

JOHN M. NEFF
CITY ATTORNEY

ORDINANCE NO. 1216

AN ORDINANCE TO CORRECT COMPILATION ERRORS, TYPOGRAPHICAL ERRORS AND OMISSION ERRORS OF THE CITY CODE BY THE AMENDMENT OF SECTION 2-8, SECTION 5-11, SECTION 6-14, SECTION 10-9, THE ADDITION OF SECTION 10-17, AMENDMENT OF SECTION 16-35, SECTION 24-10 AND SECTION 28-5.

BE IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND THE COUNCIL OF THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA:

Section 1. Section 2-8 of the Code is hereby amended to read:

"Sec. 2-8. Apointment of certain officers. The city manager shall be appointed as provided in section 19-645, Revised Statutes of Nebraska, 1943, as may be amended. The city clerk-treasurer, city physician and city attorney shall be appointed by the council at the second meeting in June of each even numbered year."

Section 2. Section 5-11 of the Code is hereby amended to read:

"Sec. 5-11. Owning, keeping, etc., unlicensed and unimmunized dog prohibited. It shall be unlawful for any person to own, keep or harbor a dog within the city, on which the tax required by this article has not been paid and unless such dog shall have been immunized with an anti-rabies vaccine by a licensed veterinarian, within three years preceding the date on which such dog is kept, maintained or allowed to run at large."

Section 3. Section 6-14 shall be amended to read:

"Sec. 6-14. Erection in business, industrial and commercial districts. Under the provisions of this article, signs may be erected in the Districts where permitted by the zoning ordinance, Chapter 28, as provided herein under Subdivisions (1), (2), (3) and (4):"

Section 4. Section 10-9 of the Code is hereby amended to read:

"A part of Section 10-9 is hereby amended by the addition of Solicitors and Door-to-Door canvassers after: "Hawkers and peddlers" and to be as follows: "Hawkers and peddlers and Solicitors and Door-to-Doors Canvassers. Hawklers and peddlers and solicitors and door-to-door canvassers, not otherwise classified, where permitted or allowed, per day -----\$5.00."

Section 5. Chapter 10 of the Code shall be amended by the addition of Section 10-17 as follows:

"Chapter 4 contains additional provisions for licensing and taxing of amusements."

Section 6. Section 16-35 of the Code is hereby amended to read:

"Sec. 16-35. Same -- Alcohol content of blood. (a) It is unlawful for any person to drive or be in actual physical control of any motor vehicle when that person has ten-hundredths of one percent or more by weight of alcohol in his blood as shown by chemical analysis of that person's blood, spinal fluid, breath, saliva or urine.

(b) The police magistrate shall suspend for a period of ninety days the driving privilege of any person upon a first conviction under this section and upon a second or subsequent conviction shall revoke that person's driving privilege for a period of six months. After revocation following a second or subsequent conviction, such driving privilege shall not be reinstated until the person gives proof of ability to respond in damages.

(c) Any person convicted of a second or subsequent offense under this section shall not be granted probation by the court, nor shall the court suspend the execution of the sentence imposed upon that person."

Section 7. Section 24-10 shall be amended by an addition and shall read:

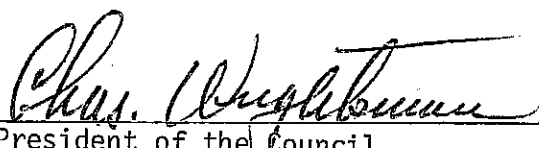
"Sec. 24-10. Grade. All sidewalks within the city shall be laid to conform to the grade established by the city engineer, and shall be laid under the direction of the person having charge of the sidewalks of the city. It is hereby made the duty of the person having charge of the sidewalks to see that all new sidewalks are laid to conform to the grade, as established by the city engineer and shall be in conformance with the building codes and inspection as provided in Chapter 6 of this Code."

Section 8. Section 28-5 shall be amended by the addition of subparagraph (24) as follows:

"(24) Mobile Homes Parks and trailer parks and camps."

Section 9. That all parts of the Code in conflict with this Ordinance are hereby repealed.

PASSED AND APPROVED October 13, 1970.


President of the Council

ATTEST:

Norris L. Warren
City Clerk

(SEAL)