

W. WESLEY LUBBERSTEDT  
CITY ATTORNEY

ORDINANCE NO. 1282

AN ORDINANCE TO AMEND SECTION 28-63 RELATING TO THE  
CREATION OF A BOARD OF ADJUSTMENT: TO PROVIDE THAT THE CITY  
COUNCIL SHALL CONSTITUTE A BOARD OF ADJUSTMENT.

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

SECTION 1. Section 28-63 of the Code is hereby amended  
to read as follows:

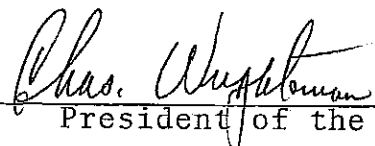
SEC. 28-63. Board of Adjustment; Composition;  
Rules and Regulations; Powers.

The City Council shall constitute a Board of  
Adjustment, and in regulations and restrictions  
adopted pursuant to the authority of Sections 19-901  
to 19-906 of the Revised Statutes, may provide that  
as such Board of Adjustment it may on appropriate  
occasions and subject to appropriate conditions and  
safeguards, make special exceptions to the terms of  
the zoning ordinances in harmony with their general  
purpose and intent, and in accordance with the  
general or specific rules therein contained. And  
as such Board of Adjustment it shall adopt rules and  
proceed as nearly as it may be in harmony with  
Sections 19-907 to 19-910 of the Revised Statutes  
and shall have the powers and duties as provided for  
the Board of Adjustment, and other parties shall  
have all the rights and privileges therein provided  
for. The concurring vote of 2/3rds of the members  
of the legislative body acting as a Board of  
Adjustment shall decide any question upon which it  
is required to pass as such Board.

SECTION 2. That Sec. 28-63 of the Code as written prior  
to the passage of this Ordinance, be and the same is hereby repealed.

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

PASSED AND APPROVED this 10th day of October, 1972.

  
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President of the Council

APPROVED:

  
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City Clerk

(SEAL)