxes:

Alcoholic Liquor Distributor	\$1,000.00
Beer Distributor	500.00
Retailer of Beer only, for consumption on the premises	20.00
Retailer of Beer only, for consumption off the premises (sale in the original packages only)	50.00
Retailer of Alcoholic Liquors for consumption off the premises (sale in the original packages only)	300.00
Retailer of Alcoholic Liquors for consumption on the premises and off the premises	500.00

Such occupation tax so levied shall be paid to the City Treasurer for the benefit of the general fund of said City immediately after the final issuance of license under the Nebraska Liquor Control Act for any such business.

The City Treasurer shall issue his receipt for such tax when paid, properly dated, specifying the person for whom paid and for what purpose. If such City Treasurer be unable to collect such occupation tax when due he shall immediately report

such facts to the City Attorney who shall then proceed by civil suit in the name of the City to collect the amount due. This remedy shall not be exclusive of any other right of action but merely cumulative. The designated occupation taxes may be levied in full or in part or may be waived at the option of the City Council.

SECTION II. That said original Section 1 of Ordinance No. 104 of the City of Fort Calhoun, Nebraska, and all other Ordinances and parts of Ordinances in conflict herewith are repealed.

SECTION III. This Ordinance shall be in full force and effect from and after its passage, approval and posting as provided by law.

Passed and approved this 6th day of September, 1965.

ATTEST:

J. S. Mitchell --- MAYOR
J. S. Mitchell,

Laura K. Dey, City Clerk
Laura K. Dey, City Clerk

STATE OF NEBRASKA)
):ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on September 11, 1965, as follows:

Post Office
Conoco Station
Trading Post

Witness my hand and the seal of said City this
11 day of September, 1965

Laura K. Dey
City Clerk

ORDINANCE NO. 204

AN ORDINANCE VACATING JEFFERSON STREET FROM ITS INTERSECTION WITH 14TH STREET EAST TO THE RAILROAD RIGHT-OF-WAY, THIS PROPERTY BEING JEFFERSON STREET LYING BETWEEN BLOCKS 84 AND 108, AND 85 AND 107 IN THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Jefferson Street from its intersection with 14th Street east to the railroad right-of-way, this property being Jefferson Street lying between Blocks 84 and 108, and 85 and 107 in the City of Fort Calhoun, Washington County, Nebraska, be vacated, and the same hereby is vacated.

SECTION 2. That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. That this Ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 1st day of November, 1965.

ATTEST:

J. S. Mitchell
MAYOR

Laura K. Dey
CITY CLERK

STATE OF NEBRASKA)
) : ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on November 2, 1965, as follows:

*Conoco Station
Grading Post
Post Office*

WITNESS my hand and the seal of this City
this 2 day of November, 1965.

----- *Laura K. Dey* -----
 City Clerk

ORDINANCE NO. 205

AN ORDINANCE AMENDING ORDINANCE NO. 116 OF THE CITY OF FORT CALHOUN, NEBRASKA BY AMENDING SECTION 6 BY INCREASING THE DOG TAX, AMENDING SECTION 9 TO INCREASE THE IMPOUNDING FEE FOR DOGS, BY ADDING SECTION 18 TO REQUIRE RABIES SHOTS, AND BY ADDING SECTION 19 TO PROHIBIT DOGS RUNNING AT LARGE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 6 of Ordinance No. 116 of the City be, and is amended to provide as follows:

Section 6. TAX; AMOUNT; WHEN DUE, WHEN DELINQUENT. Every possessor of a male or spayed female dog in the city shall pay, for each and every dog such possessed, to the City Clerk, as a dog tax, the sum of Two Dollars (\$2.00) per annum, payable on or before May first of each year; and every possessor of any unspayed female dog in this city shall likewise pay as a dog tax the sum of Four Dollars (\$4.00) per annum: Provided, that each person so paying shall have a metallic tag attached to the collar of the dog showing the number as provided in Section 5 of this ordinance; and Provided further, the possessor of any dog brought into or harbored within the corporate limits of said city subsequent to May first in any year shall be liable for the dog tax levied herein. Dog tax shall become delinquent May tenth of each year.

SECTION 2. That Section 9 of Ordinance No. 116 be, and is amended, to provide as follows:

Section 9. IMPOUNDING, KILLING OF DOGS; COMPENSATION OF POLICE OR OTHER DESIGNATED OFFICER FOR SO DOING. It shall be the duty of the police or other officers designated by the Mayor and Council after May tenth in each year when dog tax becomes delinquent, as aforesaid, to take up and kill any and all dogs, male, spayed female or unspayed female, harbored and running at large within the corporate limits thereof, not having about their necks the tag or plate provided for in Section 5 of this Ordinance; and for each and every dog so killed and buried, the police or other authorized person shall be entitled to receive by way of compensation from said city in excess of his regular monthly salary, if any, the sum of One Dollar (\$1.00) from the general fund thereof; Provided, the additional compensation herein allowed the police or other authorized person shall be paid as other moneys out of the general fund on claims filed, audited and allowed by the council according to law. No dog so taken by the police or other officer of this city shall be killed until forty-eight hours have expired after its impounding, until such officer after consulting the records in the office of the City Clerk shall have satisfied himself that the tax herein levied on said dog is due and unpaid and until such officer shall have notified in writing or by word of mouth the owner of said dog, if known to him, forthwith to pay the delinquent tax so due.

D 6

The city shall provide a safe, suitable and sheltered place for the impounding, keeping and destruction of said dogs as in this section contemplated. All dogs placed in the city dog pound shall be treated in a humane manner, shall be provided with plenty of food and fresh water each day and shall be chained separately so as to prevent fighting. The forty-eight hour period of impounding shall constitute the time allowed for the owner to claim or redeem his dog; and for every dog so claimed or redeemed the owner shall pay a redemption fee of Two Dollars and Fifty Cents (\$2.50) to said City of Fort Calhoun to defray the expense of keeping said dog in the city pound for each day that said dog shall be retained, and Five Dollars (\$5.00) per day for second and subsequent reclamations during the same year. The City Council shall authorize and approve the summary and humane manner and means by which dogs shall be destroyed as required by the provisions of this section.

SECTION 3. That Ordinance No. 116 be amended by adding thereto Section 18 to provide as follows:

Section 18. Before issuing the dog tags described in the preceding Sections of this Ordinance, each dog owner must present to the City Clerk a certificate showing such dog to have been vaccinated against rabies by a licensed veterinarian covering the period for which the license is to be issued.

SECTION 4. That Ordinance No. 116 of the City be amended to include Section 19 to provide as follows:

Section 19. It shall be unlawful for any owner or keeper of any dog to allow said dog to run at large outside the confines of the owner's property unless such dog is on a leash.

SECTION 5. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This Ordinance shall be in force and take effect from and after its passage and approval and publication as provided by law.

Passed and approved this 6th day of December, 1965.


MAYOR

ATTEST:


CITY CLERK

STATE OF NEBRASKA)
WASHINGTON COUNTY)

:ss:

C E R T I F I C A T E

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three (3) public places in the City of Fort Calhoun, Nebraska on December 7, 1965, as follows:

*Conoco Station
Trading Post
Post Office*

Witness my hand and the seal of this City this
7 day of December, 1965.

Laura K. Dey
--- CITY CLERK ---

ORDINANCE NO. 206

AN ORDINANCE AMENDING SECTION VII (d) OF ORDINANCE NO. 187 OF THE CITY OF FORT CALHOUN, NEBRASKA: PROVIDING REGULATIONS FOR HOUSE MOVING WITHIN SAID CITY; REPEALING SAID SECTION VII (d) OF ORDINANCE NO. 187 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section VII (d) of Ordinance No. 187 of the City be and it is amended to provide as follows:

VII (d) HOUSE MOVING. No dwelling house or other structure shall be moved upon lands encompassed by any of the districts herein set forth without obtaining a permit therefore. Application for such moving permit shall be in writing and shall be delivered to the City Clerk, who shall refer such application to the City Council for rejection or authorization for issuance of a permit. No such permit shall be granted unless satisfactory proof is submitted with the application that the dwelling house or other structure when attached to the realty will conform to required standards of the district to which same is being moved. Before any such permits are granted a cash bond of not less than \$200.00 will be required of the applicant which said bond will provide that the building to be moved will conform to all the provisions of the zoning ordinances of said City within six months from the granting of such moving permit. Any building moved under the provisions of this ordinance shall not be permitted to be connected to City sewer or water facilities until such time as said building conforms to all the provisions of the City zoning ordinances.

SECTION 2. That Section VII (d) of Ordinance No. 187 of said City and all other ordinances or parts of ordinances in

conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 6th day of December, 1965.

ATTEST:

J. S. Mitchell MAYOR

Laura K. Dey
City Clerk

C E R T I F I C A T E

STATE OF NEBRASKA)
) :ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on December 7, 1965, as follows:

*Conoco Station
Post office
Trading Post*

WITNESS my hand and the seal of said City this 7
day of December, 1965.

Laura K. Dey -----
City Clerk

ORDINANCE NO. 207

CITY OF FORT CALHOUN,
WASHINGTON COUNTY, NEBRASKA

NATURAL GAS FRANCHISE

An Ordinance granting to METROPOLITAN UTILITIES DISTRICT OF OMAHA, a municipal corporation and political subdivision of the State of Nebraska, its successors and assigns, the right and privilege to construct, maintain and operate a system of mains, pipes, services and other appliances in, upon, over, across and along streets, avenues, alleys, bridges and public places of the City of Fort Calhoun, Washington County, Nebraska, for the transmission, distribution and sale of gas for heating, industrial and other uses in the above City and elsewhere; prescribing the terms and conditions under which said Metropolitan Utilities District of Omaha is to operate; prescribing the time when this Ordinance shall be in full force and take effect and repealing all previous Ordinances in conflict therewith.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA:

SECTION 1. FRANCHISE; GRANT; PERIOD; POWERS; RIGHTS OF GRANTEE: That in consideration of the benefits to be derived from the installation and operation of a gas distribution system in the City of Fort Calhoun, Nebraska, (hereinafter designated "City") by said City and its inhabitants, there is hereby granted to Metropolitan Utilities District of Omaha, a municipal Corporation and political subdivision of the State of Nebraska (hereinafter referred to as "Grantee"), its successors and assigns, the right, permission and authority to lay, install, maintain and operate a gas transmission, transportation, and distribution system, including all necessary structures therefor, within the limits of said City, as the same now exist or may be hereafter extended, for a period of twenty-five (25) years from and after the effective date of this Ordinance; and for this purpose there

is hereby further granted to Grantee the right, permission and authority during said period to lay, install, maintain and operate in, upon, over, across and along all of the streets, avenues, alleys, bridges and public places of said City, all mains, services, pipes, conduits and structures necessary or convenient for transmitting, transporting, distributing and supplying gas for domestic, commercial, industrial and such other purposes for which gas may be used by the inhabitants of said City during the term hereof, and for the purpose of transmitting, transporting and conveying such gas into, through or beyond the immediate limits of said City to other villages, cities and customers.

SECTION 2. MAINS, SERVICES, PIPES, INSTALLATION, RELAYING, RULES, AS TO: That all mains, services and pipes which shall be laid or installed under this grant shall, when construction is completed, be so located and laid as not to obstruct or interfere with any water pipes, drains, sewers, paving or other structures already installed, and all such mains, services and pipes shall be laid in place subject to the approval of the Committee on Streets and Alleys of said City or subject to the approval of such representative as said City may from time to time provide. Grantee shall, in the doing of any work in connection with its said mains, pipes and services, avoid, so far as may be practicable, interfering with the use of any street, alley or other highway, and where the paving or surface of the street is disturbed, Grantee shall, at its own expense, and in a manner satisfactory to the duly authorized representatives of said City, replace such paving or surface of the street or alley in as reasonably good condition as before said work was

commenced.

SECTION 3. MAINS, CONSTRUCTED, EXTENDED, WHEN: That Grantee, its successors or assigns, shall make such reasonable extensions of its mains, from time to time, and shall install services as may be required to furnish service to parties making application therefor, located within the corporate limits of said City; provided that Grantee's Rules and Regulations Covering the Use of Gas and the Installation of Mains, Services, Meters, Piping and Appliances, duly adopted by its Board of Directors pursuant to the laws of Nebraska, which shall be filed with the Clerk of said City, shall govern the extension of mains and installation of services. Provided further, that no obligation shall extend to, or be binding upon the Grantee, to construct or extend its mains or furnish natural gas or gas service within said City if Grantee is, for any reason, unable to obtain delivery of natural gas at or near the corporate limits of said City or an adequate supply thereof to warrant the construction or extension of its mains, for the furnishing of such natural gas or gas service. Provided further, that when the amount of natural gas supplied to Grantee at or near the City limits of said City is insufficient to meet the additional firm requirements of connected or new consumers, Grantee shall have the right to prescribe reasonable rules and regulations for allocating the available supply of natural gas for such additional firm requirements to domestic, commercial and industrial consumers in that order of priority and extension of mains.

SECTION 4. METERS, GRANTEE FURNISHES: That Grantee shall furnish and install for its customers reliable meters and shall

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

-3-

keep the same in repair without cost to the customer.

SECTION 5. GRANTEE HOLDS CITY HARMLESS: That Grantee shall be required, and by the acceptance hereof, agrees to save harmless the municipality and its inhabitants from and against all claims and demands and from all loss and expense incurred as a result thereof, arising out of the negligence of Grantee in the laying, installing, removing, inspection or repair of any mains, pipes, services, or appliances of Grantee or in the use and operation thereof, during the term of this Ordinance.

SECTION 6. WRITTEN ACCEPTANCE, FRANCHISE, OF, GRANTEE, BY; EXTENSION: That, within thirty (30) days, after the passage of this Ordinance, Grantee shall prepare and file a written acceptance of this Ordinance with the Clerk of said municipality. Failure of Grantee so to accept this Ordinance within said period of time shall be deemed a rejection thereof by Grantee and the rights and privileges herein granted shall after the expiration of said period of thirty (30) days, if not so accepted, absolutely cease and terminate, unless said period of time shall be extended by further ordinance duly passed for that purpose.

SECTION 7. RATE SCHEDULE, MAXIMUM; MINIMUM MONTHLY CHARGE; HEAT VALUE, BASIS OF; ADJUSTMENT; PENALTY FOR DELINQUENCY: That Grantee, its successors or assigns, shall file and make effective initially a schedule of rates for gas service, and shall furnish gas at such rates or at such other reasonable rates as may be hereafter established from time to time; provided, however, that such rates shall not be in excess of the schedule of maximum rates set out below.

SCHEDULE OF RATES

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

-4-

Available to any customer using gas service.

RATE

First	500	cu.	ft.	per	consumer	per	month	\$3.00	per	thousand	cu.	ft.
Next	1,500	"	"	"	"	"	"	2.00	"	"	"	"
Next	3,000	"	"	"	"	"	"	1.50	"	"	"	"
Next	5,000	"	"	"	"	"	"	1.25	"	"	"	"
Next	90,000	"	"	"	"	"	"	1.00	"	"	"	"
Excess of	100,000	"	"	"	"	"	"	.75	"	"	"	"

MINIMUM

The minimum monthly charge under this schedule shall be \$2.00 per month per meter.

All the above net rates apply only when bills are paid on or before ten (10) days after the monthly billing date. When not so paid the gross rate, which is ten percent (10%) higher than the above rates, will apply.

The above and foregoing rates shall be understood to apply to and be based upon natural gas of the British Thermal Unit heating value of not less than nine hundred (900) British Thermal Units per cubic foot of gas. If in any monthly period, the average heating value of such gas shall fall below nine hundred (900) British Thermal Units, then, in that event, the aforesaid rates shall be automatically and correspondingly lowered, and reduced during any period or periods of time in which any such gas of lower British Thermal Unit value shall be furnished.

SECTION 8. WHEN OPERATIVE: This ordinance shall be in full force and take effect thirty (30) days after its passage and shall constitute a binding contract between the City of Fort Calhoun, Nebraska, and the Metropolitan Utilities District of Omaha, a municipal corporation and political subdivision of the State of Nebraska, Grantee, its successors and assigns, provided, within

such thirty (30) day period it shall have been published as required by law and accepted by the Grantee in accordance with the provisions of Section 6 hereof.

Passed and approved this 21 day of February, 1966.

Clarence L. Lacy
Acting Mayor - President, City Council

ATTEST:

Laura S. Dey
City Clerk

(SEAL)

ORDINANCE NO. 208

AN ORDINANCE REQUIRING WATER CONSUMERS IN THE CITY OF FORT CALHOUN, TO PAY ALL COSTS OF REPAIR OR INSTALLATION OF WATER LINES FROM THE CITY MAINS TO CONSUMERS PROPERTIES; REQUIRING THE USE OF COPPER PIPING FOR ALL CONNECTIONS TO THE CITY WATER MAINS OR FOR REPLACEMENT OF CONNECTIONS TO SAID MAINS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

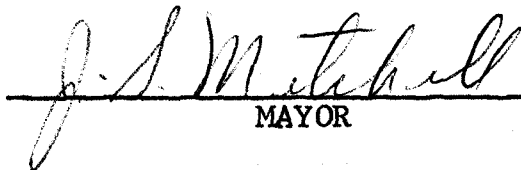
SECTION I: All water consumers in said City shall pay the cost of repairing or installation of water lines from the City mains to the property of said consumer.

SECTION II: Copper piping shall be required to be used in the installation of any connection to City mains or in the replacement of any existing water mains.


SECTION III: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 26th day of April, 1966.


MAYOR

ATTEST:


City Clerk

(SEAL)

C E R T I F I C A T I O N

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) :ss:

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was, by me posted in three public places in the City of Fort Calhoun, Nebraska, on April 27, 1966, as follows:

*Trading post
Cenoca Station
Post Office*

Witness my hand and the seal of the said City this 27 day of April, 1966.

Laura K. Dey
CITY CLERK

(SEAL)

ORDINANCE NO. 208

AN ORDINANCE PROVIDING STREET NUMBERS FOR ALL BUILDINGS AND PREMISES WITHIN THE CITY OF FORT CALHOUN, NEBRASKA: PROVIDING THAT SAID NUMBER WILL BE ASSIGNED BY THE CITY CLERK OF SAID CITY; PROVIDING FOR THE SETTLEMENT OF DISPUTES WITH REGARDS TO SAID NUMBERS; PROVIDING THAT ALL BUILDINGS AND PREMISES IN SAID CITY USED FOR RESIDENCE, COMMERCIAL OR INDUSTRIAL PURPOSES SHALL EXHIBIT STREET NUMBERS; SETTING OUT THE SPECIFICATIONS FOR SAID EXHIBITED NUMBERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION I: All buildings and premises within the City shall be assigned street numbers by the City Clerk of the said City and the numbers for any building or premises shall be furnished by him upon request of any person.

SECTION II: Conflicts or disputes with reference to street numbers shall be submitted to and resolved by the City Planning Commission.

SECTION III: All buildings and premises which are used for residences, commercial or industrial purposes shall exhibit upon the front thereof, with the number facing the Street and adjacent to the principal entrance of the premises and plainly visible from the Street, the building number thereof as assigned under the provisions of this ordinance, the numbers to be not less than three inches in height and to contrast in color to the building or background upon which they appear.

SECTION IV: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION V: This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 26th day of April, 1966.

J. S. Mitchell
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

C E R T I F I C A T I O N

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) :ss:

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing Ordinance was, by me posted in three public places in the City of Fort Calhoun, Nebraska on April 27, 1966, as follows:

*Trading Post
Conoco Station
Post Office*

Witness my hand and the seal of the said City
this 27 day of April, 1966.

Laura K. Dey
CITY CLERK

(SEAL)

ORDINANCE NO. 210

ANNUAL APPROPRIATION BILL

AN ORDINANCE TO BE TERMED THE "ANNUAL APPROPRIATION BILL," APPROPRIATING SUCH SUM OR SUMS OF MONEY NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1966, AND SPECIFYING THE OBJECT AND PURPOSE OF EACH APPROPRIATION AND THE AMOUNT FOR EACH OBJECT AND PURPOSE AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing on the first Tuesday in May, 1966, and out of the General Fund and out of all other money and funds available therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of city officers and employees	\$ 7,500.00
For miscellaneous and incidental expenditures	2,000.00
For printing and publication	250.00
For expense of civil and criminal suits	500.00
For maintenance and improvement of municipal building	2,500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting Fund, and out of all other money and funds available therefor, the amounts for each object and purpose as follows:

For street lighting purposes	\$ 1,250.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the water fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of waterworks system	\$ 15,000.00
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For salaries of water commissioner and employees \$ 2,000.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Streets and Alleys Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets, alleys, highways, bridges and sewers	\$ 2,750.00
For materials, supplies and incidentals in connection with streets, alleys, highways, bridges and sewers	5,000.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be and hereby is appropriated from the moneys now on hand for purchase of fire department apparatus and for operation and maintenance of the fire department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of fire department apparatus	\$ 1,000.00
For maintenance and operation of the fire department	600.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys derived from the levy of taxes for the payment of interest on various purpose bonds of the City and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For payment of interest on various purpose bonds of the City	\$ 2,200.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Payment of Interest and Principal of Various Purpose Bonds.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of special assessments made in said Sanitary Sewer District, and out of all other funds and moneys available therefor belonging to the City, the amounts for each object and purpose as follows:

For payment of principal of sewer bonds	\$ 25,000.00
For payment of interest on sewer bonds	3,500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Fund for Payment of Interest and Principal on Sewer Bonds.

SECTION 8. That there be and hereby is appropriated out of the money derived from the levy of taxes for parks and park purposes for said fiscal year and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For park and park purposes, maintenance, improvement and operation	\$ 1,000.00
--	-------------

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Park and Park Purposes Fund.

SECTION 9. This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 5 day of July, 1966.

De Witt Anderson
MAYOR

ATTEST:

Laura K. Dey
CITY CLERK

(SEAL)

STATE OF NEBRASKA }
 : ss:
WASHINGTON COUNTY)

I, Laura K. Dey, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 211 passed by the Mayor and City Council of said City on July 5, 1966.

WITNESS my hand and the seal of said City this 5 day of July, 1966.

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 211

AN ORDINANCE, TO PROVIDE FOR THE LEVY OF TAXES AND LEVYING THE SAME UPON ALL THE TAXABLE PROPERTY IN THE CITY OF FORT CALHOUN, NEBRASKA, FOR ALL PURPOSES NECESSARY TO MAINTAIN THE CITY GOVERNMENT FOR THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1966, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1966, and ending on the first Tuesday in May, 1967, the following sums, taxes and number of mills on the dollar of tax, to-wit:

PURPOSE	AMOUNT
For general revenue purposes	6.0 Mills
For street and public lighting purposes	1.25 Mills
For purchase of fire department equipment	.5 Mill
For operation and maintenance of fire department	.5 Mill
For operation, maintenance and extension of water system	3.0 Mills
For street, alley and bridge purposes	4.0 Mills
For payment of interest on sewer bonds	2.0 Mills
For sinking fund for payment of principal of sewer bonds	3.0 Mills
For interest on various purpose bonds	2.75 Mills
For parks and park purposes	1.0 Mill

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1966.

SECTION 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 5 day of July, 1966.

De Witt Andersen
De Witt Andersen, MAYOR.

ATTEST:

Laura K. Dey
Laura K. Dey, CITY CLERK.

(SEAL)

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) :ss:

I, LAURA K. DEY, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify that a true and certified copy of the foregoing ordinance was by me posted in three public places in the City of Fort Calhoun, Nebraska, on July 5, 1966, as follows:

Canoea Station
Post Office
Trading Post

WITNESS my hand and the seal of said City this
5 day of July, 1966.

--- *Laura K. Dey* ---
CITY CLERK

ORDINANCE NO. 212

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 161 OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, NEBRASKA, BY CHANGING THE SPEED LIMIT ON CERTAIN STREETS WITHIN THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 3 of Ordinance No. 161 of the Municipal Code of the City of Fort Calhoun, Nebraska, be and the same hereby is amended to read as follows:

"SECTION 3. SPEED, WITHIN CORPORATE LIMITS OF CITY; EXCEPTIONS- No person shall drive a vehicle on any street within this City at a rate of speed greater than is reasonable and proper, having regard for the traffic, use and condition of the streets, or at such speed as to endanger the life, limb or property of any person and under no circumstances in excess of thirty (30) miles per hour except on Fourteenth Street in said City. On Fourteenth Street, the speed limit from the South City Limits North to Madison Street shall be Forty-five (45) miles per hour; on Fourteenth Street North from Madison Street to Clay Street shall be Thirty-five (35) miles per hour; and on said Fourteenth Street from Clay Street North to the North City Limits shall be Forty (40) miles per hour. Every driver of a vehicle on the streets of said City shall at all times have such vehicle under complete control. The speed limits provided for by this Section shall not apply to physicians, surgeons, police or fire vehicles or ambulances when answering emergency calls . The speed limit on Fourteenth Street shall be indicated by appropriate posted signs."

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 7th day of November, 1966.

De Witt Anderson

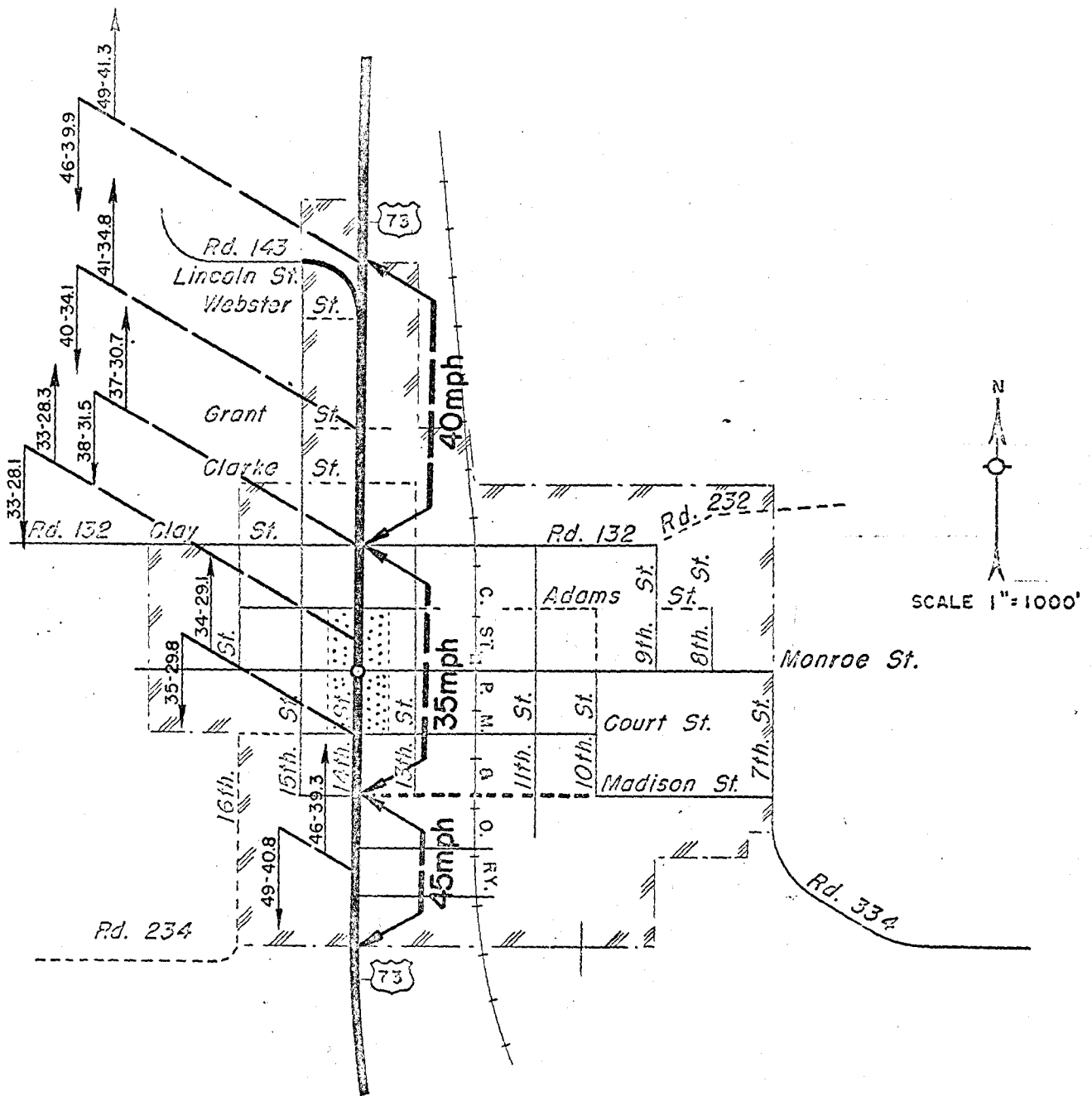
MAYOR

ATTEST:

Laura K. Day

City Clerk

(SEAL)



LEGEND



CENTRAL
BUSINESS
DISTRICT



CORPORATE
LIMIT

85% - Av. Sp. SURVEY
RESULTS



RECOMMENDED
SPEED ZONE

ORD. NO. _____
AUTH. NO. _____

STATE OF NEBRASKA
DEPARTMENT OF ROADS
TRAFFIC ENGINEERING SECTION

SPEED SURVEY
FORT CALHOUN

HWY. U.S. 73

WASHINGTON CO.

APPROVED

DATE

R. E. Munn May 1, 1966

APRIL '65
MAY

LVM

#653

ORDINANCE NO. 213

ANNUAL APPROPRIATION BILL

AN ORDINANCE TO BE TERMED THE "ANNUAL APPROPRIATION BILL", APPROPRIATING SUCH SUM OR SUMS OF MONEY NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1967, AND SPECIFYING THE OBJECT AND PURPOSE OF EACH APPROPRIATION AND THE AMOUNT FOR EACH OBJECT AND PURPOSE AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT , CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing on the first Tuesday in May, 1967, and out of the General Fund and out of all other money and funds available therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of city officers and employees	\$ 10,000.00
For miscellaneous and incidental expenditures	2,000.00
For printing and publication	500.00
For expense of civil and criminal suits	1,000.00
For maintenance and improvement of municipal building	2,500.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting Fund, and out of all other money and funds available therefor, the amounts for each object and purpose as follows:

For street lighting purposes	\$ 4,000.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the water fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of waterworks system and for salaries of water commissioner and employees	\$200,000.00
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Any balance of said fund remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Street and Alleys Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets,
alleys, highways, bridges and sewers and for
materials, supplies and incidentals in connection
with streets, alleys, highways, bridges and sewers \$ 9,000.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be and hereby is appropriated from the moneys now on hand for purchase of fire department apparatus and for operation and maintenance of the fire department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of fire department apparatus \$ 2,000.00
For maintenance and operation of the fire department 1,000.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys derived from the levy of taxes for the payment of interest on various purpose bonds of the City and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For payment of interest on various purpose bonds
of the City \$ 3,475.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Payment of Interest and Principal of Various Purpose Bonds.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of special assessments made in said Sanitary Sewer District, and out of all other funds and moneys available therefor belonging to the City, the amounts for each object and purpose as follows:

For payment of principal of sewer bonds \$ 10,000.00
For payment of interest on sewer bonds 2,000.00

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Fund for Payment of Interest and principal on Sewer Bonds.

SECTION 8. That there be and hereby is appropriated out of the money derived from the levy of taxes for parks and park purposes for said fiscal year and out of all other funds and moneys available therefore, the amounts for each object and purpose as follows:

For park and park purposes, maintenance, improvement and operation	\$ 1,000.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Park and Park purposes Fund.

SECTION 9. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 3 day of July, 1967.

De Witt Anderson
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 214

AN ORDINANCE, TO PROVIDE FOR THE LEVY OF TAXES AND LEVYING THE SAME UPON ALL THE TAXABLE PROPERTY IN THE CITY OF FORT CALHOUN, NEBRASKA, FOR ALL PURPOSES NECESSARY TO MAINTAIN THE CITY GOVERNMENT FOR THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1967, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1967, and ending on the first Tuesday in May, 1968, the following sums, taxes and number of mills on the dollar of tax, to-wit:

PURPOSE	AMOUNT
For general revenue purposes	5.0 Mills
For street and public lighting purposes	.5 Mills
For purchase of fire department equipment	.20 Mill
For operation and maintenance of fire department	.40 Mill
For operation, maintenance and extension of water system	2.20 Mills
For street, alley and bridge purposes	3.00 Mills
For payment of interest on sewer bonds	1.50 Mills
For sinking fund for payment of principal on sewer bonds	2.00 Mills
For interest on various purpose bonds	2.00 Mills
For parks and park purposes	.70 Mill

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1967.

SECTION 2. That this Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 5 day of July, 1967.

De Witt Anderson
MAYOR

ATTEST:

Laura K. Day
City Clerk

(SEAL)

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

STATE OF NEBRASKA)
)
WASHINGTON COUNTY) :ss:

I, LAURA K. DEY, the duly elected, qualified and acting
City Clerk of the City of Fort Calhoun, Nebraska, do hereby certify
that the foregoing is a true and complete copy of the Ordinance
No. 214 passed by the Mayor and City Council of said City on
July 3, 1967.

WITNESS my hand and the Seal of said City this 19 day
of July, 1967.

--- Laura K. Dey ---
CITY CLERK

CITY of FORT CALHOUN

Fort Calhoun, Nebraska

ORDINANCE NO. 215

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA; PROVIDING FOR THE MAKING, ADOPTION, AMENDMENT, EXTENSION AND CARRYING OUT OF THE MUNICIPAL PLAN; PROVIDING FOR FULL PARTICIPATION BY THE CITY OF FORT CALHOUN, NEBRASKA IN THE CENTRAL NEBRASKA JOINT PLANNING COMMISSION THROUGH THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT; PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT, CALHOUN, NEBRASKA:


SECTION 1. The City of Fort Calhoun hereby is authorized to make, adopt, amend, extend, and carry out a municipal plan as provided by Law.

SECTION 2. The City of Fort Calhoun, Nebraska, hereby agrees to join with the County of Washington and any incorporated villages, cities or counties that may wish to participate in the creation of the Central Nebraska Joint Planning Commission through the execution of an intergovernmental agreement. The Mayor of the City of Fort Calhoun, Nebraska is hereby authorized for and on behalf of the City of Fort Calhoun, Nebraska, as its corporate act and deed under its corporate name and seal, to execute an agreement for participation by the City of Fort Calhoun, Nebraska, in the Central Nebraska Joint Planning Commission, which said agreement, shall substantially in the words and figures set forth in the certain agreement, a copy of which is attached hereto, made a part hereof and marked Exhibit A.

SECTION 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall take effect and be in full force and effect from and after its passage, approval, and publication as provided by Law.

Passed and approved this 2 day of October, 1967.


Mayor

ATTEST:


City Clerk

ORDINANCE NO. 216

AN ORDINANCE ALLOWING THE SALE OF ALCOHOLIC LIQUORS OF ALL KINDS, FOR CONSUMPTION ON THE PREMISES ONLY, WITHIN THE CITY OF FORT CALHOUN, NEBRASKA, BETWEEN THE HOURS OF 6:00 O'CLOCK, P.M., ON NEW YEARS EVE, WHEN SAID DATE FALLS ON SUNDAY, AND MIDNIGHT ON SAID DATE, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That the sale of alcoholic liquors of all kinds shall be permitted for consumption on the premises only, between the hours of 6:00 o'clock, P.M., on New Years Eve, when said date falls on Sunday, and Midnight on said date, within the City of Fort Calhoun.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith be and they hereby are repealed.

SECTION 3. That this ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved this 4th day of December, 1967.

Harold Swanson
MAYOR President of Council

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 217

AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 65 OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, NEBRASKA, BY CHANGING THE TIME FOR PAYMENT FOR WATER USE FROM A MONTHLY TO A QUARTERLY BASIS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH: AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 6 of Ordinance No. 65 of the Municipal Code of the City of Fort Calhoun, Nebraska, be and the same hereby is amended to read as follows:

"SECTION 6. All monies due said City for water furnished will become due and payable quarterly on the first days of January, April, July and October of each year. The amount due from any person, company or corporation for water furnished by said City shall be computed in dollars and cents in accordance with the rates hereinafter provided. Ten per cent of the amount due shall be added thereto if the same be not paid within ten days after the time the same becomes due, and all officers of the water-works department are positively prohibited from allowing credit to anyone."

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That this ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 8th day of January, 1968.

ATTEST:

--- Laura K. Day ---
City Clerk

Harold C. Swanson

MAYOR Pres. Council

(SEAL)

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LAWYERS
BLAIR, NEBRASKA

ORDINANCE NO. 218

AN ORDINANCE AMENDING ORDINANCE NO. 178 OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, NEBRASKA, BY AMENDING SECTION TWO THEREOF RELATING TO INDUSTRIAL WATER USERS BY CHANGING THE RENTAL CHARGES FOR SUCH USERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Ordinance No. 178 of the Municipal Code of the City of Fort Calhoun be and the same is amended to read as follows:

"SECTION 1. It is hereby declared to be necessary for the protection of public health, safety and welfare in the City of Fort Calhoun, Nebraska, to levy and collect rental charges for the use of its municipal sewerage system.

SECTION 2. The following rental charges for the use of said sewerage system are hereby imposed, established and levied:

Class A - Residential: For single-family dwellings, occupied by one or more persons living together as a family, the sum of \$1.50 per month;

For multiple-family dwellings the sum of \$1.50 per month for each unit of one or more persons living together as a family, whether receiving water from the municipal water-works from the same meter or from separate meters;

Class B - Commercial: For hotels, motels, tourist homes and rooming houses the sum of \$5.00 per month plus 25% of the cost of the water used by such user from the municipal water system in excess of 3,000 gallons for such month;

For any other retail or wholesale business or commercial use the sum of \$1.50 per month plus 25% of the cost of the water used by such user from the municipal water system in excess of 3,000 gallons for such month;

Class C - Industrial: For each manufacturing or industrial user the sum of \$10.00 per month plus 25% of the cost of the water used by such user from the municipal water system in excess of 3,000 gallons for such month, plus a charge of \$.075 for 1,000 gallons of water discharged into the

city sewer when said water originates from a private system;

Class D - Users Outside the Corporate Limits: For all users outside the corporate limits the rental charges shall be double the applicable city rate hereinbefore stated.

SECTION 3. All such rental charges shall be collected at the same time and in the same manner as charges for water used from the municipal waterworks of the city.

SECTION 4. The rental charges imposed by this ordinance on any user, whether owner or tenant, shall be a charge and lien upon the lot, part of lot or parcel of land on which same is used, until paid. Whenever any sum due thereon shall become delinquent and unpaid for more than 60 days, the water service of the city to the property of such delinquent user may be disconnected and shall not be resumed until after full payment of all sewer rental charges due to the date of payment shall have been made, together with an additional charge of \$3.00 for reconnection and resumption of service. Any sum collected from any user of the municipal sewerage system shall be first applied to any past due or delinquent account due from such user for municipal sewerage services. The City Clerk shall, at the first regular meeting of the Mayor and City Council occurring after January 1 of each year, report to such meeting a list of all delinquent accounts for rental charges for sewer service, with a description of the premises or real estate where such service was used, and upon the examination and approval thereof by the Mayor and City Council, such list shall be certified as correct by the City Clerk and by her promptly filed with the County Clerk of Washington County, Nebraska, and thereafter such accounts shall be collected as other taxes by the County Treasurer of said county.

SECTION 5. All revenue from such rental charges for use of the municipal sewerage system shall only be used for the abatement or the reduction of ad valorem taxes to be levied for the payment of bonds to be issued for the construction of such sewerage system and shall be placed in a separate fund to be known as the "Sewerage Use Fund".

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That this ordinance shall be in force and take effect from and after its passage and approval as provided by law.

Passed and approved this 5th day of February, 1968.

ATTEST:

Harold C. Swanson
for council ~~MAYOR~~

Laura K. Dey
City Clerk

(Seal)

ORDINANCE NO. 219

AN ORDINANCE AMENDING SECTIONS TWO, THREE AND FOUR OF ORDINANCE NO. 193 OF THE CITY OF FORT CALHOUN, NEBRASKA, FIXING THE SALARIES OF CERTAIN OFFICERS OF SAID CITY AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA THAT SECTIONS TWO, THREE AND FOUR OF ORDINANCE NO. 193 OF SAID CITY BE AMENDED TO READ AS FOLLOWS:

SECTION 2. The salary of the City Treasurer of said City shall be \$150.00 per annum, payable annually.

SECTION 3. The salary of the Mayor of the City shall be \$150.00 per annum, payable annually.

SECTION 4. The salary of each member of the City Council of the City shall be \$100.00 per annum, payable annually.

Original Sections numbers 2, 3 and 4 of Ordinance No. 193 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force from and after its passage, approval and publication, as required by law.

Passed and approved this 4 day of March, 1968.

ATTEST:

Harold Swanson
Pres. Council ~~MAYOR~~

Laura K. Dey
City Clerk

(CITY SEAL)

ORDINANCE NO. 220

AN ORDINANCE REQUIRING PERMITS FROM THE CITY COUNCIL TO CONSTRUCT WATER WELLS WITHIN THE CITY; RESTRICTING THE GRANTING OF SUCH PERMITS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. No water wells shall be constructed within the City of Fort Calhoun, except upon written permit from the City Council and no such permit shall be granted if the building of such well shall impede, lessen or interfere with the flow of water to municipal water wells or in any manner contaminate such municipal water supply.

SECTION 2. Water from any private well will not be used for any drinking water purposes.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That this Ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of April, 1968.

Harold Swanson

MAYOR pro Council

ATTEST:

Laura K. Dey

City Clerk

(SEAL)

OFFICES OF
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BLAIR, NEBRASKA

ORDINANCE NO. 221

AN ORDINANCE AMENDING ORDINANCES NOS. 65, 150, 152 AND 175 OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN BY INCREASING WATER RATED TO CONSUMERS LIVING OUTSIDE OF THE CITY LIMITS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Ordinances Nos. 65, 150, 152 and 175 of the Municipal Code of the City of Fort Calhoun be amended to provide that each and every water consumer living outside of the City Limits of the City of Fort Calhoun supplied with water will be charged therefor and will pay same at the following rates:

For the first 3,000 gallons, or any part thereof, the sum of \$4.00 shall be the minimum rate.

For each additional 1,000 gallons, or any part thereof, at the rate of \$.60 per thousand gallons.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That this Ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of April, 1968.

Harold A. Swanson
MAYOR pres council

ATTEST:

Laura K. Day
City Clerk

(SEAL)

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LAWYERS
BLAIR, NEBRASKA

ORDINANCE NO. 222

AN ORDINANCE AMENDING ORDINANCE NO. 152 OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, NEBRASKA, BY INCREASING THE MINIMUM WATER RATES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Ordinance No. 152 of the Municipal Code of the City of Fort Calhoun, Nebraska, be amended to provide that the charge for the first 3,000 gallons of water will be \$2.50, which said sum shall be a minimum charge.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That this ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of April, 1968.

Harold A. Swanson
MAYOR
pres council

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 223

AN ORDINANCE AMENDING ORDINANCE NO. 187 OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN BY ALLOWING ANY USE PERMITTED IN 1st RESIDENCE DISTRICT OR 2nd RESIDENCE DISTRICT IN THE 1st COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section IV, (a) (1) of Ordinance No. 187 of the City of Fort Calhoun be, and the same hereby is, amended to read as follows:

"(1) Any use permitted in 1st Residence or 2nd Residence Districts."

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That this Ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of April, 1968.

Harold E. Swanson
MAYOR pro council

ATTEST:

Laura L. Day
City Clerk

(SEAL)

ORDINANCE NO. 224

AN ORDINANCE PROHIBITING THE SALE OF FIREWORKS WITHIN THE CITY OF FORT CALHOUN, NEBRASKA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. It shall be unlawful for any person, firm or corporation within the City of Fort Calhoun, Nebraska, to sell any fireworks at retail, possess for sale at retail or give away any fireworks.

SECTION 2. That all ordinances or parts of ordinance in conflict herewith are hereby repealed.

SECTION 3. That this ordinance shall be in force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 30th day of April, 1968.

Glenn C. Lund
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 225

AN ORDINANCE PROHIBITING THE PARKING, STORING OR LEAVING OR ANY MOTOR VEHICLE OR PARTS OR PORTIONS THEREOF, WHICH DO NOT HAVE AFFIXED THERETO A VALID CURRENT NEBRASKA MOTOR VEHICLE LICENSE AND WHICH ARE IN A RUSTED, WRECKED OR JUNKED CONDITION OR ARE PARTIALLY DISMANTLED OR IN AN INOPERATIVE OR ABANDONED CONDITION WHETHER ATTENDED OR NOT; OR FOR THE OWNER OF ANY SUCH VEHICLE, OR THE OWNER OR THE OCCUPANT OF ANY PROPERTY TO ALLOW, PERMIT OR SUFFER THE SAME TO BE LEFT UPON ANY PRIVATELY OWNED PROPERTY, UNLESS THE SAME BE AUTHORIZED IN CONJUNCTION WITH A BUSINESS PROPERLY OPERATED PURSUANT TO AND IN COMPLIANCE WITH ALL PROVISIONS OF THE MUNICIPAL CODE OF THE CITY OF BLAIR, OR UNLESS SUCH VEHICLE IS LOCATED ENTIRELY WITHIN AN ENCLOSED PRIVATE OR PUBLIC GARAGE; DESIGNATING THIS ORDINANCE AS SECTION 4.807 OF THE MUNICIPAL CODE OF THE CITY OF BLAIR; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING WHEN SUCH ORDINANCE SHALL BE IN FORCE AND EFFECT:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT , CALHOUN, NEBRASKA:

SECTION 1. It shall be unlawful to park, store or leave any motor vehicle, or parts thereof or portions therefrom, which does not have affixed thereto a valid current Nebraska Motor Vehicle license and which is in a rusted, wrecked or junked or partially dismantled or in an inoperative or in an abandoned condition whether attended or not; or for the owner of any such vehicle, or the owner or occupant of any property to allow, permit or suffer the same to be left upon any privately owned property, unless the same be authorized in conjunction with a business properly operated pursuant to and in compliance with all provisions of the Municipal Code of the City of Fort Calhoun, or unless such vehicle is located entirely within an enclosed private or public garage.

SECTION 2. This ordinance shall be in force and effect from and after its passage, approval and publication as provided by law.

SECTION 3. That all ordinances or parts of ordinances

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in conflict herewith are hereby repealed.

Passed and approved this 6 day of May, 1968.

Glenn C. Lund
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 226

AN ORDINANCE TO PROVIDE THAT THE CITY MARSHALL BE AUTHORIZED AND EMPOWERED TO NOTIFY THE OWNER OF ANY PRIVATE PROPERTY WITHIN THE CITY OF FORT CALHOUN, OR THE AGENT OF SUCH OWNER TO PROPERLY DISPOSE OF LITTER OR MOTOR VEHICLES WHICH DO NOT HAVE AFFIXED THERETO A VALID CURRENT NEBRASKA MOTOR VEHICLE LICENSE OR WHICH ARE IN A RUSTED, WRECKED OR JUNKED CONDITION OR WHICH ARE PARTIALLY DISMANTLED OR IN AN INOPERATIVE CONDITION ON SUCH OWNERS PROPERTY; TO PROVIDE THAT SUCH LITTER OR MOTOR VEHICLES SHALL BE REMOVED WITHIN TEN DAYS FROM THE RECEIPT OF SUCH NOTICE; TO PROVIDE THAT IN THE EVENT OF THE OWNERS FAILURE TO COMPLY WITH SAID NOTICE WITHIN TEN DAYS FROM ITS RECEIPT, THAT THE CITY MAY CAUSE SAID LITTER OR MOTOR VEHICLE TO BE REMOVED AT THE EXPENSE OF THE LAND OWNER WHEREON SAID LITTER OR MOTOR VEHICLE EXISTS AND THAT THE COST OF SAID REMOVAL SHALL BE LEVIED AND ASSESSED AGAINST SAID PROPERTY IN THE SAME MANNER AS OTHER SPECIAL TAXES FOR IMPROVEMENTS ARE LEVIED; PROVIDING FOR THE TYPE OF NOTICE TO BE GIVEN TO PROPERTY OWNERS UNDER THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. The City Marshall is hereby authorized and empowered to notify the owner of any private property within the City of Fort Calhoun or the agent of such owner to properly dispose of litter or motor vehicles which do not have affixed thereto a valid current Nebraska Motor Vehicle license or which are in a rusted, wrecked or junked condition or which are partially dismantled or in an inoperative condition located on such owner's property. Such notice shall specify that said litter or motor vehicles shall be removed within a period of ten days from the receipt of said notice. In case the owner or agent of such owner shall fail to comply with said notice within the time specified, an authorized agent of the City, may cause said litter or motor vehicles as provided in this chapter to be removed at the expense of the owner of the land whereon said litter or motor vehicles exist. The cost of such removal shall be levied, equalized and

assessed as are other special assessments. The notice provided for herein shall be deemed sufficiently served; by delivery of a copy thereof personally to the owner or agent of the owner of the property; or by leaving a copy thereof at the usual place of residence of the owner; or, if the owner of the property is a non-resident of the City of Fort Calhoun, by causing the notice to be published for three times in the official newspaper of the City of Fort Calhoun; provided, however, that when said notice is published as aforesaid, the owner shall have ten (10) days from the last day of publication within which to comply therewith.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That this ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 6 day of May, 1968.

Glenn C. Lund
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL).

ORDINANCE NO. 227

AN ORDINANCE REGULATING THE SALE OF FIREWORKS WITHIN THE CITY OF FORT CALHOUN, NEBRASKA; PROHIBITING THE SALE OF CERTAIN FIREWORKS; REGULATING THE DISCHARGE OF FIREWORKS; PROVIDING FOR AN OCCUPATION TAX FOR THE SALE OF FIREWORKS; PROVIDING RESTRICTIONS ON THE LOCATIONS FOR THE SALE OF SAID FIREWORKS; PROVIDING CERTAIN RESTRICTIONS CONCERNING THE OPERATION OF STANDS SELLING SUCH FIREWORKS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. It shall be unlawful for any person, firm or corporation within the City of Fort Calhoun to sell any fireworks at retail, possess for sale at retail, give away, use of discharge or cause to be discharged, any pyrotechnics, commonly known as fireworks, of any description whatsoever, except the following:

Sparklers, Vesuvius fountains, spray fountains, torches, color fountain cones, star and comet type color aerial shells without explosive charge for the purpose of making a noise, color wheels, toy cap pistols and toy caps, each of which does not contain more than .25 of a gram of explosive material, or any other fireworks added to the list of permissible fireworks by the State Fire Marshall by regulation.

Such fireworks shall be sold at retail only between June 25th and July 4th, including both of said dates, of each year, providing such toy cap pistol and caps may be sold, given away, used, discharged or caused to be discharged at any time, and providing further that fireworks of any description are authorized for possession of (a) exhibitions or displays approved by the State Fire Marshall of the State of Nebraska and (b) public exhibition or displays under the auspices of any governmental subdivision of the State of Nebraska. The hours for the sale of fireworks will be from 8:00 o'clock, A.M., to 10:00 o'clock, P.M., except that on July 2nd and 3rd, the hours of sale may be from 8:00 o'clock,

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A.M., to 11:00 o'clock, P.M., and on July 4th from 8:00 o'clock, A.M., to 6:00 o'clock, P.M..

SECTION 2. Before any person, firm or corporation may display, sell or offer for sale any of the fireworks described in this ordinance, it or they shall first pay to the City Clerk a license fee in the amount of \$500.00 for each retail outlet and the City Clerk shall issue a permit and this permit shall be displayed at the retail outlet, such permit shall be obtained from the City Clerk before June 15th of each year. No license shall be issued to any person, firm or corporation not a resident of the City of Fort Calhoun.

SECTION 3. No fireworks, firecrackers or other pyrotechnics shall be stored in or displayed or sold from any building, structure or stand, or otherwise, within 100 feet of any service station or other establishment selling gasoline, kerosene or other inflammable liquids or gases, nor within 10 feet of any other building of any kind, nor in or from any structure or building other than a temporary structure or stand erected and used solely for such purpose, which temporary structure or stand shall be erected only on Lots 1 to 8 inclusive, in Block 68 in the City of Fort Calhoun, which temporary structure or stand shall extend to within 10 feet and not closer than 5 feet from the nearest edge of the sidewalk running along any street in said City, and which temporary stand or structure shall not be closer than 40 feet from any other structure erected and used for such purpose.

SECTION 4. This ordinance shall not prevent transportation through said City of fireworks, firecrackers and other pyrotechnics by rail or other form of public transportation, nor the use of torpedoes, flares and other signal devices by railroads or other carriers within said City, nor pyrotechnics or fireworks

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displays for which permission shall have been granted by the Mayor and City Council and by the State Fire Marshall of Nebraska.

SECTION 5. Each operator of a stand selling fireworks shall provide a policeman who shall be on duty during operating hours, which said policeman shall be one approved by the Village Marshall and who will be deputized by said Village Marshall for the period of fireworks sales in the City. There shall be an adult present at each fireworks stand when said stand is open. No one operating any fireworks stand will carry or have any fire arms of any description on the premises.

SECTION 6. Any person, firm or corporation who shall be convicted of violating any of the terms of this ordinance shall, upon such conviction, be fined in a sum not less than \$1.00 nor more than \$100.00 for each offense, and in default of payment of such fine and costs, shall stand committed to the City Jail until such fine and costs of prosecution shall be paid or otherwise discharged according to law. The license of any person, firm or corporation violating any section of this ordinance shall be revoked.

SECTION 7. It shall be unlawful for any person to throw any firecrackers or any object that explodes upon contact with any other object (1) from or into a motor vehicle, (2) onto any street, highway or sidewalk, (3) at or near any person (4) into any building, (5) into or at any group of persons.

SECTION 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. This ordinance shall be in force and take effect from and after its passage, approval and publication as

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provided by law.

Passed and approved this 3rd day of June, 1968.

Glean C. Lund
MAYOR

ATTEST:

Laura K. Day
City Clerk

(SEAL)

ORDINANCE NO. 228

AN ORDINANCE TO BE TERMED THE "ANNUAL APPROPRIATION BILL", APPROPRIATING SUCH SUM OR SUMS OF MONEY NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1968, AND SPECIFYING THE OBJECT AND PURPOSE OF EACH APPROPRIATION AND THE AMOUNT FOR EACH OBJECT AND PURPOSE AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing on the first Tuesday in May, 1968, and out of the General Fund and out of all other money and funds available therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of City officers and employees	\$15,000.00
For miscellaneous and incidental expenditures	2,500.00
For printing and publication	1,250.00
For expense of civil and criminal suits	1,250.00
For maintenance and improvement of municipal buildings	3,125.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting Fund, and out of all other money and funds available therefor, the amounts for each object and purpose as follows:

For Street lighting purposes	\$ 5,000.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the water fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of waterworks system and for salaries of water commissioner and employees	\$200,000.00
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Any balance of said fund remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Street and Alley Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets, alleys, highways, bridges and sewers and for materials, supplies and incidentals in connection with streets, alleys, highways, bridges and sewers	\$11,750.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be and hereby is appropriated out of the moneys now on hand for purchase of Fire Department Apparatus and for operation and maintenance of the Fire Department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the fire

department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of Fire Department Apparatus \$ 2,500.00

For maintenance and operation of Fire Department 1,250.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys derived from the levy of taxes for the payment of interest on various purpose bonds of the City and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For payment of interest on various purpose bonds \$ 4,375.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Payment of Interest and Principal of Various Purpose Bonds.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of special assessments made in said Sanitary Sewer District, and out of all other funds and moneys available therefor belonging to the City, the amounts for each object and purpose as follows:

For payment of principal on Sewer Bonds \$12,500.00

For payment of interest on Sewer Bonds 2,500.00

Any balance of said funds remaining over and unexpended at the end

of the fiscal year shall remain in the Fund for Payment of Interest and Principal on Sewer Bonds.

SECTION 8. That there be and hereby is appropriated out of the money derived from the levy of taxes for Parks and Park Purposes for said fiscal year and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For Park and Park Purposes, maintenance,
improvement and operation

\$ 1,250.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Park and Park Purposes Fund.

SECTION 9. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 3rd day of June, 1968.

Glenn C. Lund
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 225

*Original
Ordinances at
Co. clerk's office
be registered*

AN ORDINANCE AMENDING ORDINANCE NO. 187 OF THE ORDINANCES OF THE CITY OF FORT CALHOUN, NEBRASKA, BY EXTENDING THE APPLICATION OF THE ZONING AND BUILDING ORDINANCES OF SAID CITY TO WITHIN ONE MILE OF THE CITY LIMITS AND BY REQUIRING BUILDING PERMITS TO BE OBTAINED FOR THE CONSTRUCTION OF THE INTERIOR AS WELL AS THE EXTERIOR OF BUILDINGS, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Ordinance No. 187 of the Ordinances of the City of Fort Calhoun, Nebraska, be and the same hereby is amended so that Section I thereof shall read as follows:
"SECTION I. The City of Fort Calhoun, Nebraska, and the area in all directions within one mile of the corporate limits thereof, as now existing or as hereafter extended, changed or altered, is hereby divided into Districts as follows:

1st Residence District

2nd Residence District

1st Commercial District

1st Industrial District

1st Agricultural District

The boundaries of the various District within said City are hereby established as shown on the official zoning map of the City of Fort Calhoun, which map with all its designations is hereby declared to be a part of this Ordinance.

Except as hereinafter provided:

- (a) No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all of the District Regulations established by this Ordinance for the District in which the building or land is located.
- (b) No lot upon which a building has been erected shall be so

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LAWYERS
FORT CALHOUN, NEBRASKA

reduced or diminished in area that the yards or open spaces shall be smaller than those prescribed by this Ordinance; nor shall the density of use be increased in any manner except in conformity with regulations hereby established for the District in which such property is located.

- (c) Every dwelling hereafter erected, or structurally altered, shall be located on a lot as herein defined and in no case shall there be more than one dwelling on one lot; and in no event shall any dwelling be constructed on a lot having a frontage of less than 66 feet."

SECTION 2. That Section IX of said Ordinance No. 187

be and the same hereby is amended to read as follows:

"SECTION IX BUILDING PERMITS.

- (a) It shall be unlawful to commence or to proceed with the erection, construction, reconstruction, conversion, alteration, enlargement or extension of the interior or exterior of any building or any part thereof when the cost of said work is over \$100.00 or to move or raze any building or structure, without first having applied to the City Clerk for a building permit to do so.
- (b) Application for a building permit shall be in writing and shall be delivered to the City Clerk, who shall refer such applications to the City Council for rejection or authorization for issuance of a permit. Such applications shall be accompanied by plans and specifications showing the size of the proposed building or structure and its location on the lot, and in all cases the proposed construction materials and details and type of construction to be used.
- (c) Blank forms shall be provided said City Clerk for the use of those applying for permits as provided for in this Ordinance. Any permits authorized by the City Council shall be issued by the City Clerk and shall be on standard forms for such purposes and furnished by the City.
- (d) A careful record of all such applications, plans and permits shall be kept in the office of the City Clerk.
- (e) The fees to be charged for building permits from and after the passage of this Ordinance shall be as follows:
- (1) For work costing over \$100.00 but not over \$1,000.00
-- \$3.00
 - (2) For all work costing over \$1,000.00 -- \$1.00 for each additional \$1,000.00 increase in value or fraction thereof.
- (f) Any building permit under which no construction work has been commenced within six months after the date of issue of said permit, or under which the proposed construction has not been completed within two years of the date of

WILLIAM A. CHAMBERLAIN
LAWYER
CITY CLERK

issue shall expire by limitation; and no work or operation shall take place under such permit after such expiration. Upon payment of ten cents per month on each \$1,000.00 of the construction cost on which the original permit was issued, but not less than \$1.00 per month in any case, a building permit may be extended for a period not exceeding six months, by the City Clerk."

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That this ordinance shall be in full force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 1 day of July, 1968.

MAYOR

ATTEST:

Laura K. Day
City Clerk

(SEAL)

ORDINANCE NO. 230

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES AND LEVYING THE SAME UPON ALL THE TAXABLE PROPERTY IN THE CITY OF FORT CALHOUN, NEBRASKA, FOR ALL PURPOSES NECESSARY TO MAINTAIN THE CITY GOVERNMENT FOR THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST TUESDAY IN MAY, 1968, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first Tuesday in May, 1968, and ending on the first day of August, 1969, the following sums, taxes and number of mills on the dollar of tax, to-wit:

PURPOSE	AMOUNT
For general revenue purposes	5.0 Mills
For street and public lighting purposes	.5 Mill 1.2
For purchase of fire department equipment	.20 Mill .5
For operation and maintenance of fire department	.40 Mill .5
For operation, maintenance and extension of water system	2.20 Mills
For street, alley and bridge purposes	3.00 Mills
For payment of interest on sewer bonds	1.50 Mills .8
For sinking fund for payment of principal on sewer bonds	2.00 Mills
For interest on various purpose bonds	2.00 Mills 1.8
For sinking fund for payment of principal on various purpose bonds	2.00 Mills
For parks and park purposes	.70 Mill

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1968.

SECTION 2. That this ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 1 day of July, 1968.

MAYOR

ATTEST:

Laura K. Day
City Clerk

(SEAL)

ORDINANCE NO. 232

AN ORDINANCE PROVIDING FOR MINIMUM STANDARDS FOR SEWER LINE INSTALLATIONS WITHIN THE CITY; PROVIDING FOR INSTALLATION OF MANHOLES AND CLEAN OUTS IN SAID LINE; PROVIDING FOR THE FURNISHING OF A BOND PRIOR TO THE INSTALLATION OF SAID SEWER; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That all sewer lines hereinafter installed in and under the streets of said City shall be at least 8 inch in size.

SECTION 2. That every sewer line hereinafter constructed in or under the streets of said City shall contain a manhole at each "T" therein and shall have a clean out at the terminus of said line.

SECTION 3. That any person, firm or corporation before constructing a sewer line in or under the streets of said City shall furnish a bond with two or more personal sureties or a bond from a duly licensed surety company, such surety to be approved by the City Clerk of said City in such sum as shall be deemed proper by the Mayor and City Council of the said City, which bond shall be conditioned that such sewer installation shall be made in conformity with all applicable ordinances of said City and the laws of the State of Nebraska and will also be conditioned to save the City harmless for any liability from injury, harm or damage arising out of said installation and for the costs of any repairs found necessary for the damage to any street in said City as a consequence of said installation and further conditioned for a period of one year for the proper construction of said sewer.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That this ordinance shall be in full force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 7th day of October, 1968.

Glenn C. Lund
MAYOR

ATTEST:

City Clerk

(SEAL)

ORDINANCE NO. 233

AN ORDINANCE PROVIDING FOR MINIMUM STANDARDS FOR WATER LINE INSTALLATIONS WITHIN THE CITY; PROVIDING FOR THE FURNISHING OF A BOND PRIOR TO THE INSTALLATION OF SAID WATER LINE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That all water lines hereinafter installed in and under the streets of said City shall be at least 4 inch in size.

SECTION 2. That any person, firm or corporation before constructing a water line in or under the streets of said City shall furnish a bond with two or more personal sureties or a bond from a duly licensed surety company, such surety to be approved by the City Clerk of said City in such sum as shall be deemed proper by the Mayor and City Council of the said City, which bond shall be conditioned that such water installation shall be made in conformity with all applicable ordinances of said City and the laws of the State of Nebraska and will also be conditioned to save the City harmless for any liability from injury, harm or damage arising out of said installation and for the costs of any repairs found necessary for the damage to any street in said City as a consequence of said installation and further conditioned for a period of one year for the proper construction of said water lines.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That this ordinance shall be in full force and take effect from and after its passage, approval and publication

as provided by law.

Passed and approved this 7th day of October, 1968.

Glenn C. Lund
MAYOR

ATTEST:

City Clerk

(SEAL)

ORDINANCE NO. 234

AN ORDINANCE TO PROVIDE FOR THE CONTROL OF THE DUTCH ELM DISEASE; TO DECLARE TREES INFECTED THEREWITH A NUISANCE; TO PROVIDE FOR THE REMOVAL AND DESTRUCTION OF ANY DISEASED TREES; TO PROVIDE FOR ASSESSING THE COST OF SUCH REMOVAL AND DESTRUCTION AGAINST PRIVATE PROPERTY WHEREON SITUATED; TO PROVIDE FOR THE INSPECTION OF TREES ON PRIVATE PROPERTY TO DETERMINE THE EXISTENCE OF SAID DISEASE; TO PROVIDE FOR PENALTIES FOR THE VIOLATION HEREOF:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. DEFINITIONS:

- (a) City Forester. As used herein the term shall include the City Forester as duly appointed by the Mayor and confirmed by the City Council, or any other person authorized by the City Forester.
- (b) Person. The term as used herein includes any individual, firm, corporation, association or partnership.

SECTION 2. DUTCH ELM DISEASE - NUISANCE.

- (a) Trees of all species and varieties of Elm, Zelkova and Planera infected with the fungus *Ceratostomella Ulmi*, as determined by laboratory analysis, are hereby declared to be a public nuisance, and shall be removed and burned.
- (b) Trees or parts thereof, of Elm, Zelkova and Planera in a dead or dying condition that may serve as breeding places for the European Elm Bark Beetle, *Scolytus*, *Multistriatus*, are hereby declared to be a public nuisance, and shall be removed and burned.

SECTION 3. ENFORCEMENT OFFICIAL - RIGHTS AND DUTIES.

The City Forester is charged with enforcement of this ordinance, and to that end may enter upon private property at all reasonable hours for purposes of inspecting trees thereon, and may remove such specimens as are required for purposes of analysis to

determine whether or not the same are infected. It shall be unlawful for any person to prevent the City Forester from entering on private property for purposes of carrying out his duties hereunder, or to interfere with such City Forester in the lawful performance of his duties under the provisions of this ordinance.

SECTION 4. NOTICE FOR REMOVAL AND BURNING OF DISEASED TREES OR PARTS THEREOF ON PRIVATE PROPERTY.

If trees on private property are found to be infected or in a dead or dying condition, the City Forester shall give to the owner of the premises where the same are situated, written notice of the existence of such disease or of the dead or dying condition of such trees or parts thereof, and require the removal and burning of the same under the direction and supervision of the City Forester. Such notice shall also notify the owner of the said premises that if such tree is not removed and burned after thirty (30) days notice by publication or personal service, the City will proceed with the removal and burning of the same, and assess the cost thereof against the property in accordance with the provisions of this ordinance.

SECTION 5. SERVICE OF NOTICE.

Service of such notice shall be by personal service where the owner of said premises is a resident of the City of Fort Calhoun, and when the owner is a non-resident of the City of Fort Calhoun, said notice shall be served by registered mail, addressed to said owner at his last known address as shown on the records in the office of the County Assessor of Washington County and by publication at least one time in a newspaper of general circulation in the City of Fort Calhoun.

SECTION 6. TREES ON PRIVATE LANDS.

After due notice has been served upon the owners of the

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said premises, it shall thereupon become his duty to cause such tree or parts thereof to be removed and burned under the direction and supervision of the City Forester. In lieu thereof, the person charged with such removal and burning may enter into an agreement with the City that such work be accomplished by the City at his expense and the expense and any interest shall be and are hereby declared to be a lien upon such property whereon such tree was situated, from the time the same becomes due until paid. The agreement shall be in such form as the City Attorney may prescribe, to be filed in the office of the County Clerk of Washington County, Nebraska. If the owner fails, neglects or refuses to remove or burn such tree or parts thereof, the City Forester may, thirty days after notice is served, enter upon such private property and proceed with the removal and burning of the same, and the cost thereof shall be assessed against the real estate in the manner hereinafter provided. The City Forester, shall not later than the fifteenth day of September, of each year, report such costs to the City Council, whereupon the City Council shall at a regular meeting of the City Council, by resolution, assess such cost, together with any assessment expenses, against such real estate; provided, that notice of the time of such meeting of the City Council shall be given in the manner provided by law. When such assessment has been made, it shall be certified by the City Clerk and delivered to the County Treasurer and shall be collected in the manner provided by law for the collection of general real estate taxes. Such assessment shall be a lien upon such real estate from the date of such assessment and shall become delinquent in the same manner as general real estate taxes under the Statutes of the State of Nebraska, relating thereto, and shall draw interest after delinquency at the rate of 7% per annum from said date until paid. It shall be the duty of the County Treasurer to collect said

tax in the same manner and at the same time as general taxes, and the items of said tax shall be receipted for on the same receipt blanks as general real estate taxes.

SECTION 7. TREES ON PUBLIC LANDS.

Infected trees, or trees or parts thereof in a dead or dying condition on public lands, shall be removed and burned by the City Forester within thirty days of his discovery that such condition exists, and the cost thereof shall be borne by the City without being assessed to the abutting property owner.

SECTION 8. PENALTY FOR VIOLATION.

Any person, partnership or corporation, their agents or servants who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding One Hundred Dollars (\$100.00), and, in default of payment thereof, shall be adjudged to stand committed to the City Jail until such fine and costs be paid, secured or otherwise discharged according to law. Imposition of any penalty for a violation of this ordinance shall not be construed as a waiver of the right of the City to collect the costs or removal of such tree in accordance with the provisions of this ordinance where it is necessary for the City to remove such tree in accordance with the provisions of this ordinance.

SECTION 9. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions hereof.

SECTION 10. All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict herewith, or with any of the provisions hereof, are hereby repealed.

SECTION 11. This ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of December, 1968.

Glenn C. Lund
MAYOR

ATTEST:

Laura K. Day
City Clerk

(SEAL)

ORDINANCE NO. 235

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 161 OF THE MUNICIPAL CODE OF THE CITY OF FORT CALHOUN, NEBRASKA, BY CHANGING THE SPEED LIMIT ON CERTAIN STREETS WITHIN THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 3 of Ordinance No. 161 of the Municipal Code of the City of Fort Calhoun, Nebraska, be and the same hereby is amended to read as follows:

"SECTION 3. SPEED, WITHIN CORPORATE LIMITS OF CITY; EXCEPTIONS- No person shall drive a vehicle on any street within this City at a rate of speed greater than is reasonable and proper, having regard for the traffic, use and condition of the streets, or at such speed as to endanger the life, limb or property of any person and under no circumstances in excess of ^{Twenty-five (25)} ~~thirty (30)~~ miles per hour except on Fourteenth Street in said City. On Fourteenth Street, the speed limit from the South City Limits North to Madison Street shall be Thirty-five (35) miles per hour; and on Fourteenth Street North from Madison Street to Stevenson Street shall be Twenty-five (25) miles per hour; and on said Fourteenth Street from Stevenson Street North to the North City Limits shall be thirty-five (35) miles per hour. Every driver of a vehicle on the streets of said City shall at all times have such vehicle under complete control. The speed limits provided for by this Section shall not apply to physicians, surgeons, police or fire vehicles or ambulances when answering emergency calls. The speed limits on Fourteenth Street shall be indicated by appropriate posted signs."

SECTION 2. That all ordinances or parts of ordinances in

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conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in force from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of December, 1968.

Glenn C. Lund
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 236

AN ORDINANCE PROHIBITING THE PLANTING OF TREES OR SHRUBS ON CITY PROPERTY; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That it shall be unlawful for any person to plant any tree or shrub on City right-of-way abutting on any city street or alley within the City.

SECTION 2. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$100.00.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 2 day of December, 1968.

Glen C. Lund
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 237

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 83 OF THE CITY OF FORT CALHOUN, NEBRASKA, PROVIDING FOR METER DEPOSITS BY WATER USERS AND FOR ADVANCE DEPOSITS BY TENANT USERS OF WATER AND FOR WATER SERVICE CONNECTION CHARGES, REPEALING SAID SECTION 2 OF ORDINANCE NO. 83 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 2 of Ordinance No. 83 of the City be and hereby is amended to provide as follows:

"Section 2. Hereafter every person, firm, association or corporation desiring to use water from the municipal waterworks for real estate owned by the applicant shall first make application therefor to the City Clerk and accompany such application with a meter deposit of \$50.00, and if such deposit be inadequate to pay the cost of the meter for such service, then shall accompany such application with a deposit adequate to pay the cost of such meter as determined by the Water Commissioner, and if applicant be a tenant user of water, such applicant shall deposit \$7.50 if the water is to be used only for residential purposes and not less than \$10.00, as determined by the Water Commissioner, if the water is for commercial or industrial use. Upon termination of water use by the applicant, any of the above designated deposits made by such user shall be refunded, less any amount due for water used by the depositor or the depositor's tenant. An initial connection charge of \$1.00 shall also be paid by the water user to the City Clerk."

SECTION 2. That Section 2 of Ordinance No. 83 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 6th day of January, 1969.

Glenn C. Lund
MAYOR

ATTEST:

James H. Day
City Clerk

(SEAL)

ORDINANCE NO. 238

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 227 OF THE CITY OF FORT CALHOUN, BY CHANGING THE PROPERTY WITHIN FORT CALHOUN ON WHICH FIREWORKS MAY BE SOLD UNDER THE TERMS OF SAID ORDINANCE: REPEALING SAID SECTION 3 OF ORDINANCE NO. 227 AND ALL OTHER ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 3 of Ordinance No. 227 of the City of Fort Calhoun be, and hereby is amended to provide as follows:

"SECTION 3. No fireworks, firecrackers or other pyrotechnics shall be stored in or displayed or sold from any building, structure or stand, or otherwise, within 100 feet of any service station or other establishment selling gasoline, kerosene or other inflammable liquids or gases, nor within 10 feet of any other building of any kind, nor in or from any structure or building other than a temporary structure or stand erected and used solely for such purpose, which temporary structure or stand shall be erected only on Lots Three (3) and Four (4) in Block One Hundred Twenty-one (121) and Lots Five (5) and Six (6) in Block One Hundred Eight (108) in the City of Fort Calhoun, which temporary structure or stand shall extend to within 10 feet and not closer than 5 feet from the nearest edge of the sidewalk running along any street in said City, and which temporary stand or structure shall not be closer than 40 feet from any other structure erected and used for such purposes."

SECTION 2. That Section 3 of Ordinance No. 227 and all other ordinances and parts of ordinances in conflice herewith are hereby repealed.

SECTION 3. This ordinance shall be in force and take

effect from and after its passage, approval and publication as provided by law.

Passed and approved this 2nd day of June, 1969.

Paul H. K. Meyer
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

C 4

ORDINANCE NO. 239

AN ORDINANCE PROHIBITING "U" TURNS ON FOURTEENTH STREET OF SAID CITY FROM THE NORTH CITY LIMITS TO THE SOUTH CITY LIMITS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. It shall be unlawful for any operator or a motor vehicle to turn any vehicle on Fourteenth Street in said City between the North City Limits and the South City Limits so as to proceed in the opposite direction and make a "U" or 180° turn along said street.

SECTION 2. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not in excess of \$100.00.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 2nd day of June, 1969.


MAYOR

ATTEST:


City Clerk

(SEAL)

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

ORDINANCE NO. 240

AN ORDINANCE VACATING ELEVENTH STREET OF SAID CITY BETWEEN MADISON AND COURT STREETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Eleventh Street in said City between Madison and Court Streets be, and the same hereby is vacated.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 7th day of July, 1969.

Paul J. Kung
MAYOR

ATTEST:

Laura K. Dey
City Clerk



State of Nebraska }
County of Washington } SS
Entered in Numerical Index and filed for record
this 2 day of July
A. D., 19 70 at 8:30 o'clock PM
and recorded in book 71 at page 358-359
Lucille L. Kulom
County Clerk
Blair Deputy

Recorded ✓
General ✓
Numerical ✓
Photostat ✓

OFFICES OF
O'HANLON & O'HANLON
LAWYERS
BLAIR, NEBRASKA

CITY of FORT CALHOUN

Fort Calhoun, Nebraska

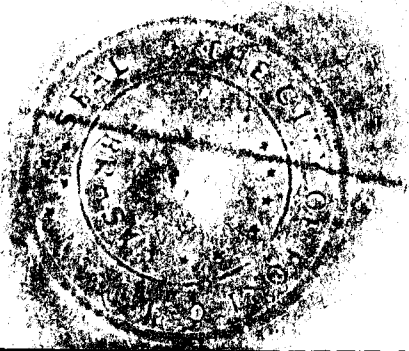
STATE OF NEBRASKA)

WASHINGTON COUNTY) :ss:

CERTIFICATE

I, William Meyer, the duly elected, qualified and acting City Clerk of the City of Fort Calhoun, Nebraska, certify that the foregoing Ordinance number 240 is a true and correct copy of said Ordinance as passed by the Mayor and City Council of the City of Fort Calhoun at a meeting held on 7th day of July, 1969.

William Meyer
City Clerk



ORDINANCE NO. 241

AN ORDINANCE TO BE TERMED THE "ANNUAL APPROPRIATION BILL", APPROPRIATING SUCH SUM OR SUMS OF MONEY NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON AUGUST 1, 1969, AND SPECIFYING THE OBJECT AND PURPOSE OF EACH APPROPRIATION AND THE AMOUNT FOR EACH OBJECT AND PURPOSE AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is appropriated out of the money derived from the taxes levied for general revenue purposes and from the funds collected from occupation taxes for the present fiscal year commencing August 1, 1969, and out of the General Fund and out of all other money and funds available therefor belonging to said City, the amounts for each object and purpose as follows:

For salaries of City officers and employees	\$15,000.00
For miscellaneous and incidental expenditures	2,500.00
For printing and publication	1,250.00
For expense of civil and criminal suits	1,250.00
For maintenance and improvement of municipal buildings	3,125.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 2. That there be and hereby is appropriated out of the money derived from the levy of taxes for street and public lighting purposes for said fiscal year and out of the Street and Public Lighting Fund, and out of all other money and funds available therefor, the amounts for each object and purpose as follows:

For Street lighting purposes	\$ 5,000.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Street and Public Lighting Fund.

SECTION 3. That there be and hereby is appropriated out of the money derived from the levy of taxes for operation, maintenance and extension of water system for said fiscal year and out of the revenue derived from the waterworks system, and out of the water fund and all other money and funds available therefor, the amounts for each object and purpose as follows:

For improvement, extension, operation and maintenance of waterworks system and for salaries of water Commissioner and employees	\$400,000.00
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Any balance of said fund remaining over and unexpended at the end of the fiscal year shall be transferred to the Water Fund.

SECTION 4. That there be and hereby is appropriated out of the General Fund of the City and out of the Street and Alley Fund and out of revenues derived from gasoline taxes and the levy of taxes for street, alley, bridge and sewer purposes, and out of all other funds and money available therefor, the amounts for each object and purpose as follows:

For salaries and wages for labor on streets, alleys, highways, bridges and sewers and for materials, supplies and incidentals in connection with streets, alleys, highways, bridges and sewers	\$23,000.00
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Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the General Fund.

SECTION 5. That there be and hereby is appropriated out of the moneys now on hand for purchase of Fire Department apparatus and for operation and maintenance of the Fire Department and out of the moneys derived from the levy of taxes for the purchase of fire department equipment and maintenance and operation of the Fire

Department, and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

For purchase of Fire Department Apparatus \$ 2,500.00

For maintenance and operation of Fire Department 1,250.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Purchase of Fire Apparatus and Operation and Maintenance of the Fire Department.

SECTION 6. That there be and hereby is appropriated from the moneys derived from the levy of taxes for the payment of interest on various purpose bonds of the City and out of all other funds and moneys available therefor, the amount for each object and purpose as follows:

For payment of interest on various purpose bonds \$ 4,375.00

Any balance of said funds remaining over and unexpended at the end of the fiscal year shall be transferred to the Fund for Payment of Interest and Principal of Various Purpose Bonds.

SECTION 7. That there be and hereby is appropriated from the taxes levied for the payment of interest and principal on the sewer bonds of the City issued in connection with Sanitary Sewer District No. 1 of the City and out of all revenues received by the City from the operation of its sanitary sewer system, including income from permits and fees, and out of the collections of special assessments made in said Sanitary Sewer District, and out of all other funds and moneys available therefor belonging to the City, the amounts for each object and purpose as follows:

For payment of principal on Sewer Bonds \$12,500.00

For payment of interest on Sewer Bonds 2,500.00

Any balance of said funds remaining over and unexpended at the end

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LAWYERS
BLAIR, NEBRASKA

of the fiscal year shall remain in the Fund for Payment of Interest and Principal on Sewer Bonds.

SECTION 8. That there be and hereby is appropriated out of the money dervied from the levy of taxes for Parks and Park Purposes for said fiscal year and out of all other funds and moneys available therefor, the amounts for each object and purpose as follows:

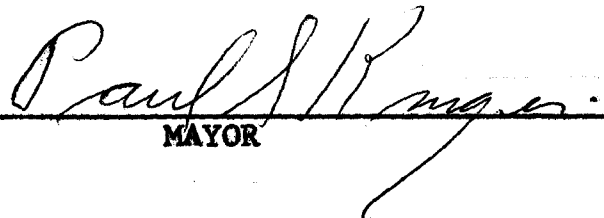
For Park and Park Purposes, maintenance,
improvement and operation

\$ 1,250.00


Any balance of said funds remaining over and unexpended at the end of the fiscal year shall remain in the Park and Park Purposes Fund.

SECTION 9. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

Passed and approved this 7th day of July, 1969.


MAYOR

ATTEST:


City Clerk

(SEAL)

ORDINANCE NO. 242

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES AND LEVYING THE SAME UPON ALL THE TAXABLE PROPERTY IN THE CITY OF FORT CALHOUN, NEBRASKA, FOR ALL PURPOSES NECESSARY TO MAINTAIN THE CITY GOVERNMENT FOR THE CITY OF FORT CALHOUN, NEBRASKA, FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF AUGUST, 1969, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That there be and hereby is levied and assessed upon the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, for the fiscal year commencing on the first day of August, 1969, and ending on the first day of August, 1970, the following sums, taxes and number of mills on the dollar of tax, to-wit:

PURPOSE	AMOUNT
For general revenue purposes	5.00 Mills
For street and public lighting purposes	1.20 Mills
For purchase of fire department equipment	.40 Mill
For operation and maintenance of fire department	.60 Mill
For operation, maintenance and extension of water system	2.20 Mills
For street, alley and bridge purposes	3.00 Mills
For payment of interest on sewer bonds	.80 Mill
For sinking fund for payment of principal on sewer bonds	2.00 Mills
For interest on various purpose bonds	1.80 Mills
For sending fund for payment of principal on various purpose bonds	2.00 Mills
For parks and park purposes	.70 Mill

that the same be levied and assessed against all the taxable property within the corporate limits of the City of Fort Calhoun, Nebraska, and collected as other taxes as shown by the assessment rolls for the year 1969.

SECTION 2. That this ordinance shall take effect and be in force from and after its passage, approval and publication as

provided by law.

Passed and approved by the Mayor and City Council of the
City of Fort Calhoun, Nebraska, this 4 day of August, 1969.

Paul S. Hungen
MAYOR

ATTEST:

Laura K. Dey
City Clerk

(SEAL)

ORDINANCE NO. 242

AN ORDINANCE VACATING THE ALLEY IN BLOCK 68 IN THE CITY OF FORT CALHOUN, NEBRASKA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That the alley in Block 68 in said City be, and the same hereby is, vacated.


SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 4th day of August, 1969.


MAYOR

ATTEST:


City Clerk

(SEAL)

303

CITY of FORT CALHOUN

Fort Calhoun, Nebraska

"STATE OF NEBRASKA)
WASHINGTON COUNTY)

:ss:

C E R T I F I C A T E

Laura K. Dey, hereby

certifies that she is the duly appointed, qualified and acting
City Clerk of the City of Fort Calhoun, Nebraska, and that the
above and foregoing Ordinance 243 is a true and correct
copy of said Ordinance as passed by the Mayor and City Council
of the City of Fort Calhoun at a meeting held on Aug. 4,
19 69.

Laura K. Dey
City Clerk"



Recorded ✓
General ✓
Numerical ✓
Photostat ✓

State of Nebraska } SS 1169
County of Washington }
Entered in Numerical Index and filed for record
this 23 day of October
A. D., 1969 at 9:40 o'clock P. M.
and recorded in book 71 at page 303-304

Lucille L. Coulson
County Clerk

Deputy

ORDINANCE NO. 244

AN ORDINANCE PROHIBITING MOTOR VEHICLE PARKING ON THE WEST SIDE OF ELEVENTH STREET FROM MONROE STREET TO ADAMS STREET IN SAID CITY DURING THE HOURS FROM 7:00 O'CLOCK, A.M., TO 5:00 O'CLOCK, P.M., ON DAYS WHEN THE FORT CALHOUN SCHOOL IS IN SESSION; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. It shall be unlawful for any person to park a motor vehicle on the west side of Eleventh Street from Monroe Street to Adams Street in said City during the hours from 7:00 o'clock, A.M., to 5:00 o'clock, P.M., on days when the Fort Calhoun school is in session.

SECTION 2. Any person who shall violate any provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding \$100.00.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and publication, as provided by law.

Passed and approved this 5 day of October, 1970.

ATTEST:

Kenneth D. Copeland
Mayor

William Meyer
City Clerk

(SEAL)

ORDINANCE NO. 245

AN ORDINANCE AMENDING PREVIOUS ORDINANCES OF THE CITY TO ALLOW ASBESTOS-CEMENT BUILDING SEWER PIPE IN ONE AND TWO UNIT RESIDENTIAL DWELLINGS; PROVIDING MINIMUM SPECIFICATIONS FOR SAID SEWER PIPE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That asbestos-cement building sewer pipe shall be allowed to be used to service one and two unit residential dwellings in said city but not for other sewer extensions.

SECTION 2. The minimum specification for such asbestos sewer pipe shall be that asbestos-cement building sewer pipe and couplings shall be composed of an intimate mixture of portland cement, asbestos fiber and silica and to be manufactured in accordance with ASTM C428-63T and US specifications SS-P-1331B. All asbestos-cement pipe and fittings shall be "autoclave cured". Asbestos-cement pipe shall have a minimum crushing strength of 1500 lb. per lineal foot (as tested in accordance with the ASTM three edge bearing test method) and meet all other requirements for flexural strength, dimension and joining methods. Sealing shall be by means of rubber rings or gaskets. The joints shall be of such design that they will provide a continuous water-tight conduit when the ends are drawn together and will permit expansion, contraction, settlement and lateral displacement. Length not to exceed 10 (10') feet.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 5 day of October, 1970.

Kenneth D. Copeland
MAYOR

ATTEST:

William Meeker
CITY CLERK

(SEAL)

ORDINANCE NO. 246

AN ORDINANCE ALLOWING THE SALE OF ALCOHOLIC LIQUORS OF ALL KINDS, FOR CONSUMPTION ON THE PREMISES ONLY, WITHIN THE CITY OF FORT CALHOUN, NEBRASKA, BETWEEN THE HOURS OF 6:00 O'CLOCK, P.M., ON SUNDAY AND MIDNIGHT SUNDAY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That the sale of alcoholic liquors of all kinds shall be permitted for consumption on the premises only, between the hours of 6:00 o'clock, P.M., on Sunday and Midnight Sunday within the City of Fort Calhoun.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith be and they hereby are repealed.

SECTION 3. That this ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved this 5th day of October, 1970.

Kenneth D. Copeland
Mayor

ATTEST:

William Meyer
City Clerk

(SEAL)

ORDINANCE NO. 247

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE CITY OF FORT CALHOUN TO INCLUDE LAND CONTIGUOUS TO SAID CITY WHICH THE OWNERS THEREOF HAVE PETITIONED SAID CITY TO ANNEX, SAID LAND BEING DESCRIBED AS TAX LOTS SIXTY-SIX (66) AND SIXTY-EIGHT (68) IN SECTION ELEVEN (11), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12), EAST OF THE SIXTH PRINCIPAL MERIDIAN IN WASHINGTON COUNTY, AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. A petition having been presented to the City of Fort Calhoun signed by all owners of the property herein described, the Mayor and City Council of the City of Fort Calhoun, Nebraska, hereby extends the City Limits of said City to include land contiguous to said City described as Tax Lots Sixty-six (66) and Sixty-eight (68) in Section Eleven (11), Township Seventeen (17) North, Range Twelve (12), East of the Sixth Principal Meridian in Washington County, Nebraska.

SECTION 2. This ordinance shall take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 7th day of December, 1970.

Kenneth D. Copeland
MAYOR

ATTEST:

William Mayer
City Clerk

(SEAL)



Recorded _____
General _____
Numerical _____
Filed _____

1981 MAR 19 PM 4:54
CHARLOTTE L. PETERSEN
WASHINGTON COUNTY CLERK
BLAIR, NEBR.

FILED

OFFICES OF
O'HANLON & MARTIN
LAWYERS
BLAIR, NEBRASKA

431
COUNTY OF WASHINGTON
INDEXED AND FILED FOR RECORD
THIS 17th DAY OF March A.D. 1971
AT 4:54 O'CLOCK P.M. AND RECORDED IN BOOK
151 AT PAGE 401
COUNTY CLERK Charlotte L. Petersen
DEPUTY Deputy Warren

ANNEXATION PLAT

TAX LOT 66 (Part of Tax Lots 64 & 65) 1970

From the N $\frac{1}{4}$ corner of Section 11, T17N, R12E, and assuming the North-South $\frac{1}{4}$ line of said Section 11 to bear due North and South; thence South along said North-South $\frac{1}{4}$ line a distance of 413.40 feet; thence N 89°08'23" E a distance of 498.0 feet; thence South a distance of 312.60 feet to the point of beginning; thence continuing South a distance of 374.0 feet; thence N 89°49' E a distance of 393.03 feet; thence North a distance of 376.64 feet; thence S 89°08'23" W a distance of 393.0 feet to the point of beginning, lying in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 17 North, Range 12 East of the 6th P.M., Washington County, Nebraska and containing 3.40 acres, more or less.

TAX LOT 68 (Part of Tax Lots 7 & 50) 1970

From the N $\frac{1}{4}$ corner of Section 11, T17N, R12E, and assuming the North-South $\frac{1}{4}$ line of said Section 11 to bear due North and South; thence South along said North-South $\frac{1}{4}$ line a distance of 413.40 feet; thence N 89°08'23" E a distance of 498.0 feet to the point of beginning; thence continuing N 89°08'23" E a distance of 699.58 feet to a point on the West R.O.W. of U.S. Highway No. 73; thence Southerly along said R.O.W. a distance of 312.69 feet; thence S 89°08'23" W a distance of 693.43 feet; thence North a distance of 312.60 feet to the point of beginning, lying in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 17 North, Range 12 East of the 6th P.M., Washington County, Nebraska and containing 5.0 acres, more or less.

I, the undersigned Registered Land Surveyor, do hereby certify that I have accurately surveyed the tracts of land to be annexed as shown and described hereon.



Stewart A. Smith

Stewart A. Smith
Registered Land Surveyor
Registration No. LS-20

Date of Certification: 12/4/70

N 1/4 COR.
SEC. 11-17-12

413.40'

498.0'

N 89°08'23"E

699.58'

312.60'

T.L. 68
5.0 AC.

312.69'

ST. ROW

n

ORDINANCE NO. 248

AN ORDINANCE VACATING PADDOCK STREET FROM THE WEST RIGHT OF WAY OF U. S. HIGHWAY NO. 73 WEST TO THE WEST RIGHT OF WAY OF FIFTEENTH STREET, AND FIFTEENTH STREET FROM THE SOUTH RIGHT OF WAY OF PADDOCK STREET SOUTH TO THE NORTH RIGHT OF WAY OF LINCOLN STREET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Paddock Street from the West right of way of U. S. Highway No. 73 West to the West right of way of Fifteenth Street and Fifteenth Street from the South right of way of Paddock Street South to the North right of way of Lincoln Street be, and the same hereby are vacated.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage, approval and publication as provided by law.

Passed and approved this 7th day of December, 1970.

Recorded _____
General _____
Numerical _____
Photostat _____

Kenneth D. Copeland
MAYOR

ATTEST:

William Meyer
City Clerk

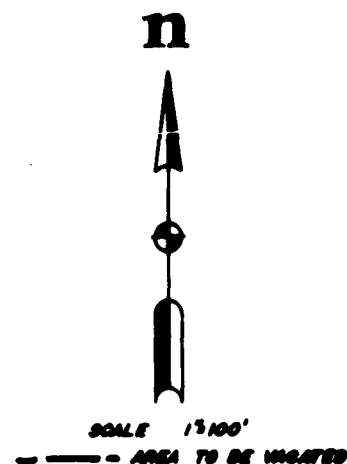
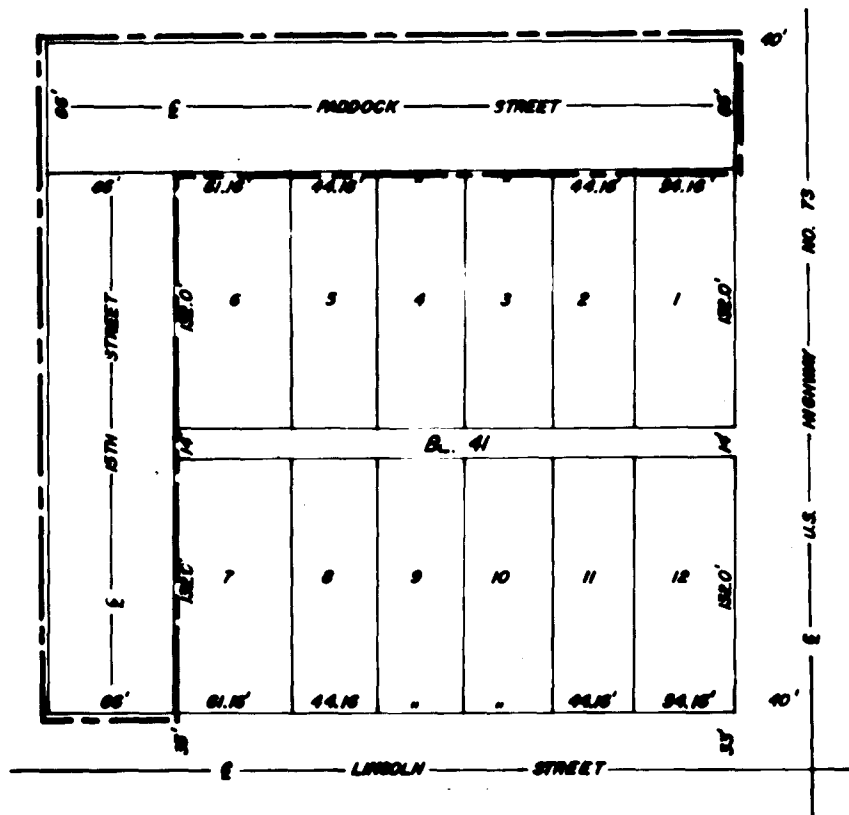
STATE OF NEBRASKA, COUNTY OF WASHINGTON
ORDERED AND RECORDED AND FILED FOR RECORD
THIS 19th DAY OF DECEMBER 1970
AT FORT CALHOUN, NEBRASKA
COUNTY CLERK
DEPUTY CLERK

CHARLOTTE L. PETERSEN
COUNTY CLERK

1970 DEC 19 PM 4:54

FILED

OFFICES OF
O'HANLON & MARTIN
LAWYERS
BLAIR, NEBRASKA



DESCRIPTION OF STREETS TO BE VACATED:

Paddock Street from the West R.O.W. of U.S. Highway #73, West to the West R.O.W. of 15th Street.

15th Street from the South R.O.W. of Paddock Street South to the North R.O.W. of Lincoln Street all in the City of Fort Calhoun, Washington County, Nebraska.

I, the undersigned Registered Land Surveyor, do hereby certify that I have accurately surveyed the boundaries of the streets to be vacated as shown and described hereon.



Stewart A. Smith
 Stewart A. Smith
 Registered Land Surveyor
 Registration No. LS-20
 Date of Certification: 12/4/70

ORDINANCE NO. 249

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 227 OF THE CITY OF FORT CALHOUN, BY REQUIRING LIABILITY INSURANCE COVERAGE; REPEALING SECTION 2 OF SAID ORDINANCE NO. 227 AND ALL OTHER ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

SECTION 1. That Section 2 of Ordinance No. 227 of the City of Fort Calhoun be, and hereby is amended to provide as follows: Before any person, firm or corporation may display, sell or offer for sale any of the fireworks described in this ordinance, it or they shall first pay to the City Clerk a license fee in the amount of \$500.00 for each retail outlet and the City Clerk shall issue a permit and this permit shall be displayed at the retail outlet, such permit shall be obtained from the City Clerk before June 15th of each year. No license shall be issued to any person, firm or corporation not a resident of the City of Fort Calhoun. Before said permit is granted, said applicant must present to the City Clerk a certificate or policy of insurance stating that said applicant carries liability insurance in an amount of at least \$500,000.00 for any liability incurred through the operation of said fireworks sales and providing additional coverage to the City of Fort Calhoun and its duly elected and appointed officers because of the operation of said fireworks outlet.

SECTION 2. That Section 2 of Ordinance No. 227 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage, approval and publication as

provided by law.

Passed and approved this 10th day of May, 1971.

Kenneth D. Copeland
MAYOR

ATTEST:

William Meyer
City Clerk

(SEAL)

ORDINANCE NO. 250

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN THE CITY OF FORT CALHOUN, WASHINGTON COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FORT CALHOUN, NEBRASKA:

ARTICLE I

Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 101. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Section 102. "Inspector" shall mean any person duly authorized by the Mayor and City Council of said City to inspect and approve installation of building sewers and their connection to the public sewer system.

Section 103. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

Section 104. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 105. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Section 106. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Section 107. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but

excludes sewage and polluted industrial wastes.

Section 108. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 109. "Industrial Wastes" shall mean the wastes from industrial processes as distinct from sanitary sewage.

Section 110. "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Section 111. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than $\frac{1}{2}$ inch in any dimension.

Section 112. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.

Section 113. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 114. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 115. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids; and which are removable by laboratory filtering.

Section 116. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Section 117. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 118. "Person" shall mean any individual, firm, company, association, society, corporation or group.

Section 119. "Shall" is mandatory; "May" is permissive.

ARTICLE II

Use of Public Sewers Required

Section 201. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the City of Fort Calhoun, or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.

Section 202. It shall be unlawful to discharge to any natural outlet within the City of Fort Calhoun, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 203. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

Section 204. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the City is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so.

ARTICLE III

Building Sewers and Connections

Section 301. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City Clerk.

Section 302. There shall be two (2) classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application which shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City Clerk. A permit and inspection fee of Fifty Dollars (\$50.00) for a residential or commercial building sewer permit and Fifty Dollars (\$50.00) for an industrial building sewer permit shall be paid to the City Clerk at the time the application is filed.

Section 303. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 304. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Section 305. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Inspector to meet all requirements of this ordinance.

Section 306. The building sewer shall be cast iron soil pipe, vitrified clay sewer pipe, or other suitable material approved by the Inspector. Joints shall be tight and waterproof. Any part of the building sewer that is located within ten (10) feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipe with leaded joints may be required by the Inspector where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Inspector.

Section 307. The size and slope of the building sewer shall be subject to the approval of the Inspector, but in no event shall the diameter be less than four (4) inches for a one family residence and six (6) inches for a commercial building. The slope of such four (4) or six (6) inch pipe shall be not less than one-eighth ($1/8$) inch per foot.

Section 308. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipe and fittings.

Section 309. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

Section 310. All excavations required for the installation

of a building sewer shall be open trench work unless otherwise approved by the Inspector.

Section 311. All joints and connections shall be made gas-tight and watertight.

Section 312. The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is eight (8) inches in diameter or more, and no properly located "Y" branch is available, the owner shall at his expense install a 45° tapping saddle banded to the public sewer at a location specified by the Inspector, with entry in the downstream direction, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Inspector.

Section 313. The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector or his representative.

Section 314. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. Compaction is to be returned to not less than 95 per cent of the original compaction.

ARTICLE IV

Use of the Public Sewers

Section 401. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer, except as stated in Sections 402 through 407.

Section 402. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Inspector. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Inspector, to a storm sewer, combined sewer or natural outlet.

Section 403. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150°F.
- (b) Any water or waste which contain more than 100 parts per million, by weight, of fat, oil or grease.
- (c) Any gasoline, benzene, naptha, cleaning solvent, fuel oil, or other flammable or explosive liquid, solid or gas.
- (d) Any garbage that has not been properly shredded.
- (e) Any concentrated or high strength industrial wastes such as whole blood, whole milk, whey, eggs or any milk processing waste or other wastes which contain large amounts or organic materials.
- (f) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

- (g) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (h) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (i) Any waters containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment system.
- (j) Any noxious or malodorous gas or substance capable of creating a public nuisance.

Section 404. Grease, oil and sand interceptors shall be provided when, in the opinion of the Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Inspector, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

Section 405. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in con-

tinuously efficient operation at all times.

Section 406. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

Section 407. When required by the Inspector, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Inspector. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

ARTICLE V

Protection from Damage

Section 501. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest.

ARTICLE VI

Powers and Authority of Inspectors

Section 601. The Inspector and other duly authorized employees of the City shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance.

ARTICLE VII

Penalties

Section 701. Any person found to be violating any provision of this ordinance except Section 501 shall be served by the City with written notice stating the nature of this violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 702. Any person who shall continue any violation beyond the time limit provided for in Section 701 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Section 703. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

ARTICLE VIII

Validity

Section 801. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 802. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE IX

Ordinance in Force

Section 901. This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as

provided by law.

Section 902. Passed and adopted by the Mayor and City Council of the City of Fort Calhoun, Nebraska, on this 7th day of June, 1971.

Approved this 7th day of June, 1971.

Kenneth D. Copeland
MAYOR

ATTEST:

William Meyer
City Clerk

(SEAL)