

ORDINANCE NO. 702

AN ORDINANCE TO AMEND, AND RECONCILE WITH THE NEBRASKA REVISED STATUTES, THE FOLLOWING ORDINANCES BY DELETING THE SAME IN THEIR ENTIRETY AND SUBSTITUTING THE FOLLOWING: TITLE I, CHAPTER 10, §10.05 ENTITLED DEFINITIONS; TITLE III, CHAPTER 33, §33.03 ENTITLED ELECTION, TERMS, QUALIFICATIONS; TITLE III, CHAPTER 33, §33.05 ENTITLED EXIT POLLS, POLL WATCHERS; TITLE III, CHAPTER 33, §33.07 ENTITLED SPECIAL ELECTIONS; TITLE III, CHAPTER 33, §33.10 ENTITLED PETITION, WRITE-IN, AND OTHER CANDIDATES FOR GENERAL ELECTION BALLOT, PROCEDURES; TITLE III, CHAPTER 34, §34.16 ENTITLED LEVIES AUTHORIZED; TITLE III, CHAPTER 34, §34.63 ENTITLED PROPERTY TAX REQUEST; PROCEDURE FOR SETTING; TITLE III, CHAPTER 34, §34.64 ENTITLED PROPERTY TAX REQUEST, INCREASE BY MORE THAN ALLOWABLE GROWTH PERCENTAGE, PROCEDURE FOR SETTING; TITLE III, CHAPTER 35, §35.02 ENTITLED MEETINGS; OPEN TO PUBLIC, NOTICE, AGENDA; TITLE VII, CHAPTER 71, §71.06 ENTITLED MAXIMUM SPEED LIMITS; TITLE IX, CHAPTER 93, §93.13 ENTITLED PUBLIC WORKS INVOLVING ARCHITECTURE OR ENGINEERING, REQUIREMENTS; TITLE IX, CHAPTER, §94.20 ENTITLED RELATING TO ANIMAL ABANDONMENT, NEGLECT MISTREATMENT; TITLE XI, SECTION 110, §110.24 ENTITLED LICENSES, VILLAGE OF MURRAY, NEBRASKA, POWERS AND DUTIES; ENACTING TITLE VII, CHAPTER 71, §71.99 ENTITLED TRAFFIC PENALTIES; TO REPEAL ALL ORDINANCES IN CONFLICT WITH ANY OF THESE PROVISIONS; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MURRAY, NEBRASKA:

**Section 1.** Title I, Chapter 10, Section 10.05 entitled Definitions is amended by deleting the same in its entirety and substituting the following:

**§ 10.05 DEFINITIONS.**

(A) General rule. Words and phrases shall be taken in their plain, or ordinary and usual sense. However, technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(B) Definitions. For the purpose of this code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

VILLAGE, MUNICIPAL CORPORATION, or MUNICIPALITY. The Village of Murray, Nebraska (Village) adopting this code.

BOARD OF TRUSTEES, VILLAGE BOARD or GOVERNING BODY (BOARD).

The Village's legislative body.

CODE, THIS CODE, or THIS CODE OF ORDINANCES. The Village of Murray, Nebraska Code of Ordinances as modified by amendment, revision, and the adoption of new titles, chapters, or sections.

COUNTY. The county in Nebraska in which the Village of Murray, Nebraska is located.

MAY. The act referred to is permissive.

MONTH. A calendar month.

OATH. Includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words SWEAR and SWORN shall be equivalent to the words AFFIRM and AFFIRMED.

OFFICER, OFFICE, EMPLOYEE, COMMISSION, or DEPARTMENT. An officer, office, employee, commission, or department of this Village unless the context clearly requires otherwise.

PERSON. Includes bodies politic and corporate, societies, communities, the public generally, individuals, partnerships, limited liability companies, joint-stock companies, and associations.  
(Neb. RS 49-801(17))

PRECEDING or FOLLOWING. Next before or next after, respectively.

SHALL. The act referred to is mandatory.

SIGNATURE or SUBSCRIPTION. Includes a mark when the person cannot write.

STATE. The State of Nebraska.

SUBCHAPTER. A division of a chapter, designated in this code by a heading in the chapter analysis and a capitalized heading in the body of the chapter, setting apart a group of sections related by the subject matter of the heading. Not all chapters have SUBCHAPTERS.

WRITTEN. Any representation of words, letters, or figures, whether by printing or otherwise.

YEAR. A calendar year, unless otherwise expressed.

**Section 2.** Title III, Chapter 33, Section 33.03 entitled Election; Terms; Qualifications is amended by deleting the same in its entirety and substituting the following:

**§ 33.03 ELECTION; TERMS; QUALIFICATIONS.**

(A) The corporate powers and duties of the village shall be vested in a Board of Trustees, which shall consist of three or five members. At the first statewide general election held after the incorporation of the village with five members, two Trustees shall be elected to serve two years and three Trustees shall be elected to serve four years. At the first statewide general election held after the incorporation of a village with three members, two Trustees shall be elected to serve four years and one Trustee shall be elected to serve two years. At the first statewide general election held after changing the number of Trustees from five to three, one Trustee shall be elected to serve two years and two Trustees shall be elected to serve four years. The two Trustees receiving the highest and second highest number of votes or tied for the highest number of votes shall serve the four-year terms, and the Trustee receiving the next highest number of votes shall serve the two-year term. Thereafter, the Board members shall be elected as provided in the Election Act, Neb. RS 32-101 et seq. The terms shall begin on the first regular meeting of the Board in December following the statewide general election.  
(Neb. RS 17-202)

(B) The members of the Board of Trustees shall be elected at the statewide general election as provided in division (A) above and each four years thereafter. Except as provided in that division, the term of each Board member shall be four years or until his or her successor is elected and qualified.  
(Neb. RS 32-532)

(C) Any person may be a Trustee who is a citizen of the United States, resides in the village, and is a registered voter.  
(Neb. RS 17-203)

(D) Unless the village provides otherwise, members of the Board of Trustees shall be elected from the village at large on a nonpartisan ballot.

(E) The Board of Trustees shall determine whether the person meets all requirements before swearing in a Trustee.  
(Neb. RS 32-602)

**Section 3.** Title III, Chapter 33, Section 33.05, entitled Exit Polls; Poll Watchers is amended by deleting the same in its entirety and substituting the following:

**§ 33.05 EXIT POLLS; POLL WATCHERS.**

(A) No person shall conduct an exit poll, a public opinion poll, or any other interview

with voters on election day seeking to determine voter preference within 20 feet of the entrance of any polling place or, if inside the polling place or building, within 100 feet of any voting booth.

(B) (1) No poll watcher shall interfere with any voter in the preparation or casting of such voter's ballot or prevent any election worker from performing the worker's duties.

(2) A poll watcher shall not provide assistance to a voter as described in Neb. RS 32-918 unless selected by the voter to provide assistance as provided in Neb. RS 32-918.

(3) A poll watcher shall not do any electioneering or disseminate any information or materials advertising or advocating for or against any ballot measure while engaged in observing at a polling place.

(4) A poll watcher shall maintain a distance of at least eight feet from the sign-in table, the sign-in register, the polling booths, the ballot box, and any ballots which have not been cast, except that if the polling place is not large enough for a distance of eight feet, the judge of election shall post a notice of the minimum distance the poll watcher must maintain from the sign-in table, the sign-in register, the polling booths, the ballot box, and any ballots which have not been cast. The posted notice shall be clearly visible to the voters and shall be posted prior to the opening of the polls on election day. The minimum distance shall not be determined to exclude a poll watcher from being in the polling place.

(C) (1) No counting watcher or observer shall prevent any election worker from performing the worker's duties.

(2) A counting watcher or observer shall maintain a distance of at least eight feet from any ballots, ballot boxes, sign-in registers, and vote-counting devices, except that if the counting location is not large enough for a distance of eight feet, the Election Commissioner or County Clerk shall post a notice of the minimum distance the counting watcher or observer must maintain from any ballots, ballot boxes, sign-in registers, and vote-counting devices. The posted notice should be clearly visible to the counting watcher or observer and shall be posted prior to the Counting Board convening. The minimum distance shall not be determined to exclude a counting watcher or observer from being in the counting location except as provided in Neb. RS 32-1013(4). (Neb. RS 32-1525) Penalty, see § 10.99

**Section 4.** Title III, Chapter 33, Section 33.07, entitled Special Elections is amended by deleting the same in its entirety and substituting the following:

**§ 33.07 SPECIAL ELECTIONS.**

(A) (1) Except as provided in Neb. RS 77-3444, any issue to be submitted to the registered voters at a special election by the Village of Murray, Nebraska (Village) shall be certified by the Village Clerk to the Election Commissioner or County Clerk on or before the eighth Friday

prior to the election. A special election may be held by mail as provided in Neb. RS 32-952 through 32-959. Any other special election under this section shall be subject to division (B) below.

(2) In lieu of submitting the issue at a special election, the Village may submit the issue at a statewide primary or general election or at any scheduled county election, except that no such issue shall be submitted at a statewide election or scheduled county election unless the issue to be submitted has been certified by the Village Clerk to the Election Commissioner or County Clerk by March 1 for the primary election and by September 1 for the general election.

(3) (a) After the Election Commissioner or County Clerk has received the certification of the issue to be submitted, he or she shall be responsible for all matters relating to the submission of the issue to the registered voters, except that the Village Clerk shall be responsible for the publication or posting of any required special notice of the submission of the issue other than the notice required to be given of the statewide election issues. The Election Commissioner or County Clerk shall prepare the ballots and issue ballots for early voting and shall also conduct the submission of the issue, including the receiving and counting of ballots on the issue.

(b) The election returns shall be made to the Election Commissioner or County Clerk. The ballots shall be counted and canvassed at the same time and in the same manner as the other ballots. Upon completion of the canvass of the vote by the County Canvassing Board, the Election Commissioner or County Clerk shall certify the election results to the Village Board of Trustees (Board). The canvass by the County Canvassing Board shall have the same force and effect as if made by the Board.

(B) (1) If the Village submits an issue for a special election under division (A)(1) above may cancel the special election if the Secretary of State, Election Commissioner, or County Clerk receives a resolution adopted by the political subdivision canceling the special election on or before the fourth Thursday prior to the election. No cancellation shall be effective after such date. If a special election is canceled in such manner, the Village shall be responsible for the costs incurred that are related to the canceled election. Such costs shall include all chargeable costs as provided in Neb. RS 32-1202 that are associated with preparing for and conducting a special election.

(2) If the Village submits an issue at a statewide primary or general election or at any scheduled county election under division (A)(2) above may withdraw the issue from the ballot if the Secretary of State, Election Commissioner, or County Clerk receives a resolution adopted by the Village withdrawing the issue from the ballot not later than March 1 prior to a statewide primary election or September 1 prior to a statewide general election. No withdrawal shall be effective after such date. Any issue withdrawn in this manner shall not be printed on the ballot.  
(Neb. RS 32-559)

(C) Any special election under the Election Act, Neb. RS 32-101 et seq., shall be held on the first Tuesday following the second Monday of the selected month, except that if such day falls upon a legal holiday, the election shall be held on the first Tuesday following the first Monday of

the selected month. Except as otherwise specifically provided, no special election shall be held under the Election Act in March, April, May, June, October, November, or December of an even-numbered year unless it is held in conjunction with the statewide primary or general election. No special election shall be held under the Election Act in August or September of an even-numbered year except as provided in Neb. RS 32-564 and except for a special election by a political subdivision pursuant to Neb. RS 13-519 to exceed an applicable allowable growth percentage, or Neb. RS 77-3444 to exceed a property tax levy limit in Neb. RS 77-3442.  
(Neb. RS 32-405)

**Section 5.** Title III, Chapter 33, Section 33.10, entitled Petition; Write-in; and Other Candidates for General Election Ballot; Procedures is amended by deleting the same in its entirety and substituting the following:

**§ 33.10 PETITION; WRITE-IN; AND OTHER CANDIDATES FOR GENERAL ELECTION BALLOT; PROCEDURES.**

(A) (1) Any registered voter who was not a candidate in the primary election and who was not registered to vote with a party affiliation on or after March 1 and before the general election in the calendar year of the general election may have his or her name placed on the general election ballot for a partisan office by filing petitions as prescribed in this section and Neb. RS 32-621 or by nomination by political party convention or committee pursuant to Neb. RS 32-627 or 32-710.

(2) Any candidate who was defeated in the primary election and any registered voter who was not a candidate in the primary election may have his or her name placed on the general election ballot if a vacancy exists on the ballot under Neb. RS 32-625(2) and the candidate:

- (a) Files for the office by petition as prescribed in divisions (B) and (D) below;
- (b) Files as a write-in candidate as prescribed in Neb. RS 32-615; or
- (c) Is nominated by political party convention or committee pursuant to Neb. RS 32-710.  
(Neb. RS 32-616)

(B) (1) Petitions for nomination shall conform to the requirements of this section and Neb. RS 32-628. Petitions shall state the office to be filled and the name and address of the candidate. A sample copy of the petition shall be filed with the filing officer prior to circulation. Petitions shall be signed by registered voters residing in the Village of Murray, Nebraska (Village), if candidates are chosen at large, or in the ward in which the officer is to be elected, if candidates are chosen by ward, and shall be filed with the filing officer in the same manner as provided for candidate filing forms in § 34.07. Petition signers and petition circulators shall conform to the requirements of Neb. RS 32-629 and 32-630.

(2) No petition for nomination shall be filed unless there is attached thereto a receipt showing the payment of the filing fee required pursuant to § 34.08. Except as provided in Neb. RS 32-621, petitions shall be filed by August 1 in the year of the general election for partisan offices and September 1 in the year of the general election for nonpartisan offices, and all signed petitions not filed with the filing officer by such date shall become invalid.  
(Neb. RS 32-617)

(C) In addition to the requirements of this section and Neb. RS 32-619, if the Secretary of State is the filing officer for a petition for nomination for partisan and nonpartisan offices, the form of the petition shall be substantially as follows.

Petition for Office for General Election

Name of Candidate: \_\_\_\_\_  
Residence Address: \_\_\_\_\_  
City, State, and Zip Code: \_\_\_\_\_  
Name of Office: \_\_\_\_\_  
District (if applicable): \_\_\_\_\_  
Party Affiliation: \_\_\_\_\_  
(if applicable)  
To the Honorable \_\_\_\_\_, Secretary of State for the State of Nebraska:

We, the undersigned residents of the State of Nebraska and the county of \_\_\_\_\_, respectfully demand that the above-named candidate be placed on the ballot at the general election to be held on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, and each for himself or herself says:

I have personally signed this petition on the date opposite my name;

I am a registered voter of the State of Nebraska and the county of \_\_\_\_\_ and am qualified to sign this petition or I will be so registered and qualified on or before the date on which this petition is filed with the Secretary of State; and

My printed name, date of birth, street and number or voting precinct, and city, village, or post office address are correctly written after my signature.

(Here follow numbered lines for signature, printed name, date of birth, date, street and number or voting precinct, and city, village, or post office address.)

(Neb. RS 32-617.01)

(D) (1) The number of signatures of registered voters needed to place the name of a candidate upon the nonpartisan ballot for the general election shall be at least 10% of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election in the Village or in the ward in which the officer is to be elected, not to exceed 2,000.

(2) The number of signatures of registered voters needed to place the name of a candidate for an office upon the partisan ballot for the general election shall be as follows:

(a) For each partisan office to be filled by the registered voters of the entire state, at least 4,000, and at least 750 signatures shall be obtained in each congressional district in the state;

(b) For each partisan office to be filled by the registered voters of a county, at least 20% of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the county, not to exceed 2,000, except that the number of signatures shall not be required to exceed 25% of the total number of registered voters voting for the office at the immediately preceding general election; and

(c) For each partisan office to be filled by the registered voters of a political subdivision other than a county, at least 20% of the total number of registered voters voting for Governor or President of the United States at the immediately preceding general election within the political subdivision, not to exceed 2,000.

(3) If the filing officer verifies signatures in excess of 110% of the number necessary to place the candidate upon the ballot, the filing officer may stop verifying signatures and consider the petition sufficient and valid.

(Neb. RS 32-618)

**Section 6.** Title III, Chapter 34, Section 34.16, entitled Levies Authorized is amended by deleting the same in its entirety and substituting the following:

**§ 34.16 LEVIES AUTHORIZED.**

(A) The Village of Murray, Nebraska (Village) shall have the power to raise revenue by levying and collecting a license tax on any occupation or business within the limits of the Village and regulate such occupation or business by ordinance. Any occupation tax imposed pursuant to this section shall make a reasonable classification of businesses, users of space, or kinds of transactions for the purpose of imposing such tax, except that no occupation tax shall be imposed on any transaction which is subject to tax under Neb. RS 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008, or which is exempt from tax under Neb. RS 77-2704.24. All such

taxes shall be uniform in respect to the classes upon which they are imposed. All scientific and literary lectures and entertainments shall be exempt from such taxation, as well as concerts and other musical entertainments given exclusively by the citizens of the Village.

(Neb. RS 17-525)

(B) (1) The Village Board of Trustees shall have the authority, by ordinance, to impose an occupation tax of not more than \$5 per annum on each fire insurance corporation, company, or association doing business in the Village for the use, the support, and the benefit of volunteer fire departments regularly organized under the laws of the state regulating the same. The Village Clerk shall collect with diligence the occupation tax so imposed.

(2) Upon the receipt of the tax, the Clerk shall pay over the proceeds thereof to the Village Treasurer, who shall credit the same to a fund to be known as the Special Occupation Tax Fund for the benefit of the volunteer Fire Department. Upon proper claim filed by the Chief of the Fire Department and allowed by the Village Board of Trustees, the Treasurer shall pay over the proceeds of the tax in the fund from time to time for the use of the Fire Department, as hereinbefore provided.

(Neb. RS 35-106)

(C) Notwithstanding any ordinance or charter power to the contrary, the Village shall not impose an occupation tax on the business of any person, firm, or corporation licensed under the State Liquor Control Act, Neb. RS 53-101 et seq., and doing business within the corporate limits of the Village in any sum which exceeds two times the amount of the license fee required to be paid under the Act to obtain such license.

(Neb. RS 53-132)

**Section 7.** Title III, Chapter 34, Section 34.63, entitled Property Tax Request; Procedure for Setting is amended by deleting the same in its entirety and substituting the following:

**§ 34.63 PROPERTY TAX REQUEST; PROCEDURE FOR SETTING.**

(A) If the annual assessment of property would result in an increase in the total property taxes levied by a county, municipality, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college, as determined using the previous year's rate of levy, the property tax request of the Village of Murray, Nebraska (Village) for the current year shall be not more than its property tax request in the prior year, and the Village's rate of levy for the current year shall be decreased accordingly when such rate is set by the County Board of Equalization pursuant to Neb. RS 77-1601. The Village Board of Trustees shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) below. If the Village Board of Trustees seeks to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so, subject to the limitations provided in the School District Property Tax Limitation Act, Neb. RS 79-3401 et seq., and the Property Tax Growth Limitation Act, Neb. RS 13-3401 et seq., after

holding the public hearing required in division (C) below and by passing a resolution or ordinance that complies with division (D) below. If any county, city, or school district seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. 77-1633 in lieu of the requirements in divisions (C) and (D) below.

(B) If the annual assessment of property would result in no change or a decrease in the total property taxes levied by a county, city, village, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college, as determined using the previous year's rate of levy, the Village's property tax request for the current year shall be not more than its property tax request in the prior year, and the Village's rate of levy for the current year shall be adjusted accordingly when such rate is set by the County Board of Equalization pursuant to Neb. RS 77-1601. The Village Board of Trustees shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) below. If the Village Board of Trustees seeks to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so, subject to the limitations provided in the School District Property Tax Limitation Act, Neb. RS 79-3401 et seq., and the Property Tax Growth Limitation Act, Neb. RS 13-3401 et seq., after holding the public hearing required in division (C) below and by passing a resolution or ordinance that complies with division (D) below. If any county, city, or school district seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. RS 77-1633 in lieu of the requirements in divisions (C) and (D) below.

(C) The resolution or ordinance required under this section shall only be passed after a special public hearing called for the purpose is held and after notice is published in a newspaper of general circulation in the area of the Village at least four calendar days prior to the hearing. For the purposes of such notice, the four calendar days shall include the day of publication but not the day of the hearing. If the Village's total operating budget, not including reserves, does not exceed \$10,000 per year or \$20,000 per biennial period, the notice may be posted at the Village Board of Trustees' principal headquarters.

(D) The hearing notice shall contain the following information:

(1) The certified taxable valuation under Neb. RS 13-509 for the prior year, the certified taxable valuation under Neb. RS 13-509 for the current year, and the percentage increase or decrease in such valuations from the prior year to the current year;

(2) The dollar amount of the prior year's tax request and the property tax rate that was necessary to fund that tax request;

(3) The property tax rate that would be necessary to fund last year's tax request if applied to the current year's valuation;

(4) The proposed dollar amount of the tax request for the current year and the property tax rate that will be necessary to fund that tax request;

(5) The percentage increase or decrease in the property tax rate from the prior year to the current year; and

(6) The percentage increase or decrease in the total operating budget from the prior year to the current year.

(E) Any resolution or ordinance setting the Village's property tax request under Neb. RS 77-1632 at an amount that exceeds the (Village's property tax request in the prior year shall include, but not be limited to, the following information:

(1) The Village's name;

(2) The amount of the property tax request;

(3) The following statements:

(a) The total assessed value of property differs from last year's total assessed value by \_\_\_percent;

(b) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$\_\_\_per \$100 of assessed value;

(c) The statement that the Village proposes to adopt a property tax request that will cause its tax rate to be \$\_\_\_per \$100 of assessed value; and

(d) Based on the proposed property tax request and changes in other revenue, the total operating budget of (name of city/village) will exceed last year's by \_\_\_percent.

(4) The record vote of the Village Board of Trustees in passing such resolution or ordinance.

(F) Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the County Clerk on or before October 15 of the year for which the tax request is to apply.  
(Neb. RS 77-1632)

**Section 8.** Title III, Chapter 34, Section 34.64, entitled Property Tax Request; Increase by More than Allowable Growth Percentage; Procedure for Setting is amended by deleting the same in its entirety and substituting the following:

**§ 34.64 PROPERTY TAX REQUEST; INCREASE BY MORE THAN ALLOWABLE GROWTH PERCENTAGE; PROCEDURE FOR SETTING.**

(A) For the purpose of this section, the meaning of *POLITICAL SUBDIVISION* includes the Village of Murray, Nebraska (Village).

(B) If the Village seeks to increase its property tax request by more than the allowable growth percentage, the Village may do so, subject to the Property Tax Growth Limitation Act, Neb. RS 13-3401 et seq., if the following requirements are met:

(1) A public hearing is held and notice of such hearing is provided in compliance with division (C) below; and

(2) The Village Board of Trustees (Board) passes a resolution or an ordinance that complies with division (D) below.

(C) (1) When the Board seeks to increase its property tax request by more than the allowable growth percentage shall participate in a joint public hearing. The Board shall designate one representative to attend the joint public hearing on behalf of the political subdivision. At such hearing, there shall be no items on the agenda other than discussion on each political subdivision's intent to increase its property tax request by more than the allowable growth percentage.

(2) At least one Trustee shall be a designated representative from the Village who shall attend the joint public hearing. The presence of a quorum of the Board at the joint public hearing does not constitute a meeting as defined by Neb. RS 84-1409 of the Open Meetings Act.

(3) The joint public hearing shall be held on or after September 14 and prior to September 24 and before any of the participating political subdivisions file their adopted budget statement pursuant to Neb. RS 13-508.

(4) The joint public hearing shall be held after 6:00 p.m. local time on the relevant date.

(5) (a) The joint public hearing shall be organized by the County Clerk or his or her designee. At the joint public hearing, the designated representative of each political subdivision shall give a brief presentation on the political subdivision's intent to increase its property tax request by more than the allowable growth percentage and the effect of such request on the political subdivision's budget.

(b) The presentation shall include:

1. The Village's name;

2. The amount of the property tax request; and
3. The following statements:
  - a. The total assessed value of property differs from last year's total assessed value by \_\_\_percent;
  - b. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$\_\_\_per \$100 of assessed value;
  - c. That the Murray Village Board proposes to adopt a property tax request that will cause its tax rate to be \$\_\_\_per \$100 of assessed value;
  - d. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village will exceed last year's by \_\_\_percent; and
  - e. To obtain more information regarding the increase in the property tax request, citizens may contact the Village of Murray at 402-235-2119 and/or [murrayclerk@murrayvillage.com](mailto:murrayclerk@murrayvillage.com).

(6) Any member of the public shall be allowed to speak at the joint public hearing and shall be given a reasonable amount of time to do so.

(7) Notice of the joint public hearing shall be provided:

(a) By sending a postcard to all affected property taxpayers. The postcard shall be sent to the name and address to which the property tax statement is mailed;

(b) By posting notice of the hearing on the home page of the relevant county's website, except that this requirement shall only apply if the county has a population of more than 10,000 inhabitants; and

(c) By publishing notice of the hearing in a legal newspaper in or of general circulation in the relevant county.

(8) **Each political subdivision that participates in the joint public hearing shall electronically send the information prescribed in division (C)(9) below to the County Assessor by September 4.** The County Clerk shall notify the County Assessor of the date, time, and location of the joint public hearing not later than September 4. The County Clerk shall notify each participating political subdivision of the date, time, and location of the joint public hearing. The County Assessor shall send the information required to be included on the postcards pursuant to

division (C)(9) below to a printing service designated by the County Board. The initial cost for printing the postcards shall be paid from the county's General Fund. Such postcards shall be mailed at least seven calendar days before the joint public hearing. The cost of creating and mailing the postcards, including staff time, materials, and postage, shall be charged proportionately to the political subdivisions participating in the joint public hearing based on the total number of parcels in each participating political subdivision. Each participating political subdivision shall also maintain a prominently displayed and easily accessible link on the home page of the political subdivision's website to the political subdivision's proposed budget, except that this requirement shall not apply if the political subdivision is a county with a population of less than 10,000 inhabitants, a city with a population of less than 1,000 inhabitants, or, for joint public hearings prior to January 1, 2024, a school district.

(9) (a) The postcard sent under this division (C) and the notice posted on the county's website, if required under division (C)(7)(b) above, and published in the newspaper shall include the date, time, and location for the joint public hearing, a listing of and telephone number for each political subdivision that will be participating in the joint public hearing, and the amount of each participating political subdivision's property tax request.

(b) The postcard shall also contain the following information:

1. The following words in capitalized type at the top of the postcard: NOTICE OF PROPOSED TAX INCREASE;

2. The name of the county that will hold the joint public hearing, which shall appear directly underneath the capitalized words described in division (C)(9)(b)1. above;

3. The following statement: The following political subdivisions are proposing a revenue increase which would result in an overall increase in property taxes in (insert current tax year). THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE. This notice contains estimates of the tax on your property as a result of this revenue increase. These estimates are calculated on the basis of the proposed (insert current tax year) data. The actual tax on your property may vary from these estimates.

4. The parcel number for the property;

5. The name of the property owner and the address of the property;

6. The property's assessed value in the previous tax year;

7. The amount of property taxes due in the previous tax year for each participating political subdivision;

8. The property's assessed value for the current tax year;
9. The amount of property taxes due for the current tax year for each participating political subdivision;
10. The change in the amount of property taxes due for each participating political subdivision from the previous tax year to the current tax year; and
11. The following statement: To obtain more information regarding the tax increase, citizens may contact the political subdivision at the telephone number provided in this notice.

(D) (1) After the joint public hearing required in division (C) above, the governing body of each participating political subdivision shall pass an ordinance or resolution to set such political subdivision's property tax request.

(2) If the political subdivision is increasing its property tax request over the amount from the prior year, including any increase in excess of the allowable growth percentage, then such ordinance or resolution shall include, but not be limited to, the following information:

- (a) The name of the political subdivision;
- (b) The amount of the property tax request;
- (c) The following statements:
  1. The total assessed value of property differs from last year's total assessed value by \_\_\_percent;
  2. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$\_\_\_per \$100 of assessed value;
  3. The (name of political subdivision) proposes to adopt a property tax request that will cause its tax rate to be \$\_\_\_per \$100 of assessed value; and
  4. Based on the proposed property tax request and changes in other revenue, the total operating budget of (name of political subdivision) will exceed last year's by \_\_\_percent.
- (d) The record vote of the governing body in passing such resolution or ordinance.

(E) Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the County Clerk on or before October 15 of the year for which the tax request is to apply.

(F) (1) The County Clerk, or his or her designee, shall prepare a report which shall include:

(a) The names of the representatives of the political subdivisions participating in the joint public hearing;

(b) The name and address of each individual who spoke at the joint public hearing, unless the address requirement is waived to protect the security of the individual, and the name of any organization represented by each such individual;

(c) The name of each political subdivision that participated in the joint public hearing;

(d) The real growth value and real growth percentage for each participating political subdivision;

(e) The amount each participating political subdivision seeks to increase its property tax request in excess of the allowable growth percentage; and

(f) The number of individuals who signed in to attend the joint public hearing.

(2) Such report shall be delivered to the political subdivisions participating in the joint public hearing within ten days after such hearing.

(Neb. RS 77-1633)

**Section 9.** Title III, Chapter 35, Section 35.02, entitled Meetings; Open to Public; Notice; Agenda is amended by deleting the same in its entirety and substituting the following:

**§ 35.02 MEETINGS; OPEN TO PUBLIC; NOTICE; AGENDA.**

(A) The formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the State Constitution, federal statutes, and the Open Meetings Act, Neb. RS 84-1407 et seq.

(Neb. RS 84-1408)

(B) (1) Each public body shall give reasonable advance publicized notice of the time

and place of each meeting as provided in division (B)(2) below. The notice shall be transmitted to all members of the public body and to the public.

(2) The notice shall be given by:

(a) 1. a. Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting;

b. Posting on such newspaper's website, if available; and

c. Posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of state newspapers.

2. Such notice shall be placed in the newspaper and on the websites by the newspaper.

(b) 1. a. Posting to the newspaper's website, if available; and

b. Posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of state newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting.

2. Such notice shall be placed in the newspaper and on the websites by the newspaper.

(c) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted by the public body in the same three places for each meeting.

(3) (a) In case of refusal, neglect, or inability of the newspaper to publish the notice, the public body shall:

1. Post such notice on its website, if available;

2. Request the newspaper submit a post on a statewide website, if available, established and maintained as a repository for such notices by a majority of state newspapers; and

3. Post such notice in a conspicuous public place in such public body's jurisdiction.

(b) The public body shall keep a written record of such posting pursuant

to divisions (B)(3)(a)1. and (B)(3)(a)2. above and a written record of the request to the newspaper pursuant to division (B)(3)(a)2. above. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

(4) In addition to a method of notice required by division (B)(2) or (B)(3) above, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(5) Each public body shall record the methods and dates of the notice in its minutes.

(6) The notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, is readily available for public inspection at the office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than 24 hours before the scheduled commencement of the meeting or 48 hours before the scheduled commencement of a meeting of the Village of Murray, Nebraska (Village) Board of Trustees (Board) scheduled outside the corporate limits of the Village. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting. (Neb. RS 84-1411)

**Section 10.** Title VII, Chapter 71, Section 71.06, entitled Maximum Speed Limits is amended by deleting the same in its entirety and substituting the following:

**§ 71.06 MAXIMUM SPEED LIMITS.**

(A) Except when a special hazard exists that requires lower speed for compliance with, the limits set forth in this section and Neb. RS 60-6,187, 60-6,188, 60-6,305, and 60-6,313 shall be the maximum lawful speeds unless reduced pursuant to division (B) below, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits:

- (1) Twenty-five mph in any residential district;
- (2) Twenty mph in any business district;
- (3) Fifty mph upon any highway that is gravel or not dustless surfaced;
- (4) Fifty-five mph upon any dustless-surfaced highway not a part of the state highway system;
- (5) Sixty-five mph upon any four-lane divided highway not a part of the state highway system; and

(6) Sixty-five mph upon any part of the state highway system other than an expressway, a super-two highway, or a freeway.

(B) The maximum speed limits established in division (A) above may be reduced by the Department of Transportation or the Board of Trustees pursuant to Neb. RS 60-6,188, or Neb. RS 60-6,191.

(C) Pursuant to paragraph (B) above, the following are local speed limits established by the Village of Murray (Village), Nebraska Board of Trustees (Board):

(1) Fifteen miles per hour on the following streets surrounding Tyson Park:

- a Young Street to the south;
- b Park Avenue to the east;
- c Davis Avenue to the west; and
- d Alley between Young Street and High Street to the north.

(2) Twenty miles per hour:

- a Davis Avenue from Main Street to the north corporate limits.

(3) Twenty-five miles per hour:

- a Main Street from Davis Avenue to the Missouri-Pacific Railroad.

(D) Pursuant to paragraph (B) above, the following are reduced speed limits established by the Board for State Highway N-1 also known as Main Street (Main):

a Forty-five miles per hour on Main in the Village, from the west corporate limits (which is 370 feet east of 18th Street) to N Davis Street.

b Twenty-five miles per hour on Main from N Davis Street to 110 feet east of the Union Pacific Railroad Viaduct.

c Forty-five miles per hour on Main Street (Main Street Highway N-1) in Murray, Nebraska, from 110 feet east of the Union Pacific Railroad Viaduct to the east corporate village limits (which is 1320 feet west of US Highway 75).

(E) Speed limits in Maintenance, Repair, or Construction Zones shall be.

(1) The maintenance, repair, or construction zones start at the location of the first sign identifying the maintenance, repair, or construction zone and continues until a posted or moving sign indicates that the maintenance, repair, or construction zone has ended.

a The portion of a highway identified by posted or moving signs as being under maintenance, repair, or construction;

b The portion of a highway identified by maintenance, repair, or construction zone speed limit signs displayed pursuant to Neb. RS 60-6,188; and/or

c Within such portion of a highway where road construction workers are present.

(2) Fines prescribed in division (E) above are set forth in § 71.99.  
(Neb. RS 60-682.01)

(F) The Board may erect and maintain suitable signs along highways under its jurisdiction in such number and at such locations as it deems necessary to give adequate notice of the speed limits established pursuant to division (A) or (B) above upon such highways.  
(Neb. RS 60-6,186) Penalty, see § 71.99

**Section 11.** Title IX, Chapter 93, Section 93.13 entitled Public Works Involving Architecture or Engineering, Requirements is amended by deleting the same in its entirety and substituting the following:

**§ 93.13 PUBLIC WORKS INVOLVING ARCHITECTURE OR ENGINEERING; REQUIREMENTS.**

(A) (1) Except as otherwise provided in this section and Neb. RS 81-3449 and 81-3453, the Village of Murray, Nebraska (Village) shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been observed by an architect, a professional engineer, or a person under the direct supervision of an architect, or professional engineer, or those who are under the direct supervision of an architect or professional engineer.

(2) This division (A) shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed \$100,000 or the adjusted dollar amount set by the Board of Engineers and Architects.  
(Neb. RS 81-3445)

(B) The provisions of division (A) above regulating the practice of architecture do not apply to the following activities or the other activities specified in Neb. RS 81-3449:

(1) Any alteration, renovation, or remodeling of a building if the alteration, renovation, or remodeling does not affect architectural or engineering safety features of the building;

(2) A public service provider who employs a design professional performing professional services for itself;

(3) The practice of any other certified trade or legally recognized profession;

(4) Earthmoving and related work associated with soil and water conservation practices performed on any land owned by the Village that is not subject to a permit from the Department of Water, Energy, and Environment; and

(5) The work of employees and agents of the Village performing, in accordance with other requirements of law, their customary duties in the administration and enforcement of codes, permit programs, and land-use regulations and their customary duties in utility and public works construction, operation, and maintenance.

(Neb. RS 81-3449)

(C) The provisions of division (A) above regulating the practice of engineering do not apply to the following activities, the activities specified in division (B) above, or the other activities specified in Neb. RS 81-3453:

(1) Those services ordinarily performed by subordinates under the direct supervision of a professional engineer or those commonly designated as locomotive, stationary, marine operating engineers, power plant operating engineers, or manufacturers who supervise the operation of or operate machinery or equipment or who supervise construction within their own plant; and

(2) The construction of water wells as defined in Neb. RS 46-1212, the installation of pumps and pumping equipment into water wells, and the decommissioning of water wells, unless such construction, installation, or decommissioning is required by the Village to be designed or supervised by an engineer or unless legal requirements are imposed upon the Village as a part of a public water supply.

(Neb. RS 81-3453)

(D) For the purpose of this section, the Village is considered a public service provider if it employs or appoints an architect or a professional engineer to be in responsible charge of the Village's architectural or engineering work.

(Neb. RS 81-3423)

**Section 12.** Title IX, Chapter 94, Section 94.20, entitled Relating to Animal Abandonment; Neglect; Mistreatment is amended by deleting the same in its entirety and substituting the following:

**§ 94.20 RELATING TO ANIMAL ABANDONMENT; NEGLECT; MISTREATMENT.**

(A) *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ABANDON.** To leave any animal in one's care, whether as owner or custodian, for any length of time without making effective provision for its food, water, or other care as is reasonably necessary for the animal's health.

**ANIMAL.** Any vertebrate member of the animal kingdom, but does not include an uncaptured wild creature or a livestock animal as defined in this section.

**ANIMAL CONTROL OFFICER.** A person authorized by a city, village, or county to enforce any state or local animal control law, rule, regulation, resolution, or ordinance concerning animal welfare. An animal control officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated may seek a warrant authorizing entry by a law enforcement officer or an animal control officer, who is accompanied by a law enforcement officer, upon private property to inspect, care for, or impound the animal.  
R.R.S. Neb. § 28-1012

**CRUELLY MISTREAT.** To knowingly and intentionally kill, maim, disfigure, torture, beat, kick, hit, strike in any manner, mutilate, burn, scald, or otherwise inflict harm upon any animal.

**CRUELLY NEGLECT.** To fail to provide any animal in one's care, whether as owner or custodian, with food, water, or other care as is reasonably necessary for the animal's health.

**HUMANE KILLING.** The destruction of an animal by a method which causes the animal a minimum of pain and suffering.

**LAW ENFORCEMENT OFFICER.** Any member of the State Patrol, any county or deputy sheriff, any member of the police force of the Village of Murray, Nebraska (Village) or any other city or village. Law Enforcement Officer also includes a special investigator appointed as a deputy state sheriff as authorized pursuant to Neb. RS 81-201 while acting within the authority of the Director of Agriculture under the Commercial Dog and Cat Operator Inspection Act. A law enforcement officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated may seek a warrant authorizing entry upon private property to inspect, care for, or impound the animal.  
R.R.S. Neb. § 28-1012

**LIVESTOCK ANIMAL.** Any bovine, equine, swine, sheep, goat, domesticated cervine animal, ratite bird, or poultry.

**MUTILATION.** Intentionally causing permanent injury, disfigurement, degradation of function, incapacitation, or imperfection to an animal, but does not include conduct performed by a veterinarian licensed to practice veterinary medicine and surgery in this state or conduct that conforms to accepted veterinary practices.

**OWNER or CUSTODIAN.** Any person owning, keeping, possessing, harboring, or knowingly permitting an animal to remain on or about any premises owned or occupied by such person.

**POLICE ANIMAL.** A horse or dog owned or controlled by the state or any county, city, or village for the purpose of assisting a law enforcement officer in the performance of his or her official enforcement duties.

**REPEATED BEATING.** Intentional successive strikes to an animal by a person resulting in serious injury or illness or death to the animal.

**SERIOUS INJURY or ILLNESS.** Any injury or illness to any animal which creates a substantial risk of death or which causes broken bones, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ.

**TORTURE.** Intentionally subjecting an animal to extreme pain, suffering, or agony, but does not include conduct performed by a veterinarian licensed to practice veterinary medicine and surgery in this state or conduct that conforms to accepted veterinary practices.  
(Neb. RS 28-1008)

(B) *Enforcement powers; immunity.*

(1) Any law enforcement officer or animal control officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated may seek a warrant authorizing entry by a law enforcement officer or an animal control officer who is accompanied by a law enforcement officer upon private property to inspect, care for, or impound the animal.

(2) It shall be the duty of any law enforcement officer or animal control officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated to make prompt investigation of such violation. Any law enforcement officer or animal control officer may, in lieu of making an arrest, issue a citation to the owner or custodian as prescribed in Neb. RS 29-422 through 29-429.

(3) Any law enforcement officer or animal control officer acting under this section shall not be liable for damage to property if such damage is not the result of the law enforcement officer's or animal control officer's negligence.  
(Neb. RS 28-1012)

(C) *Violation.*

(1) A person who intentionally, knowingly, or recklessly abandons, cruelly neglects, or cruelly mistreats an animal is guilty of an offense.

(2) A person commits harassment of a police animal if he or she knowingly and intentionally teases or harasses a police animal in order to distract, agitate, or harm the police animal for the purpose of preventing such animal from performing its legitimate official duties.  
(Neb. RS 28-1009)

**Section 13.** Title XI, Chapter 110.24, Section 110.24, entitled Licenses; Village of Murray, Nebraska; Powers and Duties is amended by deleting the same in its entirety and substituting the following:

**§ 110.24 LICENSES; VILLAGE OF MURRAY, NEBRASKA; POWERS AND DUTIES.**

(A) The Village of Murray, Nebraska (Village) Board of Trustees (Board) is authorized to regulate by ordinance, not inconsistent with the State Liquor Control Act, Neb. RS 53-101 et seq., the business of all retail, bottle club, craft brewery, and microdistillery licensees carried on within the corporate limits of the Village.  
(Neb. RS 53-134.03)

(B) During the period of 45 days after the date of receipt by mail or electronic delivery of such application from the State Liquor Control Commission, notice and a copy of an application for a new license to sell alcoholic liquor at retail, a craft brewery license, or a microdistillery license, the Board may make and submit to the Commission recommendations relative to the granting or refusal to grant the license to the applicant.  
(Neb. RS 53-131)

(C) The Board, with respect to licenses within the Village's corporate limits has the following powers, functions, and duties with respect to retail, bottle club, craft brewery, and microdistillery licenses:

(1) To cancel or revoke for cause retail, craft brewery, or microdistillery licenses to sell or dispense alcoholic liquor or bottle club licenses issued to persons for premises within its jurisdiction, subject to the right of appeal to the State Liquor Control Commission;

(2) (a) To enter or to authorize any law enforcement officer to enter at any time upon any premises licensed under the State Liquor Control Act, Neb. RS 53-101 et seq., to determine whether any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the Board has been or is being violated, and at that time, examine the premises of the licensee in connection with such determination.

(b) Any law enforcement officer who determines that any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the local governing body has been or is being violated shall report such violation in writing to the Executive Director of the Commission:

1. Within 30 days after determining that such violation has occurred;

2. Within 30 days after the conclusion of an ongoing police investigation; or

3. Within 30 days after the verdict in a prosecution related to such an ongoing police investigation if the prosecuting attorney determines that reporting such violation prior to the verdict would jeopardize such prosecution, whichever is later.

(3) To receive a signed complaint from any citizen within its jurisdiction that any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation relating to alcoholic liquor has been or is being violated and to act upon these complaints in the manner provided in the Act;

(4) To receive retail, bottle club, craft brewery, and microdistillery license fees as provided in Neb. RS 53-124 and 53-124.01 and pay the same, after the license has been delivered to the applicant, to the Village Treasurer;

(5) To examine or cause to be examined any applicant or any retail, bottle club, craft brewery, or microdistillery licensee upon whom notice of cancellation or revocation has been served as provided in the Act, to examine or cause to be examined the books and records of any applicant or licensee, except as otherwise provided for bottle club licensees under state law, and to hear testimony and to take proof for its information in the performance of its duties. For the purpose of obtaining any of the information desired, the Board may authorize its agent or attorney to act on its behalf;

(6) To cancel or revoke on its own motion any license if, upon the same notice and hearing as provided in § 111.25, it determines that the licensee has violated any of the provisions of the State Liquor Control Act, Neb. RS 53-101 et seq., or any valid and subsisting ordinance, resolution, rule, or regulation duly enacted, adopted, and promulgated relating to alcoholic liquor. The order of cancellation or revocation may be appealed to the Commission within 30 days after the date of the order by filing a notice of appeal with the Commission. The Commission shall handle the appeal in the manner provided for hearing on an application in Neb. RS 53-133;

(7) Upon receipt from the Commission of the notice and copy of the application as provided in Neb. RS 53-131, to fix a time and place for a hearing at which the Board shall receive evidence, either orally or by affidavit, from the applicant and any other person bearing upon the

propriety of the issuance of a license. Notice of the time and place of the hearing shall be published in a legal newspaper in or of statewide circulation or general circulation in the Village one time not less than seven, and not more than 14, days before the time of the hearing. The notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the Board in support of or in protest against the issuance of the license may do so at the time of the hearing. The hearing shall be held not more than 45 days after the date of receipt of the notice from the Commission, and after the hearing, the Board shall cause to be recorded in the minute record of its proceedings a resolution recommending either issuance or refusal of the license. The Village Clerk shall mail to the Commission by first-class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice, except that failure to comply with this provision shall not void any license issued by the Commission. If the Commission refuses to issue such a license, the cost of publication of the notice shall be paid by the Commission from the security for costs;

(8) To review and authorize an application by a retail, bottle club, craft brewery, farm winery, or microdistillery licensee for a temporary expansion of its licensed premises within the jurisdiction of the local governing body to an immediately adjacent area owned or leased by the licensee or to an immediately adjacent street, parking lot, or alley, not to exceed 50 days for calendar year 2020 and, for each calendar year thereafter, not to exceed 15 days per calendar year as provided in Neb. RS 53-123.12 and 53-129; and

(9) To review and authorize an application by a craft brewery, farm winery, or microdistillery licensee that holds a promotional farmers market special designated license for a permit to use such promotional farmers market special designated license to sell or dispense alcoholic liquor, which the holder is licensed to produce, at a farmers market within the jurisdiction of the local governing body as provided in Neb. RS 53-124.17. The local governing body shall electronically notify the Commission within five days after authorization of any permit pursuant to this division (C).

(Neb. RS 53-134)

(D) (1) When the State Liquor Control Commission mails or delivers to the Village Clerk a retail, craft brewery, or microdistillery license issued or renewed by the Commission, the Clerk shall deliver the license to the licensee upon receipt from the licensee of proof of payment of:

(a) The license fee if, by the terms of Neb. RS 53-124, the fee is payable to the Village Treasurer;

(b) Any fee for publication of the notice of hearing before the Board upon the application for the license;

(c) The fee for publication of the notice of renewal, if applicable, as provided in Neb. RS 53-135.01; and

(d) Occupation taxes, if any, imposed by the Village, except that Class J

retail licensees shall not be subject to occupation taxes.

(2) Notwithstanding any ordinance or charter power to the contrary, the Village shall not impose an occupation tax on the business of any person, firm, or corporation licensed under the State Liquor Control Act, Neb. RS 53-101 et seq., and doing business within the corporate limits of the Village in any sum which exceeds two times the amount of the license fee required to be paid under the Act to obtain that license.  
(Neb. RS 53-132)

**Section 14.** Enacting Title VII, Chapter 71, Section 71.99, entitled Traffic Penalties:

**§ 71.99 TRAFFIC PENALTIES.**

(A) (1) Any person who operates a vehicle in violation of any maximum speed limit established by § 71.06 for any highway or freeway is guilty of a traffic infraction and, upon conviction, shall be fined:

- (a) For traveling one to five mph over the authorized speed limit: \$50;
- (b) For traveling over five mph but not over ten mph over the authorized speed limit: \$75;
- (c) For traveling over ten mph but not over 15 mph over the authorized speed limit: \$125;
- (d) For traveling over 15 mph but not over 20 mph over the authorized speed limit: \$200;
- (e) For traveling over 20 mph but not over 35 mph over the authorized speed limit: \$300; and
- (f) For traveling over 35 mph over the authorized speed limit: \$400.

(2) (a) The fines prescribed in division (A)(1) above shall be doubled if the violation occurs within a maintenance, repair, or construction zone established pursuant to Neb. RS 60-6,188.

(3) The fines prescribed in division (A)(1) above shall be doubled if the violation occurs within a school crossing zone.  
(Neb. RS 60-682.01)

**Section 15.** To repeal all ordinances in conflict with any of these provisions.

**Section 16.** To provide for publication of this Ordinance in pamphlet form.

**Section 17.** This Ordinance shall take effect and be in full force from and after its passage and publication or posting as required by law.

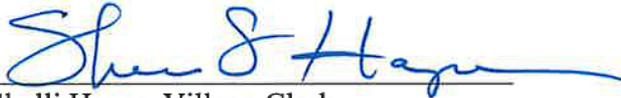
Passed and approved this 10<sup>TH</sup> day of March 2026.



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Jeff Anderson  
Chair of the Board of Trustees

ATTEST:



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Shelli Hayes, Village Clerk

Publication Date: MARCH 13, 2026

# ORDINANCE RECORD

## ORDINANCE # 702

### 1 READING

Chairman Anderson introduced and read by title Ordinance # 702.

TRUSTEE BARTLETT moved, seconded by TRUSTEE SCHROEDER that the statutory rule requiring reading on three different days be suspended so that Ordinance # 702 be introduced, read by title, and adopted (3/4 vote required).

The following BOARD OF TRUSTEES voted: AYES:

BLESSING , FLAK , SCHROEDER , BARTLETT ,  
ANDERSON ; MOTION CARRIED.

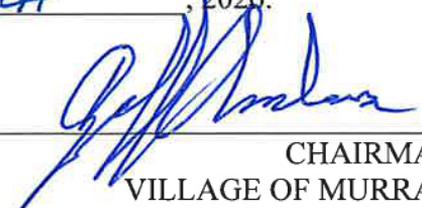
Chairman Anderson raised the question "Shall Ordinance # 702 be adopted as read by title?" TRUSTEE BARTLETT moved, seconded by TRUSTEE SCHROEDER that said Ordinance #702 be adopted, published, or posted as required by law.

The following BOARD OF TRUSTEES voted: AYES:

BLESSING , FLAK , SCHROEDER , BARTLETT ,  
ANDERSON ; MOTION CARRIED.

Upon passage and adoption having been concurred in by majority vote of the Board of Trustees, the Chairperson declared the Ordinance adopted. A true and correct copy of the Ordinance is attached.

DATED THIS 16<sup>TH</sup> DAY OF MARCH, 2026.

  
\_\_\_\_\_  
CHAIRMAN  
VILLAGE OF MURRAY

ATTEST:

  
\_\_\_\_\_  
VILLAGE CLERK

(SEAL)

**CERTIFICATION OF PASSAGE**

**ORDINANCE #702**

STATE OF NEBRASKA  
COUNTY OF CASS  
VILLAGE OF MURRAY

I, Shelli S. Hayes, Village Clerk of the Village Of Murray, Cass County Nebraska, hereby certify that a true and exact copy Ordinance #702 as attached herewith, was passed and approved on the 10<sup>TH</sup> day of MARCH, 2026, and has been published in a legal newspaper, the Omaha World Herald as per the attached **affidavit of publication**, OR posting as required by law. Posting sites: Cornerstone Bank, Murray Post Office, Murray Municipal Building.

Posted this 12<sup>TH</sup> day of MARCH, 20 26.

  
Shelli S. Hayes, Village Clerk

(SEAL)

VILLAGE OF MURRAY  
NOTICE OF PUBLICATION OF  
ORDINANCE IN PAMPHLET FORM

On the 10th day of March 2026, the Village of Murray Board of Trustees adopted an ordinance entitled:

ORDINANCE NO. 702

AN ORDINANCE OF THE VILLAGE OF MURRAY, NEBRASKA, TO AMEND, AND RECONCILE WITH THE NEBRASKA REVISED STATUTES, THE FOLLOWING ORDINANCES BY DELETING THE SAME IN THEIR ENTIRETY AND SUBSTITUTING THE FOLLOWING: TITLE I, CHAPTER 10, §10.05 ENTITLED DEFINITIONS; TITLE III, CHAPTER 33, §33.03 ENTITLED ELECTION, TERMS, QUALIFICATIONS; TITLE III, CHAPTER 33, §33.05 ENTITLED EXIT POLLS, POLL WATCHERS; TITLE III, CHAPTER 33, §33.07 ENTITLED SPECIAL ELECTIONS; TITLE III, CHAPTER 33, §33.10 ENTITLED PETITION, WRITE-IN, AND OTHER CANDIDATES FOR GENERAL ELECTION BALLOT, PROCEDURES; TITLE III, CHAPTER 34, §34.16 ENTITLED LEVIES AUTHORIZED; TITLE III, CHAPTER 34, §34.63 ENTITLED PROPERTY TAX REQUEST; PROCEDURE FOR SETTING; TITLE III, CHAPTER 34, §34.64 ENTITLED PROPERTY TAX REQUEST, INCREASE BY MORE THAN ALLOWABLE GROWTH PERCENTAGE, PROCEDURE FOR SETTING; TITLE III, CHAPTER 35, §35.02 ENTITLED MEETINGS; OPEN TO PUBLIC, NOTICE, AGENDA; TITLE VII, CHAPTER 71, §71.06 ENTITLED MAXIMUM SPEED LIMITS; TITLE IX, CHAPTER 93, §93.13 ENTITLED PUBLIC WORKS INVOLVING ARCHITECTURE OR ENGINEERING, REQUIREMENTS; TITLE IX, CHAPTER, §94.20 ENTITLED RELATING TO ANIMAL ABANDONMENT, NEGLECT MISTREATMENT; TITLE XI, SECTION 110, §110.24 ENTITLED LICENSES, VILLAGE OF MURRAY, NEBRASKA, POWERS AND DUTIES; ENACTING TITLE VII, CHAPTER 71, §71.99 ENTITLED TRAFFIC PENALTIES; TO REPEAL ALL ORDINANCES IN CONFLICT WITH ANY OF THESE PROVISIONS; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

Said Ordinance was published in pamphlet form and copies thereof are available at the office of the Village Clerk, 106 W Main Street, Murray, Nebraska.

Shelli S. Hayes, Village Clerk