HASTINGS CITY COUNCIL
AGENDA

Hastings Municipal Airport
3300 West 12th Street
April 14, 2025
6:00 PM

ROLL CALL:

PLEDGE OF ALLEGIANCE:

MOTION TO ADOPT CURRENT AGENDA for April 14, 2025 Regular Meeting.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, April 11, 2025. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review and a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

COUNCIL COMMUNICATION:

Reports of Liaisons.

CITIZEN COMMUNICATIONS: (Only for agenda items not related to a public hearing.)

MAYOR'S COMMUNICATIONS:

Presentation of Hastings Fire and Rescue Lifesaving Awards.

Service Anniversaries.

CONSENT AGENDA:

1. All Consent Items.

   (a) Approval of the minutes of the Council Meeting of March 24, 2025

   (b) Approval of the minutes of the Worksession of March 17, 2025

   (c) Approval of claims and payroll

   (d) Approval of the request of the Barrel Bar II, LLC dba "Barrel Bar" located at 1200 E. South Street for a reconstruction amendment to their liquor licensed area

   (e) Approval of the request of Mary Lanning Healthcare to utilize city property for the Mary Lanning Fun Wun on June 7, 2025

   (f) Approval of the request of Mary Lanning Healthcare to utilize city property for the Half Hastings Marathon event on May 31, 2025

   (g) Approval of the request of Barista's of Hastings LLC to utilize city property for the Summer Sounds Outdoor Concert Series on May 31, 2025 and July 31, 2025

(h) Approval of the request of Barista's of Hastings, LLC dba Barista's Downtown for a Special Designated Liquor Licenses for outdoor concert events on Hastings Avenue between 1st Street and 2nd Street on May 31, 2025 and July 31, 2025

(i) Approval of Work Order GA-375, replacement and relocation of existing gas main and services that are in conflict with Nebraska Department of Transportation Hastings Southeast Project No. S-6-4 (1022): J Street/US Highway #6 from Elm Avenue to South Street; and South Street from Elm Avenue to Showboat Boulevard

(j) Approval of Work Order EL-385, Nebraska Department of Transportation Hastings Southeast Project 6-4 (1022) electric line relocation

(k) Approval of Work Order EL-305, new overhead transformer for an irrigation well east of Adams Central Road, south of US Highway 6

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

(a) Approval of the agreement with Van Kirk Bros. Contracting for the Elm Meadows Sub-Division Water, Sewer and Paving Districts

3. Public Hearings.

(a) Public hearing on the application of Barista's of Hastings, LLC dba "Barista's Downtown" for a Class "C" Liquor License (Beer, Wine, Spirits, On and Off Sale) at 647 W. 2nd Street

Resolution No. 2025-14 approving the application of Barista's of Hastings, LLC dba "Barista's Downtown" for a Class "C" Liquor License at 647 W. 2nd Street

(b) Approval of the manager application of Joe Kindig in connection with the Class "C" Liquor License of Barista's of Hastings, LLC dba "Barista's Downtown" located at 647 W. 2nd Street

(c) Public hearing on the request of the Community Redevelopment Authority regarding Plan Modification No. 2025-1 to Redevelopment Area #1 for the Brant Rentals, 811 W. 1st Redevelopment Project, generally located to the southwest of the intersection of West 1st Street and N. Lincoln Avenue, Hastings

Resolution No. 2025-16 approving Plan Modification No. 2025-1 to Redevelopment Area #1 for the Brant Rentals, 811 W. 1st Redevelopment Project, generally located to the southwest of the intersection of West 1st Street and N. Lincoln Avenue, Hastings

(d) Public hearing on the request of the Community Redevelopment Authority regarding Plan Modification No. 2025-2 to Redevelopment Area #14 for the Trailside Village Redevelopment Project generally located to the southeast of the intersection of East 31st Street and West Laux Drive, Hastings

Resolution No. 2025-17 approving Plan Modification No. 2025-2 to Redevelopment Area #14 for the Trailside Village Redevelopment Project generally located to the southeast of the intersection of East 31st Street and West Laux Drive, Hastings

(e) Public hearing on the request of Hastings Area Habitat for Humanity to change zoning from R-1, Urban Single-Family Residential District to R-2 Mixed-Density

Neighborhood District for property commonly addressed as 705 S. Franklin Street

Ordinance No. 4792 amending the Zoning District Map to change zoning from R-1, Urban Single-Family Residential District to R-2 Mixed-Density Neighborhood District for property commonly addressed as 705 S. Franklin Street

(f) Public Hearing on the request of B & R Stores Inc. for a Conditional Use Permit for a self-service storage facility in a portion of the existing building at 1115 W. 2nd Street

Resolution No. 2025-15 approving the request of B & R Stores Inc. for a Conditional Use Permit for a self-service storage facility in a portion of the existing building at 1115 W. 2nd Street

4. General Business.

(a) Advising of objections to Street Improvement District 2025-1, Lochland Meadows Subdivision Number 17

5. Ordinances and Resolutions.

(a) Resolution No. 2025-09 giving advance notice to the Nebraska Department of Transportation that the City of Hastings intends to conduct a special event, the Half Hastings Races, requiring the closing of a portion of the State Highway System on May 31, 2025

(b) Resolution No. 2025-18 to allow expedited review of Redevelopment Plans (Micro-TIF) in the City of Hastings

(c) Ordinance No. 4791 amending the Zoning District Map to change zoning from R-1, Urban Single-Family Residential District to C-3, Commercial Business District for property commonly addressed as 913 W. J Street, Hastings (*Second and possible Final Reading*)

(d) Ordinance No. 4793 revising all the ordinances of the City of Hastings

6. Final Passage of Ordinances.

7. Appointments.

8. Miscellaneous and Other Business.

9. Possible Closed Session (if necessary or requested).

ADJOURN:

The Mayor and City Council reserve the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in sequential order. However, the Mayor and City Council reserve the right to take up matters in a different order to accommodate the schedules of the city council members, person having items on the agenda, and the public.

Service Anniversaries

April 2025

Name	Department	Assignment	Anniversary	Years
Hill, Michelle A	Solid Waste	Superintendent	4/1/2025	10
Conklin, Lance J	PCF	Wastewater Plant Operator II	4/10/2025	25
Leonard, Mark A	Operations	Control Room Operator	4/16/2025	15
Turner, Mark A	NDS	Utility Dispatch Coordinator	4/23/2025	35
Savage, Brandon J	Operations	Senior Chemist	4/30/2025	10

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, March 24, 2025

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Municipal Airport, 3300 West 12th Street, on March 24, 2025.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, March 21, 2025. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review and a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

The Pledge of Allegiance to the Flag of the United States of America was recited.

The meeting was called to order at 6:00 p.m. in Regular Session by Mayor Beckby with the following members present: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Absent: Matt Fong. The following City Officials were present: City Administrator, Mark Funkey; City Attorney, Jesse Oswald; City Clerk, Tyler Ficken; Police Chief, Adam Story; Fire Chief, Troy Vorderstrasse; Parks & Recreation Director, Jeff Hassenstab; Utility Manager, Derek Zeisler; Information Technology Director, Erik Nielsen; Director of Engineering, Lee Vrooman; Director of Human Resources, Lori Hartman; Director of Development Services, Chad Bunger; Director of Finance/City Treasurer, Roger Nash; Environmental Director, Marty Stange; Museum Director, Teresa Kreutzer-Hodson; Safety Director, Trent Clark; City Planner, Ember Batelaan, Information Technology, Kirk Layton.

Moved by Steve Huntley seconded by Brad Consbruck to adopt the current agenda for March 24, 2025, Regular Meeting. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

COUNCIL COMMUNICATION:
Reports of Liaisons. Councilmember Marc Rowan informed the community about the information and activity guide. Councilmembers Brian Hoffman, Maggie Esch, Steve Huntley, Michael Anderson, and Larry Consbruck expressed their gratitude for the work of Hasting Utilities for their work resulting from the recent snowstorm event.

CITIZEN COMMUNICATIONS:

None.

MAYOR'S COMMUNICATIONS:

Mayor Beckby thanked Hastings Utilities for their work during last week's blizzard; it is difficult to work in those conditions. Mayor Beckby appreciated their ability to restore power to a business that resulted in avoiding a large spoilage of food.

CONSENT AGENDA:

1. All Consent Items.

Moved by Steve Huntley seconded by Brian Hoffman to approve all consent items, as presented. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

(a) Approval of the minutes of the Council Meeting of March 10, 2025

(b) Approval of the minutes of the City Council Retreat of March 1, 2025

(c) Approval of claims and payroll

(d) Approval of the request of Do the Brew/Prairie Loft to utilize city property for the Downtown Do the Brew event to be held on April 26, 2025.

(e) Approval of the request of the Prairie Loft Center for a Special Designated Liquor License for a craft beer festival and tasting event (Downtown Do The Brew) to be located at the City Auditorium, Auditorium Park and on 4th Street right-of-way on April 26, 2025

(f) Approval of Work Order WA-132, new 8" water main to serve Fairview Villas at G Street and Franklin Avenue

(g) Approval of Work Order WA-133, Elm 26 First Subdivision, 10" water main to serve apartment buildings

(h) Approval of Work Order WA-134, Elm Meadows First Subdivision Water Main Extension District 2024-1

(i) Approval of Work Order SW-384, Elm Meadows First Subdivision Sanitary Sewer Extension District 2024-3

(j) Approval of the request of the YWCA Adams County to utilize city property for the 4th of July Parade on July 4, 2025

(k) Approval of Invoice #1883 from South Central Economic Development District in the amount of $1,150.00 for administrative services provided from November 1, 2024 to February 28, 2025 for Community Development Block Grant Project 23-ED-001, WR Reserve

(l) Approval of the request for Community Development Block Grant funds, Drawdown #4, in the amount of $1,150.00 for general administration services for Community Development Block Grant Project 23-ED-001, WR Reserve

(m) Approval of Invoice #1884 from South Central Economic Development District in the amount of $2,990.00 for administrative services completed from November 7, 2024 through February 28, 2025 for Community Development Block Grant Project 24-PWF-001, Public Works Facilities (Revive)

(n) Approval of the request for Community Development Block Grant funds, Drawdown #1, in the amount of $2,990.00 for general administration work for Community Development Block Grant Project 24-PWF-001, Public Works Facilities (Revive)

(o) Approval of Invoice #1882 from South Central Economic Development District in the amount of $1,063.75 for general administration work completed on Community Development Block Grant Project 21-DTR-007, Downtown Revitalization

(p) Approval of the request for Community Development Block Grant funds, Drawdown #10, in the amount of $1,063.75 for general administration work completed on Community Development Block Grant Project 21-DTR-007, Downtown Revitalization

(q) Approval of Invoice #1885 from South Central Economic Development District in the amount of $3,450.00 for administrative services for Community Development Block Grant Project 24-DTR-004, Downtown Revitalization

(r) Approval of the request for Community Development Block Grant funds, Drawdown #1, in the amount $3,450.00 for general administration work for Community Development Block Grant Project 24-DTR-004, Downtown Revitalization

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of Daniel Hernandez to change zoning from R-1, Urban Single-Family Residential District to C-3, Commercial Business District for property commonly addressed as 913 W. J Street, Hastings. Ordinance No. 4791 amending the Zoning District Map to change zoning from R-1, Urban Single-Family Residential District to C-3, Commercial Business District for property commonly addressed as 913 W. J Street, Hastings. Mayor Beckby opened the public hearing. City Planner, Ember Batelaan reported that Development Services staff has reviewed the application to rezone the property located at 913 W J Street. The applicant, Daniel Hernandez, has applied to rezone a 1.5-acre parcel located at 913 W J Street from R-1, Urban Single-Family Residential District to

C-3, Commercial Business District. The Planning Commission held a public hearing on the request during their meeting March 4, 2025, and recommended approval to the City Council by a vote of 7-0. Daniel Hernandez of 2705 Lakeview Ave made himself available to answer questions regarding the application. No comments were received in opposition to the proposed zoning change. Mayor Beckby closed the public hearing. Moved by Maggie Esch seconded by Larry Consbruck to approve Ordinance No. 4791 and the amendment to the Official Zoning District Map to rezone the property at 913 W J Street from R-1, Urban Single-Family Residential District to C-3, Commercial Business District. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

(b) Public Hearing on the adoption of the City of Hastings' Comprehensive Plan Update, titled City of Hastings, Nebraska Comprehensive Plan 2025. Resolution No. 2025-10 adopting the City of Hastings' Comprehensive Plan Update, titled City of Hastings, Nebraska Comprehensive Plan 2025. Mayor Beckby opened the public hearing. Director of Development Services, Chad Bunger reported that Development Services staff has worked alongside the staff of MPC and the community to develop the comprehensive development plan; there was an extensive effort to gain input and feedback from the community. The proposed plan meets the minimum requirements of State Statute 19-903. The planning and policy document was created to guide future development and provide City staff and the community with policies to address annexation needs and other development topics. The Planning Commission held a public hearing on the adoption of the Comprehensive Plan on March 4, 2025. The Commission suggested some minor edits which have been made to the draft document provided. The Planning Commission recommended approval to adopt the plan to the City Council, by a vote of 7-0. No comments were received in favor or opposition to the adoption of the City of Hastings' Comprehensive Plan Update. Mayor Beckby closed the public hearing. Moved by Brian Hoffman seconded by Maggie Esch to approve Resolution No. 2025-10 to adopt the City of Hastings' Comprehensive Plan Update, titled City of Hastings, Nebraska Comprehensive Plan 2025. Councilmember Huntley expressed his desire to have the numbers in the plan further updated. Director of Development Services, Chad Bunger provided that the decennial census numbers provide the base with American Community Survey estimate updates. Councilmember Anderson inquired about whether a five-year update would be needed given that five years have passed since the last census, and additionally the impact of COVID. MPC Community Planner, Mason Herrman stated that you could expect a drastic change with the 2030 decennial census numbers. Director of Development Services, Chad Bunger added that MPC worked with staff on the Planning Action Plan 2023 update adopted at the end of 2023 which included relevant housing numbers that have carried through; housing numbers and

economic data have been updated as of 2024. Mayor Beckby stressed the importance of this document for the receipt of future grants. Councilmember Hoffman asked about the plan moving forward and the timeline for future updates. Director of Development Services, Chad Bunger, said that it takes a couple of years for the census data to become available following the 2030 decennial census; annual updates will be provided to the Planning Commission and City Council on annexation, building projections, updated census estimates. At the time of the 2030 census, Director of Development Services, Chad Bunger would make recommendations based upon the amount of growth and access the need for an update around year seven if necessary due to growth. Council Member Brian Hoffman inquired regarding the new zoning classifications. Director of Development Services, Chad Bunger explained that the zoning categories can be viewed as big buckets that point the community in the proper direction for future zoning. Councilmember Brad Consbruck inquired regarding the method of growth such a buildings, area, businesses or all of them. Director of Development Services, Chad Bunger provided that the Plan was developed to focus on housing and commercial growth; there is a lot of opportunity for growth within the city limits versus the costs of extending infrastructure to new growth; the Plan focuses on using existing infrastructure effectively first and looks to grow out if necessary. Councilmember Michael Anderson inquired about the need for business and industry growth to increase residential growth. Director of Development Services, Chad Bunger provided that the Comprehensive Plan is not the tool to address employment growth. Those plans would be with the HEDC and Chamber of Commerce, but the Comprehensive Plan would help in making sure the commercial and industrial growth fits well within the community. Council Member Brad Consbruck expressed his concern regarding having residential housing without people to fill them. Director of Development Services, Chad Bunger stated that the numbers indicate that housing is needed for industry to grow, with approximately one-third of employees driving into Hastings for employment; a portion of those people may want to live in other locations, but the hope is that some would desire to live in Hastings if housing was available. Council Member Marc Rowan inquired whether there are communities that focus more on industry in their comprehensive plans. MPC Community Planner, Mason Herrman stated that there are some much smaller communities that do not focus on zoning and housing because there are just not any jobs within their community and plans have been written with that in mind; it varies by community. Director of Development Services, Chad Bunger expressed his desire to include HEDC information with the annual report to provide information on the economic growth. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

4. General Business.

(a) Approval of the agreement with Van Kirk Bros. Contracting for the Elm Meadows Sub-Division Water, Sewer and Paving Districts. Moved by Brian Hoffman seconded by Maggie Esch to approve the agreement with Van Kirk Bros. Contracting for the Elm Meadows Sub-Division Water, Sewer and Paving Districts. Director of Engineering, Lee Vrooman reported that bids were opened on March 5, 2025 for the Elm Meadows Water, Sewer and Paving work. Three bids were received with Van Kirk Brothers Contracting being the low bid at $1,067,401.13. This is below the engineer's estimate of approximately $1,250,000 and below the budgeted amount of $1,200,000. Work is scheduled to start May/June time frame depending on weather and contractor's schedule. Councilmember Huntley asked if the motion included the dollar amount. Councilmember Brian Hoffman stated that his motion did not include the dollar amount and was based on the approval agreement of Van Kirk Bros. City Attorney Jesse Oswald stated that the dollar amount is not required and was stated for the record by Director of Engineering, Lee Vrooman; it is good practice to include the amount in the motion. It would be at the discretion of the City Council to withdraw the motion to add the amount. Brian Hoffman withdrew his motion and submitted a new motion seconded by Maggie Esch to approve the agreement with Van Kirk Bros. Contracting for the Elm Meadows Sub-Division Water, Sewer and Paving Districts for the amount of the low bid of $1,670,401.13. Mark Rowan requested Director of Engineering, Lee Vrooman to inform someone if the City receives a low bid from an unqualified contractor. Director of Engineering, Lee Vrooman provided that there is an evaluation of the bids and discussions are held with bidders when there are concerns. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

5. Ordinances and Resolutions.

(a) Resolution No. 2025-11 authorizing the City of Hastings to proceed with an amendment to its Gas Supply Agreement with Central Plains Energy Project (CPEP) in connection with the reset of the available discount in CPEP gas prepayment Project No. 2. Moved by Maggie Esch seconded by Larry Consbruck to approve Resolution No. 2025-11 Authorizing the City of Hastings to proceed with an amendment to its Gas Supply Agreement with Central Plains Energy Project (CPEP) in connection with the reset of the available discount in CPEP gas prepayment project No. 2. Utilities Manager Derek Zeisler reported that CPEP is looking to lock in a new discounted rate for its current reset period due to changes in the market and timing constraints. CPEP is made up of three different entities that work to lock in the market and requires Council approval. Approval allows CPEP to work on behalf of the City and the other participants in the third reset period with

CPEP. The agreement started in 2009 and CPEP2 has saved customers over one million dollars to date, and the hope is to save an additional one million dollars over the next seven years. The Utility Advisory Board voted to recommend approval. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

(b) Resolution No. 2025-12 approving the plans, specifications and authorization to advertise for bids for Lochland Meadows 17th Sub-Division Water and Paving Project. Moved by Larry Consbruck seconded by Steve Huntley to approve Resolution No. 2025-12 Approving the plans, specifications and authorization to advertise for bids for Lochland Meadows 17th Sub-Division Water and Paving Project. Director of Engineering, Lee Vrooman reported that plans and specifications for Lochland Meadows 17th Subdivision water and paving have been completed and are included in the packet. Water and paving districts were created at the City Council meeting on March 10, 2025. The bid opening date for this work will be April 16, 2025. The plans and specifications are being brought before the Council at the final Council meeting in April because the project is part of a district. Staff recommends approval. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

(c) Resolution No. 2025-13 requesting assistance from South Central Economic Development District, Inc. in the completion of a Community Development Block Grant Application for a Bruckman Rubber expansion project. Moved by Maggie Esch seconded by Brian Hoffman to approve Resolution No. 2025-13 requesting assistance from the South Central Economic Development District in the completion of a Community Development Block Grant application for Bruckman Rubber expansion project. Director of Development Services, Chad Bunger reported that the City is partnering with the South Central Economic Development District, and the City begins the process by adopting a Resolution to affirm the grant application. HEDC Executive Director, Shannon Landauer reported that Bruckman Rubber is an international company selling rubber pieces with projects including Nike, Garmin and Yeti as some of their clients. Bruckman Rubber is looking to bring in a new product line and get into new markets. Equipment, upgrades and increased material storage are needed at the plant to achieve this. HEDC is working with the state of Nebraska on the CDBG grant that will be granted to the City; HEDC will take the sub-recipient position, as in the past. Costs and job creation will be agreed upon. Typically, half of the grant amount is forgiven if Bruckman Rubber meets the requirements with the other half returning to the HEDC revolving loan fund to support other projects in the community. Councilmember Marc Rowan inquired regarding the process for other businesses that

would be interested in this kind of funding. HEDC Executive Director, Shannon Landauer provided that the process begins with a municipal applicant. The HEDC conducts business retention expansion visits; four have been completed this year. The HEDC provides information on financial products that can help them grow. If there is a company that has not been visited, the company needs to contact the HEDC so HEDC can learn about the proposed project and options for contributing funds. The Nebraska site building fund is available, although commercial projects are a little more difficult at the local level. The HEDC is eager to have conversations if there is a project; it's not possible to support projects that the HEDC doesn't know about. The HEDC encourages conversations about resources. Councilmember Marc Rowan asked about the financial participation of Bruckman Rubber. HEDC Executive Director, Shannon Landauer stated that it's a 50/50 on the project to be eligible; there is work being completed on final numbers, but estimates are in the neighborhood of $650,000 for the project, which is phase #1. The process is an excellent way to grow when a company is already in town, they are taking advantage of existing infrastructure. Current projects are on track for 75 new positions, and approximately $75 million of investment. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman. Nays: None. Absent: Matt Fong. The motion carried.

6. Final Passage of Ordinances.

None.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

9. Possible Closed Session (if necessary or requested).

None.

Moved by Steve Huntley seconded by Michael Anderson there being no further business before the Council to adjourn at 7:13 p.m. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Brian Hoffman. Nays: Marc Rowan. Absent: Matt Fong. The motion carried.

APPROVED:

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George J.J. Beckby, Mayor

ATTEST:

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Tyler Ficken, City Clerk

(S E A L)

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL WORKSESSION
Monday, March 17, 2025

Pursuant to due call and notice thereof, a Worksession Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Municipal Airport, 3300 W. 12th Street, on March 17, 2025.

The Worksession Meeting was called to order at 6:00 p.m. by Council President Steve Huntley with the following members present: Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong.

City Officials Present: Mayor Jay Beckby, Mark Funkey, Jesse Oswald, Lori Vorderstrasse, Adam Story, Troy Vorderstrasse, Erik Nielsen, Roger Nash, Jeff Hassenstab, Lee Vrooman, Teresa Kreutzer-Hodson, Tony Herrman, Lori Hartman, Chad Bunger, Trent Clark, Samantha Rundle, Joseph Chapman.

Pledge of Allegiance.

Moved by Brad Consbruck seconded by Michael Anderson to adopt the current agenda for the March 17, 2025 City Council Worksession. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. The motion carried.

Official Notice of the Worksession was published in the Hastings Tribune on Friday, March 14, 2025. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review and a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

CITIZEN COMMUNICATIONS

Micro TIF: Willis Hunt, 616 Madden Road
Sign, Small Wind Energy Systems, Nonconformities: Shannon Hoff, 1325 Highland Drive

DISCUSSION ITEMS

Presentation of Museum Annual Report.

Teresa Kreutzer-Hodson, Museum Director, began her presentation on the 2023-24 Hastings Museum Annual Report. She reviewed where the Museum's income comes from and stated a fair share comes from property tax, lodging tax and motor vehicle tax. She spoke about the increase in store sales and about steady attendance and memberships. Ms. Kreutzer-Hodson talked about the Hastings Museum Foundation and their support of the Museum. She shared with the Council the increase they have had in School Program participants and the walking and bus tours. She reviewed with the Council the expenses and indicated employee wages and benefits were the largest expense. She discussed what the Museum does as far as exhibits, programs, classes (outdoor classroom also), Kool-Aid Days, tours, and alternative theater uses. She mentioned to the Council that they are an accredited Museum. Ms. Kreutzer-Hodson talked about the Museum's community outreach, communication, marketing and advertising that is done. She spoke about the support system of interns and volunteers and about the Hastings Museum Board that ensures the Museum operates in a legal, ethical and professional manner. She told Council the biggest responsibility the Museum has is to

safeguard the collections held in public trust. Ms. Kreutzer-Hodson spoke briefly about donations, accessioning and de-accessioning and the cost of keeping objects in storage. She also thanked the interdepartmental help the Museum receives. She reviewed 2024-25 goals and spoke about replacing the roof and life safety updates and 2025-26 goals of replacing HVAC systems and expanding compact storage systems. She indicated the Museum is a part of the half-cent sales tax, a part of which went to the compact storage units and for the second floor renovation involving Kool-Aid, the Naval Ammunition Depot and local history exhibit. Ms. Kreutzer-Hodson also made the Council aware that federal grants for the Museum may be harder to come by in the future.

Presentation of Library Annual Report.

Joseph Chapman, Hastings Public Library Experience Supervisor, spoke regarding the Hastings Library 2023-24 Annual Report. He began by mentioning Jessica Brock, Library Advisory Board President, and Shelly Tork, Hastings Library Foundation President. He talked about connecting throughout the community with new services like the new online calendar, new printing software and new 3D printers. He mentioned the programs the Library offers and specifically STEAM Tweens, Teen Underground, book clubs, humanities speakers, Senior Planet, geocache hunt, and a partnership with the Adams County Justice Center. He mentioned the Gold rating from the Nebraska Library Commission that the Library received. Mr. Chapman talked about the Summer Reading 2024 program and that it is instrumental in avoiding a summer months slump. He highlighted the Master Gardeners and their help taking care of the Library green space and National Librarian Day and how it is always nice to receive recognition from the community. He reviewed various Library stats with Council and spoke about funding, with $227,850.92 coming from County funds and $1,415,705.57 coming from City funds. He concluded by stating that the Library brings tremendous value to the community. Council President Huntley questioned where they were on the hiring of a new Library Director. Mark Funkey, City Administrator, indicated that the application submission closing date was March 25th and they will go through the interview process shortly after that.

Discussion of Micro TIF (Tax Increment Financing).

Chad Bunger, Development Services Director, talked about what staff had proposed regarding who Micro TIF should be offered to, with that being all qualifying residential properties, all designated blighted and substandard areas, limiting the total number of applications received to 15 in a calendar year, review every six months to determine appropriate workload and program success, begin program on June 1, 2025. He cautioned the Council not to put a lot of guard rails on things until they know what is going to happen. He stated that they were ready to bring back a resolution at the first meeting in April if the Council chooses to do so.

Council President Huntley questioned if it would be a resolution or an ordinance. Jesse Oswald, City Attorney, indicated it would be a resolution. He also asked if this was just residential property at this time. Mr. Bunger indicated that would be his suggestion, but it is up to the Council. Councilmember Hoffman asked about maximums and minimums. Mr. Bunger stated that the state statutes create the maximums and he suggested keeping the numbers where they are. Councilmember Brad Consbruck stated it was his understanding that it could cover either residential or commercial or residential and commercial. Mr. Bunger said it certainly could, but his proposal is just residential. Councilmember Fong suggested starting with residential as a target and he advocated for the six month review. Council President Huntley asked about the 15 per year and questioned if they should divide per month. Councilmember Fong felt they didn't need the additional red tape and to overly complicate the process. He suggested they let staff figure out if it is working and not make restrictions to start with a new program. Mr. Bunger indicated he didn't know how it would go but that he is not necessarily concerned as there are

steps to go through first before applying for Micro TIF. Councilmember Brad Consbruck stated he felt they shouldn't put a limit on it because they will review it in six months anyway and they can address it at that time. Councilmember Consbruck stated he felt this is a great opportunity for homeowners. Councilmember Anderson asked about requirements. Mr. Bunger stated that it has to increase the property value after the project is completed.

Mr. Bunger indicated he would like feedback from Council on the decision points and if they should do this. Councilmember Huntley asked about a quicker start date. Mr. Bunger indicated they still have some work to do with staff and other entities and they would like to have some time to get the process right. Mr. Bunger stated that the Development Services Department would want to be the first stop to have initial conversations with those interested in the program. Councilmember Brad Consbruck indicated that he felt what the staff came up with was good to get started with. Councilmember Fong stated he agreed. Councilmember Anderson asked how the program would be promoted. Mr. Bunger stated they would promote through engagement pages already created, City of Hastings Public Information Manager, TV, radio channels, fliers and word of mouth. It was the general consensus of the Council to move forward with offering the program. Mr. Bunger stated it would come back before Council at the first meeting in April.

Discussion of the draft of Zoning Regulation updates including a rewrite of Section 34-309. Signs, Section 34-314. Small Wind Energy Systems, and Article VI - Nonconformities.

Mr. Bunger stated they are working on three code updates and hoping to make things simpler. He started with Section 34-309. Signs. He indicated they worked hard on getting feedback. He said that the purpose of the sign code is to promote the public health, safety, and welfare of the city and its extraterritorial jurisdiction through a comprehensive system of reasonable, effective, consistent, content-neutral, and non-discriminatory sign standards and requirements. He hit the highlights of the sign code: standards for nonconforming signs, signs exempted from regulations, regulated signs exempt from sign permit requirements, specific sign type standards. Mr. Bunger explained that they went through each district reviewing standards.

He began the review of Article VI - Nonconformities. Mr. Bunger stated that a nonconformity is uses, lots, structures, or other site improvements that were lawful at the time they were established/built, and continued in generally the same fashion since that time, and some element of the zoning regulations changed to make it nonconforming to the current regulations. Mr. Bunger indicated to the Council that staff will not actively search for nonconformities. He stated that draft regulation intentions are created to allow nonconformities to continue to exist and be used productively. He reviewed with Council nonconforming uses (most problematic), nonconforming structures, nonconforming lots, and nonconforming site development.

Mr. Bunger began the review of Section 34-314. Small Wind Energy Systems. He spoke regarding small turbines on private property and discussed current code setbacks and height and proposed code setbacks and allowed heights.

Councilmember Anderson asked about permanent signs on the sidewalks and removing lights for signs. Mr. Bunger stated they don't get too involved with the sidewalks since it is public property, however, for downtown they did write in some standards. Mr. Bunger indicated that with the sign downtown that is being referred to, city staff went with the use of public right-of-way permit through the Engineering Department and they spent months reviewing the request and he indicated that the process is open to anyone. He said that they try to be accommodating to businesses and they would do it for that owner or any other owner. Councilmember Hoffman asked if the Planning Commission has been involved in this process and helped vet these

codes. Mr. Bunger told Council that they started this process last April and met with the Chamber of Commerce, HEDC, BID, staff researched and met with Planning Commission as well as an ad hoc committee of the Planning Commission. He indicated that attendance wasn't huge at meetings. Councilmember Fong asked Mr. Bunger to speak to the process moving forward. Mr. Bunger said that Council can talk more about it, Council can provide feedback, the code changes are drafted and ready to go if Council is ready. Councilmember Huntley asked about the recodification and would these changes affect that. Mr. Oswald indicated it would not affect it all. Councilmember Huntley asked if the recodification was coming to next month's worksession. Mr. Oswald indicated it would be on an agenda next month at whichever meeting the Mayor and Council chose. Councilmember Rowan asked about the removal of a light downtown in front of a sign and do we have rules. Mr. Bunger indicated that is an Engineering Department topic. Lee Vrooman, City Engineer, indicated lights are on a case by case basis and that they need to make sure the system or infrastructure is still functional, whatever the system might be. Councilmember Rowan stated he was just concerned about the ambiance downtown. Councilmember Esch stated we sometimes need to look at the big picture because our downtown is really an asset to our community and businesses appreciate the city being flexible and figuring out how to get to yes, rather than putting up more red tape. She stated they need to focus on what an asset those businesses are to our community and that they are turning into destinations for Hastings. Council President Huntley asked what Mr. Bunger was looking for from the Council. Mr. Bunger stated that the Planning Commission has reviewed the changes so they can bring the changes forward for adoption or can pause if the Council needs more time. Councilmember Hoffman stated he felt they are ready to move the revisions on to the Planning Commission. Mr. Bunger stated he would proceed with putting the revisions before the Planning Commission for adoption in April.

Moved by Marc Rowan seconded by Maggie Esch there being no further business to come before the Council, the meeting was adjourned at 8:05 p.m. Roll Call: Ayes: Steve Huntley, Michael Anderson, Brad Consbruck, Larry Consbruck, Maggie Esch, Marc Rowan, Brian Hoffman, Matt Fong. Nays: None. The motion carried.

CITY OF HASTINGS

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
152	ADAMS COUNTY CONVENTI	0001		INV	03/03/2025	JANUARY 2025			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72306		MUSEUM	PROMO CVB		6,153.25			
							6,153.25		
						CHECK TOTAL	**6,153.25**		
437	ALLO COMMUNICATIONS	0001		INV	03/26/2025	911069 022425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72620		AIRPORT	TELEPHONE		184.36			
							184.36		
						CHECK TOTAL	**184.36**		
437	ALLO COMMUNICATIONS	0001		INV	03/26/2025	1398929 022425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72620		PR-PARKS	TELEPHONE		372.27			
							372.27		
						CHECK TOTAL	**372.27**		
437	ALLO COMMUNICATIONS	0001		INV	03/26/2025	1728009 022425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		4,071.33			
	2 720 73727		IT FUND	SFTW UTIL		3,331.09			
							7,402.42		
						CHECK TOTAL	**7,402.42**		
402	AMAZON CAPITAL SERVIC	0001		INV	03/21/2025	1QJ1-DVHJ-QXWK			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		88.05			
							88.05		
402	AMAZON CAPITAL SERVIC	0001		INV	03/09/2025	1YF3-D1NV-JJTN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72720		PR-CEM	RM-BLDG		166.55			
							166.55		
402	AMAZON CAPITAL SERVIC	0001		INV	04/17/2025	1YJ6-LQ6R-KXFL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		587.96			
	2 10005031 73165		POLICE	UNIFORM		21.48			
							609.44		

ACCOUNTS PAYABLE CHECK RUN REPORT

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	04/16/2025	1P9D-PG4Q-CHY6			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72770		POLICE	RM-TOOLS		45.94			
							45.94		
402	AMAZON CAPITAL SERVIC	0001		INV	04/13/2025	1NKJ-FW1T-3YRY			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		159.99			
							159.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/13/2025	1MTF-46LQ-3GKV			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		9.88			
							9.88		
402	AMAZON CAPITAL SERVIC	0001		INV	04/08/2025	13WN-R6MW-V64T			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		198.16			
							198.16		
402	AMAZON CAPITAL SERVIC	0001		INV	04/05/2025	149Y-JW3X-6Y1L			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		215.65			
							215.65		
402	AMAZON CAPITAL SERVIC	0001		INV	03/31/2025	1NPL-FWD3-7FYP			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		199.67			
							199.67		
402	AMAZON CAPITAL SERVIC	0001		INV	03/29/2025	1GQD-HYMP-JJ1V			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72760		POLICE	RM-OFFICE		116.11			
							116.11		
402	AMAZON CAPITAL SERVIC	0001		INV	03/29/2025	1XJH-KWHM-JG4Y			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 74380		POLICE	VEH		129.98			
							129.98		
402	AMAZON CAPITAL SERVIC	0001		INV	03/29/2025	1P1K-6YWF-GCP6			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		178.00			
							178.00		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	03/23/2025	1QRQ-QXQ4-PDJL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73001		POLICE	OFF SUPP		582.45			
							582.45		
402	AMAZON CAPITAL SERVIC	0001		INV	04/02/2025	137W-777R-7TH9			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 72720		PR-AUD	RM-BLDG		85.99			
							85.99		
402	AMAZON CAPITAL SERVIC	0001		INV	03/26/2025	1KMK-QL9X-D4V4			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 73720		PR-REC	SUPP-BM		15.99			
							15.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/05/2025	1TYV-FGTV-7YGW			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 73142		PR-REC	SUPP-YOUTH		172.50			
							172.50		
						CHECK TOTAL	**2,974.35**		
12	BLACK HILLS ENERGY	0001		INV	03/29/2025	8770 4669 50 250227			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72610		LANDFILL	NAT GAS		374.04			
							374.04		
						CHECK TOTAL	**374.04**		
673	CHARTER COMMUNICATION	0001		INV	03/31/2025	176222701030125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72620		FIRE	TELEPHONE		102.62			
							102.62		
						CHECK TOTAL	**102.62**		
673	CHARTER COMMUNICATION	0001		INV	03/31/2025	176219401030125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72620		FIRE	TELEPHONE		53.65			
							53.65		
						CHECK TOTAL	**53.65**		

ACCOUNTS PAYABLE CHECK RUN REPORT

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
673	CHARTER COMMUNICATION	0001		INV	03/31/2025	176221701030125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72620		POLICE	TELEPHONE		500.00			
							500.00		
						CHECK TOTAL	**500.00**		
673	CHARTER COMMUNICATION	0001		INV	03/31/2025	176221601030125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72620		POLICE	TELEPHONE		79.22			
							79.22		
						CHECK TOTAL	**79.22**		
673	CHARTER COMMUNICATION	0001		INV	03/31/2025	176221101030125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 72620		PR-AUD	TELEPHONE		138.12			
							138.12		
						CHECK TOTAL	**138.12**		
673	CHARTER COMMUNICATION	0001		INV	04/08/2025	0008425030925			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72620		PR-CEM	TELEPHONE		118.95			
							118.95		
						CHECK TOTAL	**118.95**		
673	CHARTER COMMUNICATION	0001		INV	03/31/2025	176221901030125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72620		PR-PARKS	TELEPHONE		88.39			
							88.39		
						CHECK TOTAL	**88.39**		
630	COOPERATIVE PRODUCERS	0002		INV	03/15/2025	541356			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72610		LANDFILL	NAT GAS		551.23			
							551.23		
						CHECK TOTAL	**551.23**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
2521	JEFFREY EVANS	0001		INV	03/26/2025	25			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72720		AIRPORT	RM-BLDG		375.00			
							375.00		
						CHECK TOTAL	**375.00**		
677	FARRIS CONSTRUCTION C	0001		INV	04/10/2025	CH2024-31 EST #5			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 74229		LANDFILL	CAP IMP		27,097.80			
							27,097.80		
						CHECK TOTAL	**27,097.80**		
191	GLENWOOD TELECOMMUNIC	0001		INV	03/31/2025	10981115			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		54.54			
							54.54		
						CHECK TOTAL	**54.54**		
585	HASTINGS PHYSICAL THE	0001		INV	03/30/2025	421580			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72030		DS	PROF SERV		77.00			
	2 10003023 72030		PR-WP	PROF SERV		29.00			
	3 10003020 72030		PR-AUD	PROF SERV		77.00			
	4 10004000 72030		LIBRARY	PROF SERV		77.00			
							260.00		
						CHECK TOTAL	**260.00**		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	02070932-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001010 72605		CITY ADMIN	ELECTRICIT		114.05			
							114.05		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	111627 022825			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72605		AIRPORT	ELECTRICIT		1,254.85			
	2 10008000 72610		AIRPORT	NAT GAS		1,610.97			
	3 10008000 72615		AIRPORT	SEWER		114.68			
	4 10008000 72625		AIRPORT	WATER		218.41			
							3,198.91		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	04/03/2025	22841912-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72605		LANDFILL	ELECTRICIT		713.15			
							713.15		
720	HASTINGS UTILITIES	0001		INV	03/30/2025	10152 022825			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72606		STREET	TRAFF SIG		669.92			
							669.92		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	09330010-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72605		STREET	ELECTRICIT		598.75			
	2 280 72610		STREET	NAT GAS		229.48			
	3 280 72625		STREET	WATER		51.70			
							879.93		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	09330020-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72605		STREET	ELECTRICIT		358.65			
	2 280 72610		STREET	NAT GAS		890.16			
	3 280 72625		STREET	WATER		42.10			
	4 280 72615		STREET	SEWER		21.97			
							1,312.88		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	09340668-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72605		STREET	ELECTRICIT		29.85			
							29.85		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	10391125-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72605		STREET	ELECTRICIT		923.15			
							923.15		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	08300215-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72605		STREET	ELECTRICIT		115.15			
							115.15		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	04/03/2025	09340740-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72625		POLICE	WATER		196.83			
	2 10005031 72615		POLICE	SEWER		46.09			
	3 10005031 72610		POLICE	NAT GAS		3,556.12			
	4 10005031 72605		POLICE	ELECTRICIT		2,529.85			
							6,328.89		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	22830504-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72605		POLICE	ELECTRICIT		20.95			
							20.95		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	02070920-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72625		FIRE	WATER		134.89			
	2 10006040 72615		FIRE	SEWER		56.81			
	3 10006040 72610		FIRE	NAT GAS		1,008.86			
	4 10006040 72610		FIRE	NAT GAS		1,117.85			
							2,318.41		
720	HASTINGS UTILITIES	0001		INV	04/03/2025	20751290-00 030425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72625		FIRE	WATER		146.09			
	2 10006040 72615		FIRE	SEWER		83.61			
	3 10006040 72610		FIRE	NAT GAS		671.87			
	4 10006040 72605		FIRE	ELECTRICIT		689.85			
							1,591.42		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	03/30/2025	1052 022825			

ACCOUNT DETAIL					LINE AMOUNT
1	10003020 72605		PR-AUD	ELECTRICIT	3,441.85
2	10003020 72610		PR-AUD	NAT GAS	2,429.56
3	10003020 72615		PR-AUD	SEWER	46.09
4	10003020 72625		PR-AUD	WATER	128.49
5	10003021 72605		PR-CEM	ELECTRICIT	677.85
6	10003021 72610		PR-CEM	NAT GAS	433.23
7	10003021 72615		PR-CEM	SEWER	33.22
8	10003021 72625		PR-CEM	WATER	249.15
9	10003023 72605		PR-WP	ELECTRICIT	683.05
10	10003023 72610		PR-WP	NAT GAS	51.00
11	10003024 72605		PR-REC	ELECTRICIT	777.85
12	10003024 72610		PR-REC	NAT GAS	953.24
13	10003024 72615		PR-REC	SEWER	24.65
14	10003024 72625		PR-REC	WATER	115.69
15	10003022 72605		PR-PARKS	ELECTRICIT	4,029.70
16	10003022 72610		PR-PARKS	NAT GAS	760.23
17	10003022 72615		PR-PARKS	SEWER	108.23
18	10003022 72625		PR-PARKS	WATER	214.43
					15,157.51
				CHECK TOTAL	**33,374.17**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	03/31/2025	OCT-JAN 2025			

ACCOUNT DETAIL					LINE AMOUNT
1	10001010 72728		CITY ADMIN	BUILD SUPP	593.22
2	10008000 72728		AIRPORT	BUILD SUPP	2,740.94
3	10003020 72728		PR-AUD	BUILD SUPP	1,667.72
4	10003021 72728		PR-CEM	BUILD SUPP	160.81
5	10006040 72728		FIRE	BUILD SUPP	1,463.19
6	10004000 72728		LIBRARY	BUILD SUPP	2,242.79
7	10003022 72728		PR-PARKS	BUILD SUPP	3,034.21
8	10005031 72728		POLICE	BUILD SUPP	908.44
9	270 72728		MUSEUM	BUILD SUPP	5,952.57
10	280 72728		STREET	BUILD SUPP	761.32
11	610 72728		LANDFILL	BUILD SUPP	260.07
					19,785.28
				CHECK TOTAL	**19,785.28**

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	04/19/2025	FY 2024			

ACCOUNT DETAIL					LINE AMOUNT
1	10001010	72728	CITY ADMIN	BUILD SUPP	1,580.56
2	10008000	72728	AIRPORT	BUILD SUPP	6,662.35
3	10009000	72015	OTHER-GOVT	CONT	20,697.99
4	10003021	72728	PR-CEM	BUILD SUPP	422.16
5	10006040	72728	FIRE	BUILD SUPP	2,579.33
6	10004000	72728	LIBRARY	BUILD SUPP	4,143.21
7	10003022	72728	PR-PARKS	BUILD SUPP	7,742.86
8	10005031	72728	POLICE	BUILD SUPP	2,304.50
9	270	72728	MUSEUM	BUILD SUPP	11,659.87
10	280	72728	STREET	BUILD SUPP	1,973.77
11	610	72728	LANDFILL	BUILD SUPP	678.98

60,445.58

CHECK TOTAL **60,445.58**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT
655	HOMETOWN LEASING	0002		INV	04/05/2025	22800531 030625	

ACCOUNT DETAIL					LINE AMOUNT
1	720	74355	IT FUND	COMP EQ	3,902.59
2	720	74357	IT FUND	EQUIP UTIL	3,193.02

7,095.61

CHECK TOTAL **7,095.61**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT
2212	LUMEN TECHNOLOGIES GR	0001		INV	04/15/2025	728641516	

ACCOUNT DETAIL					LINE AMOUNT
1	258	74340	WIRE 911	COMM EQ	3,323.94

3,323.94

CHECK TOTAL **3,323.94**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT
162	MARY LANNING BUSINESS	0001		INV	04/05/2025	3103041145	

ACCOUNT DETAIL					LINE AMOUNT
1	610	72030	LANDFILL	PROF SERV	20.00
2	280	72915	STREET	OTHER	25.00
3	10003022	72915	PR-PARKS	OTHER	25.00

70.00

CHECK TOTAL **70.00**

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
46	NE DEPT OF TRANSPORTA	0002		INV	02/05/2025	1461527			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72722		AIRPORT RM-AIR			58.10			
							58.10		
						CHECK TOTAL	**58.10**		
1400	BRANDON SAVAGE	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			38.36			
							38.36		
						CHECK TOTAL	**38.36**		
1400	BRIAN DOUGLAS	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			28.50			
							28.50		
						CHECK TOTAL	**28.50**		
1400	BRYCE BOTTOLFSON	0000		INV	03/22/2025	PER DIEM BOTTOLFSON			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 72035		AMBULANCETRAIN/CONF			306.00			
							306.00		
						CHECK TOTAL	**306.00**		
1400	BRYCE BOTTOLFSON	0000		INV	01/18/2025	PER DIEM BOTTOLFSON			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 72035		AMBULANCETRAIN/CONF			306.00			
							306.00		
						CHECK TOTAL	**306.00**		
1400	CARLA SCHEIERMAN	0000		INV	03/22/2025	PER DIEM SCHEIERMAN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 72035		AMBULANCETRAIN/CONF			306.00			
							306.00		
						CHECK TOTAL	**306.00**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
1400	CHASE NELSON	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			114.12			
							114.12		
						CHECK TOTAL	**114.12**		
1400	JESSICA NOYD	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			1.69			
							1.69		
						CHECK TOTAL	**1.69**		
1400	JON ROJEWSKI	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			20.32			
							20.32		
						CHECK TOTAL	**20.32**		
1400	JOSEPH SNYDER	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			5.72			
							5.72		
						CHECK TOTAL	**5.72**		
1400	KENZIE HUBL	0000		INV	03/28/2025	PER DIEM - HUBL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001012 72035		ATTORNEY TRAIN/CONF			283.15			
							283.15		
						CHECK TOTAL	**283.15**		
1400	KIRK LAYTON	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			22.52			
							22.52		
						CHECK TOTAL	**22.52**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
1400	MIKE BLOOMBERG	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			19.50			
							19.50		
						CHECK TOTAL	**19.50**		
1400	SUSAN STROMER	0000		INV	02/15/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 47751		HEALTH INS PMTS-CUR			9.87			
							9.87		
						CHECK TOTAL	**9.87**		
514	OPTUM BANK	0002		INV	04/12/2025	0001721362			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 710 72044		HEALTH INS ADMIN FEE			506.00			
							506.00		
						CHECK TOTAL	**506.00**		
31	POLICE DEPT. - PETTY	0001		INV	03/30/2025	022825			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE PROF SERV			160.50			
							160.50		
						CHECK TOTAL	**160.50**		
1852	PTSR OF HASTINGS	0001		INV	03/30/2025	FEB 2025			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10009000 72056		OTHER-GOVT EE WELL			760.00			
							760.00		
						CHECK TOTAL	**760.00**		
453	SOUTH CENTRAL ECONOMI	0001		INV	04/04/2025	1882			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 220 72039		CD ADMIN			1,063.75			
							1,063.75		
453	SOUTH CENTRAL ECONOMI	0001		INV	04/04/2025	1883			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 220 72039		CD ADMIN			1,150.00			
							1,150.00		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
453	SOUTH CENTRAL ECONOMI	0001		INV	04/04/2025	1885			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 220 72039		CD	ADMIN		3,450.00			
							3,450.00		
453	SOUTH CENTRAL ECONOMI	0001		INV	04/04/2025	1884			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 220 72039		CD	ADMIN		2,990.00			
							2,990.00		
						CHECK TOTAL	**8,653.75**		
294	US BANK	0001		INV	03/27/2025	INT'L CODE COUNCIL I			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72035		DS	TRAIN/CONF		165.00			
							165.00		
294	US BANK	0001		INV	02/28/2025	MARRIOTT CORNHUSKER			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72035		STREET	TRAIN/CONF		138.92			
							138.92		
294	US BANK	0001		INV	02/28/2025	MARRIOTT CORNHUSKER			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72035		STREET	TRAIN/CONF		152.42			
							152.42		
294	US BANK	0001		INV	02/28/2025	MARRIOTT CORNHUSKER			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72035		STREET	TRAIN/CONF		138.92			
							138.92		
294	US BANK	0001		INV	03/07/2025	CLEAN AND GREEN EXPO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10007052 72035		SW MGMT	TRAIN/CONF		42.20			
							42.20		
294	US BANK	0001		INV	03/26/2025	NISSANPARTSDEAL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		25.30			
							25.30		
294	US BANK	0001		INV	03/27/2025	FBI NATL ACADEMY			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72905		POLICE	DUE/SUBS		130.00			
							130.00		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	03/27/2025	USPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72105		POLICE	POSTAGE		18.55			
							18.55		
294	US BANK	0001		INV	03/16/2025	USPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72105		POLICE	POSTAGE		58.08			
							58.08		
294	US BANK	0001		INV	03/20/2025	USPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72105		POLICE	POSTAGE		55.65			
							55.65		
294	US BANK	0001		INV	03/22/2025	USPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72105		POLICE	POSTAGE		18.55			
							18.55		
294	US BANK	0001		INV	03/23/2025	AMOCO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73126		POLICE	FUEL/OIL		32.00			
							32.00		
294	US BANK	0001		INV	03/23/2025	HAMPTON INN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		243.00			
							243.00		
294	US BANK	0001		INV	03/23/2025	HAMPTON INN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		243.00			
							243.00		
294	US BANK	0001		INV	03/26/2025	DIESEL PARTS DIRECT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		528.26			
							528.26		
294	US BANK	0001		INV	03/23/2025	FBI NATL ACADEMY			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72905		POLICE	DUE/SUBS		130.00			
							130.00		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	03/23/2025	NASRO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72905		POLICE	DUE/SUBS		50.00			
							50.00		
294	US BANK	0001		INV	03/23/2025	SHELLSHOCK			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73170		POLICE	WEARING		841.50			
							841.50		
294	US BANK	0001		INV	03/22/2025	PROJECT HARMONY			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		350.00			
							350.00		
294	US BANK	0001		INV	03/26/2025	BLUE TO GOLD			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		358.00			
							358.00		
294	US BANK	0001		INV	03/22/2025	CENTRAL COMMUNITY CO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72035		PR-PARKS	TRAIN/CONF		240.00			
							240.00		
294	US BANK	0001		INV	03/17/2025	SP RADER K9			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73136		POLICE	K-9 UNIT		22.49			
							22.49		
294	US BANK	0001		INV	04/05/2025	GOLDENS GAS & GRILL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73126		FIRE	FUEL/OIL		44.69			
							44.69		
294	US BANK	0001		INV	04/08/2025	ALLSUPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73126		FIRE	FUEL/OIL		26.33			
							26.33		
294	US BANK	0001		INV	04/08/2025	QUIKTRIP			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73126		FIRE	FUEL/OIL		32.09			
							32.09		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/05/2025	QUIKTRIP			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73126		FIRE	FUEL/OIL		42.41			
							42.41		
294	US BANK	0001		INV	04/09/2025	LOVES			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73126		FIRE	FUEL/OIL		34.91			
							34.91		
294	US BANK	0001		INV	04/09/2025	HIWAY INN EXPRESS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72035		FIRE	TRAIN/CONF		529.00			
							529.00		
294	US BANK	0001		INV	04/03/2025	CENTRAL STATES GROUP			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72770		FIRE	RM-TOOLS		34.54			
							34.54		
294	US BANK	0001		INV	04/06/2025	INT'L CODE COUNCIL I			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72035		DS	TRAIN/CONF		493.00			
							493.00		
294	US BANK	0001		INV	04/03/2025	DALLY'S DELI			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72035		AIRPORT	TRAIN/CONF		131.29			
							131.29		
294	US BANK	0001		INV	04/11/2025	NREMT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 72030		AMBULANCE	PROF SERV		32.00			
							32.00		
294	US BANK	0001		INV	04/11/2025	UPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72105		FIRE	POSTAGE		9.05			
							9.05		
294	US BANK	0001		INV	04/12/2025	FIREFIGHTERSHILDSRUS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73130		FIRE	BADGES		200.96			
							200.96		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/12/2025	INT'L CODE COUNCIL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72035		DS	TRAIN/CONF		79.00			
							79.00		
294	US BANK	0001		INV	04/13/2025	NIFA*NIFA INNOVATION			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72035		DS	TRAIN/CONF		275.00			
							275.00		
294	US BANK	0001		INV	04/03/2025	STAMPS & MORE			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 72105		PR-REC	POSTAGE		50.85			
							50.85		
294	US BANK	0001		INV	03/27/2025	TEXTMAGIC.COM			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003023 72915		PR-WP	OTHER		20.00			
							20.00		
294	US BANK	0001		INV	04/04/2025	GRAND KUBOTA			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		123.84			
							123.84		
294	US BANK	0001		INV	04/17/2025	NASRO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		400.00			
							400.00		
294	US BANK	0001		INV	04/17/2025	NASRO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		400.00			
							400.00		
294	US BANK	0001		INV	04/09/2025	GRACIE UNIVERSITY			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		1,500.00			
							1,500.00		
294	US BANK	0001		INV	04/09/2025	ASA, LLC			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73165		POLICE	UNIFORM		184.62			
							184.62		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/06/2025	TRITECH FORENSICS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		574.13			
							574.13		
294	US BANK	0001		INV	04/05/2025	VOODOO TACTICAL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		75.00			
							75.00		
294	US BANK	0001		INV	04/06/2025	2025 NEBRASKA-IOWA			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		160.50			
							160.50		
294	US BANK	0001		INV	04/09/2025	USPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72105		POLICE	POSTAGE		85.50			
							85.50		
294	US BANK	0001		INV	04/05/2025	STAMPS & MORE			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72105		POLICE	POSTAGE		25.00			
							25.00		
294	US BANK	0001		INV	04/02/2025	USPS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72105		POLICE	POSTAGE		37.10			
							37.10		
294	US BANK	0001		INV	04/09/2025	FELTZ TIRE			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		710.00			
							710.00		
294	US BANK	0001		INV	04/06/2025	2025 NEBRASKA-IOWA			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		160.50			
							160.50		
294	US BANK	0001		INV	03/30/2025	MOCIC			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72905		POLICE	DUE/SUBS		200.00			
							200.00		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/12/2025	THE 5TH SEASON			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72720		POLICE	RM-BLDG		547.03			
							547.03		
294	US BANK	0001		INV	04/16/2025	RLI INSURANCE COMPAN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		50.00			
							50.00		
294	US BANK	0001		INV	04/13/2025	CASEY'S			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73126		POLICE	FUEL/OIL		25.99			
							25.99		
						CHECK TOTAL	**11,276.17**		
725	VERIZON WIRELESS	0001		INV	04/05/2025	6107833243			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001010 72620		CITY ADMIN	TELEPHONE		85.88			
	2 10008000 72620		AIRPORT	TELEPHONE		189.91			
	3 10006041 72620		AMBULANCE	TELEPHONE		587.72			
	4 10003021 72620		PR-CEM	TELEPHONE		42.94			
	5 10002000 72620		DS	TELEPHONE		469.76			
	6 280 72620		STREET	TELEPHONE		205.91			
	7 10006040 72620		FIRE	TELEPHONE		1,011.99			
	8 720 72620		IT FUND	TELEPHONE		80.02			
	9 610 72620		LANDFILL	TELEPHONE		170.90			
	10 10004000 72620		LIBRARY	TELEPHONE		105.86			
	11 10003022 72620		PR-PARKS	TELEPHONE		137.56			
	12 280 72620		STREET	TELEPHONE		111.72			
							3,200.17		
						CHECK TOTAL	**3,200.17**		
176	VIAERO WIRELESS	0001		INV	04/15/2025	638575 031625			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		317.77			
							317.77		
						CHECK TOTAL	**317.77**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
14	WINDSTREAM	0001		INV	04/06/2025	090212392 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		4,527.56			
							4,527.56		
						CHECK TOTAL	**4,527.56**		
14	WINDSTREAM	0001		INV	04/06/2025	090239051 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		155.91			
							155.91		
						CHECK TOTAL	**155.91**		
14	WINDSTREAM	0001		INV	03/23/2025	090766033 022125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003023 72620		PR-WP	TELEPHONE		65.89			
							65.89		
						CHECK TOTAL	**65.89**		
14	WINDSTREAM	0001		INV	03/23/2025	091989819 022125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72620		PR-PARKS	TELEPHONE		96.46			
							96.46		
						CHECK TOTAL	**96.46**		
14	WINDSTREAM	0001		INV	03/23/2025	091989818 022125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72620		PR-PARKS	TELEPHONE		48.23			
							48.23		
						CHECK TOTAL	**48.23**		
14	WINDSTREAM	0001		INV	04/06/2025	090231819 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72620		LANDFILL	TELEPHONE		262.39			
							262.39		
						CHECK TOTAL	**262.39**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
426	WPCI	0001		INV	03/30/2025	S 167997			

ACCOUNT DETAIL					LINE AMOUNT
1	10003022	72915	PR-PARKS	OTHER	33.00
2	280	72915	STREET	OTHER	33.00
3	610	72030	LANDFILL	PROF SERV	32.00
					98.00
				CHECK TOTAL	**98.00**

137	**INVOICES**	**WARRANT TOTAL**	**202,623.44**	**202,623.44**
		CASH ACCOUNT BALANCE		**0.00**

ACCOUNTS PAYABLE CHECK RUN REPORT

Check Run Summary

CHECK RUN: 250320 03/25/2025
DUE DATE: 03/25/2025

FUND	ORG		ACCOUNT		AMOUNT	AVLB BUDGET
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72605-	ELECTRICITY	114.05	561,563.71
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72620-	TELEPHONE	85.88	561,563.71
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72728-	BUILDING MAINTENANCE	2,173.78	561,563.71
100	10001012	ADMIN - CITY ATTORNEY	100-10-010-12-0000-00000-72035-	TRAINING/CONFERENCES	283.15	174,639.27
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-72030-	PROFESSIONAL SERVICES	77.00	742,678.54
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-72035-	TRAINING/CONFERENCES	1,012.00	742,678.54
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-72620-	TELEPHONE	469.76	742,678.54
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72030-	PROFESSIONAL SERVICES	77.00	121,074.87
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72605-	ELECTRICITY	3,441.85	121,074.87
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72610-	NATURAL GAS	2,429.56	121,074.87
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72615-	SEWER	46.09	121,074.87
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72620-	TELEPHONE	138.12	121,074.87
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72625-	WATER	128.49	121,074.87
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72720-	R & M BUILDINGS	85.99	121,074.87
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72728-	BUILDING MAINTENANCE	1,667.72	121,074.87
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72605-	ELECTRICITY	677.85	814,970.71
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72610-	NATURAL GAS	433.23	814,970.71
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72615-	SEWER	33.22	814,970.71
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72620-	TELEPHONE	161.89	814,970.71
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72625-	WATER	249.15	814,970.71
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72720-	R & M BUILDINGS	166.55	814,970.71
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72728-	BUILDING MAINTENANCE	582.97	814,970.71
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72035-	TRAINING/CONFERENCES	240.00	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72605-	ELECTRICITY	4,029.70	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72610-	NATURAL GAS	760.23	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72615-	SEWER	108.23	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72620-	TELEPHONE	742.91	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72625-	WATER	214.43	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72728-	BUILDING MAINTENANCE	10,777.07	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72750-	R & M HEAVY MACHINERY	211.89	1,654,088.17
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72915-	OTHER	58.00	1,654,088.17
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72030-	PROFESSIONAL SERVICES	29.00	514,869.91
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72605-	ELECTRICITY	683.05	514,869.91
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72610-	NATURAL GAS	51.00	514,869.91
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72620-	TELEPHONE	65.89	514,869.91
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72915-	OTHER	20.00	514,869.91
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72105-	POSTAGE	50.85	128,020.49
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72605-	ELECTRICITY	777.85	128,020.49
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72610-	NATURAL GAS	953.24	128,020.49
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72615-	SEWER	24.65	128,020.49

ACCOUNTS PAYABLE CHECK RUN REPORT

100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72625-	WATER	115.69	128,020.49
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-73142-	YOUTH REC SUPPLIES	172.50	128,020.49
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-73720-	BUILDING MAINTENANCE	15.99	128,020.49
100	10004000	LIBRARY	100-40-040-00-0000-00000-72030-	PROFESSIONAL SERVICES	77.00	1,040,283.93
100	10004000	LIBRARY	100-40-040-00-0000-00000-72620-	TELEPHONE	105.86	1,040,283.93
100	10004000	LIBRARY	100-40-040-00-0000-00000-72728-	BUILDING MAINTENANCE	6,386.00	1,040,283.93
100	10005030	POLICE - 911 CENTER	100-20-050-30-0000-00000-72620-	TELEPHONE	4,738.01	940,597.31
100	10005031	POLICE	100-20-050-31-0000-00000-72030-	PROFESSIONAL SERVICES	210.50	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72035-	TRAINING/CONFERENCES	3,815.00	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72105-	POSTAGE	298.43	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72605-	ELECTRICITY	2,550.80	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72610-	NATURAL GAS	3,556.12	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72615-	SEWER	46.09	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72620-	TELEPHONE	579.22	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72625-	WATER	196.83	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72720-	R & M BUILDINGS	547.03	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72728-	BUILDING MAINTENANCE	3,212.94	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72760-	R & M OFFICE EQUIPMEN	116.11	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72770-	R & M TOOLS & MISC. E	45.94	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72780-	R & M VEHICLES	1,479.21	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-72905-	DUES & SUBSCRIPTIONS	510.00	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-73001-	OFFICE SUPPLIES	582.45	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-73126-	FUEL & OIL	57.99	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-73136-	K-9 UNIT	22.49	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-73165-	UNIFORM ALLOWANCE	206.10	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-73170-	WEARING APPAREL	841.50	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-73850-	FIELD EQUIPMENT	1,982.79	4,065,428.06
100	10005031	POLICE	100-20-050-31-0000-00000-74380-	VEHICLES	129.98	4,065,428.06
100	10006040	FIRE	100-20-060-40-0000-00000-72035-	TRAINING/CONFERENCES	529.00	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72105-	POSTAGE	9.05	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72605-	ELECTRICITY	689.85	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72610-	NATURAL GAS	2,798.58	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72615-	SEWER	140.42	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72620-	TELEPHONE	1,168.26	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72625-	WATER	280.98	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72728-	BUILDING MAINTENANCE	4,042.52	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-72770-	R & M TOOLS & MISC. E	34.54	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-73126-	FUEL & OIL	180.43	2,917,519.14
100	10006040	FIRE	100-20-060-40-0000-00000-73130-	BADGES	200.96	2,917,519.14
100	10006041	FIRE - AMBULANCE	100-20-060-41-0000-00000-72030-	PROFESSIONAL SERVICES	32.00	77,379.18
100	10006041	FIRE - AMBULANCE	100-20-060-41-0000-00000-72035-	TRAINING/CONFERENCES	918.00	77,379.18
100	10006041	FIRE - AMBULANCE	100-20-060-41-0000-00000-72620-	TELEPHONE	587.72	77,379.18
100	10007052	PW - STORM WATER MGMT	100-30-070-52-0000-00000-72035-	TRAINING/CONFERENCES	42.20	50,161.99
100	10008000	AIRPORT	100-30-080-00-0000-00000-72035-	TRAINING/CONFERENCES	131.29	989,366.87
100	10008000	AIRPORT	100-30-080-00-0000-00000-72605-	ELECTRICITY	1,254.85	989,366.87

ACCOUNTS PAYABLE CHECK RUN REPORT

100	10008000	AIRPORT	100-30-080-00-0000-00000-72610-	NATURAL GAS	1,610.97	989,366.87
100	10008000	AIRPORT	100-30-080-00-0000-00000-72615-	SEWER	114.68	989,366.87
100	10008000	AIRPORT	100-30-080-00-0000-00000-72620-	TELEPHONE	374.27	989,366.87
100	10008000	AIRPORT	100-30-080-00-0000-00000-72625-	WATER	218.41	989,366.87
100	10008000	AIRPORT	100-30-080-00-0000-00000-72720-	R & M BUILDINGS	375.00	989,366.87
100	10008000	AIRPORT	100-30-080-00-0000-00000-72722-	R & M AIRPORT	58.10	989,366.87
100	10008000	AIRPORT	100-30-080-00-0000-00000-72728-	BUILDING MAINTENANCE	9,403.29	989,366.87
100	10009000	OTHER GOV'T ACCOUNTS	100-10-090-00-0000-00000-72015-	CONTINGENCY	20,697.99	989,366.87
100	10009000	OTHER GOV'T ACCOUNTS	100-10-090-00-0000-00000-72056-	EMPLOYEE WELLNESS PRO	760.00	989,366.87
				FUND TOTAL	**113,585.22**	
CASH ACCOUNT	**999 11010**		**BALANCE**	**.00**		
220	220	COMMUNITY DEVELOPMENT	220-50-000-00-0000-00000-72039-	ADMINISTRATION	8,653.75	1,888,121.25
				FUND TOTAL	**8,653.75**	
CASH ACCOUNT	**999 11010**		**BALANCE**	**.00**		
258	258	WIRELESS E911	258-20-000-00-0000-00000-74340-	COMMUNICATION EQUIPME	3,323.94	375,790.03
				FUND TOTAL	**3,323.94**	
CASH ACCOUNT	**999 11010**		**BALANCE**	**.00**		
270	270	MUSEUM	270-40-000-00-0000-00000-72306-	PROMO SERVICES CVB	6,153.25	1,108,199.60
270	270	MUSEUM	270-40-000-00-0000-00000-72728-	BUILDING MAINTENANCE	17,612.44	1,108,199.60
				FUND TOTAL	**23,765.69**	
CASH ACCOUNT	**999 11010**		**BALANCE**	**.00**		
280	280	STREET FUND	280-30-000-00-0000-00000-72035-	TRAINING/CONFERENCES	430.26	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72605-	ELECTRICITY	2,025.55	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72606-	TRAFFIC SIGNAL ENERGY	669.92	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72610-	NATURAL GAS	1,119.64	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72615-	SEWER	21.97	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72620-	TELEPHONE	317.63	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72625-	WATER	93.80	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72728-	BUILDING MAINTENANCE	2,735.09	2,094,247.98
280	280	STREET FUND	280-30-000-00-0000-00000-72915-	OTHER	58.00	2,094,247.98
				FUND TOTAL	**7,471.86**	
CASH ACCOUNT	**999 11010**		**BALANCE**	**.00**		
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72030-	PROFESSIONAL SERVICES	52.00	1,727,815.44
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72605-	ELECTRICITY	713.15	1,727,815.44
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72610-	NATURAL GAS	925.27	1,727,815.44

ACCOUNTS PAYABLE CHECK RUN REPORT

610	610	LANDFILL FUND	610-60-000-00-0000-00000-72620-	TELEPHONE	433.29	1,727,815.44
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72728-	BUILDING MAINTENANCE	939.05	1,727,815.44
610	610	LANDFILL FUND	610-60-000-00-0000-00000-74229-	CAPITAL IMPROVEMENTS/	27,097.80	1,727,815.44
				FUND TOTAL	**30,160.56**	

CASH ACCOUNT 999 11010 BALANCE .00

710	710	SELF INSURED HEALTH I	710-10-000-00-0000-00000-47751-	PAYMENTS-CURRENT EMPL	260.60	0.00
710	710	SELF INSURED HEALTH I	710-10-000-00-0000-00000-72044-	ADMINISTRATIVE FEES	506.00	6,819,217.95
				FUND TOTAL	**766.60**	

CASH ACCOUNT 999 11010 BALANCE .00

720	720	IT FUND	720-10-000-00-0000-00000-72620-	TELEPHONE	80.02	2,402,177.17
720	720	IT FUND	720-10-000-00-0000-00000-73725-	COMPUTER SFTW/SVCS-CI	4,389.10	2,402,177.17
720	720	IT FUND	720-10-000-00-0000-00000-73727-	COMPUTER SFTW/SVCS-UT	3,331.09	2,402,177.17
720	720	IT FUND	720-10-000-00-0000-00000-74355-	COMPUTER EQUIPMENT-CI	3,902.59	2,402,177.17
720	720	IT FUND	720-10-000-00-0000-00000-74357-	COMPUTER EQUIPMENT-UT	3,193.02	2,402,177.17
				FUND TOTAL	**14,895.82**	

CASH ACCOUNT 999 11010 BALANCE .00

WARRANT SUMMARY TOTAL	**202,623.44**
GRAND TOTAL	**202,623.44**

CITY OF HASTINGS

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
338	21ST CENTURY CINEMAS	0001		INV	04/28/2025	25-06			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72410		MUSEUM	FILM PRINT		70.00			
							70.00		
						CHECK TOTAL	**70.00**		
1446	JOEL ALFONSO DIAZ	0001		INV	04/20/2025	9802			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72805		STREET	HIRE EQ		660.00			
							660.00		
						CHECK TOTAL	**660.00**		
437	ALLO COMMUNICATIONS	0001		INV	03/26/2025	1617689 022425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72620		LIBRARY	TELEPHONE		225.47			
							225.47		
						CHECK TOTAL	**225.47**		
437	ALLO COMMUNICATIONS	0001		INV	04/23/2025	1728009 032425			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		4,068.55			
	2 720 73727		IT FUND	SFTW UTIL		3,328.81			
							7,397.36		
						CHECK TOTAL	**7,397.36**		
402	AMAZON CAPITAL SERVIC	0001		INV	04/09/2025	1K3J-QJM9-1CHL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 74229		LANDFILL	CAP IMP		32.55			
							32.55		
402	AMAZON CAPITAL SERVIC	0001		INV	04/12/2025	1CQQ-JWF3-R6DV			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72620		LANDFILL	TELEPHONE		7.99			
							7.99		
402	AMAZON CAPITAL SERVIC	0001		INV	03/24/2025	1PWK-X3VX-PCKV			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73146		MUSEUM	ED EXP		10.38			
							10.38		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	03/28/2025	1P9L-F3K9-6NR1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72720		LIBRARY	RM-BLDG		268.72			
							268.72		
402	AMAZON CAPITAL SERVIC	0001		INV	04/09/2025	1CHH-HQCD-6QCQ			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		203.61			
							203.61		
402	AMAZON CAPITAL SERVIC	0001		INV	04/02/2025	1CMT-DXRG-74CH			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		59.20			
							59.20		
402	AMAZON CAPITAL SERVIC	0001		INV	04/06/2025	1DCQ-W7KJ-H4WF			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		77.01			
							77.01		
402	AMAZON CAPITAL SERVIC	0001		INV	04/16/2025	1FPW-FQ4F-9C4Q			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		64.36			
							64.36		
402	AMAZON CAPITAL SERVIC	0001		INV	04/16/2025	1GXQ-DWLQ-9X3F			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		76.93			
							76.93		
402	AMAZON CAPITAL SERVIC	0001		INV	04/11/2025	1HJT-9YXT-JFND			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		75.95			
							75.95		
402	AMAZON CAPITAL SERVIC	0001		INV	04/04/2025	1HNX-7TJ6-397M			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		18.41			
							18.41		
402	AMAZON CAPITAL SERVIC	0001		INV	04/03/2025	1J6Q-C1KW-4PQW			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		23.47			
							23.47		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	04/09/2025	1N6M-NGJH-4NML			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		70.42			
							70.42		
402	AMAZON CAPITAL SERVIC	0001		INV	04/02/2025	1Q77-DG64-6TLF			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		19.99			
							19.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/04/2025	1QMD-V6L3-4GDP			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73001		LIBRARY	OFF SUPP		10.97			
	2 10004000 73012		LIBRARY	LIB COLL		22.00			
							32.97		
402	AMAZON CAPITAL SERVIC	0001		INV	04/16/2025	1RQ3-HDTP-CCFX			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		49.32			
							49.32		
402	AMAZON CAPITAL SERVIC	0001		INV	04/09/2025	1RTT-1JQV-DXMG			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		24.96			
							24.96		
402	AMAZON CAPITAL SERVIC	0001		INV	04/14/2025	1RVH-P6YW-9VP7			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		79.60			
							79.60		
402	AMAZON CAPITAL SERVIC	0001		INV	04/05/2025	13WN-R6MW-3NWD			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		14.99			
							14.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/05/2025	14PD-W4L9-693K			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		21.85			
							21.85		
402	AMAZON CAPITAL SERVIC	0001		INV	04/09/2025	14PD-W4L9-YJ6G			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		20.66			
							20.66		

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Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	04/10/2025	16CV-346T-4WGL			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10004000 73012		LIBRARY	LIB COLL			19.12		
							19.12		
402	AMAZON CAPITAL SERVIC	0001		INV	04/09/2025	16NC-FV1V-7TV7			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10004000 73005		LIBRARY	LIB MAKER			159.07		
							159.07		
402	AMAZON CAPITAL SERVIC	0001		INV	04/16/2025	17FH-C3NK-C3JY			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10004000 73012		LIBRARY	LIB COLL			132.30		
							132.30		
402	AMAZON CAPITAL SERVIC	0001		INV	03/31/2025	17WJ-MKHM-9F1Q			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 230 72054		LIB GRANT	LIB PROG			47.96		
							47.96		
402	AMAZON CAPITAL SERVIC	0001		INV	04/13/2025	19RF-FVHT-3LXD			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 230 72054		LIB GRANT	LIB PROG			62.19		
							62.19		
402	AMAZON CAPITAL SERVIC	0001		INV	04/13/2025	19VW-RWPH-17QG			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10004000 73012		LIBRARY	LIB COLL			170.00		
							170.00		
402	AMAZON CAPITAL SERVIC	0001		INV	04/03/2025	141P-7XJK-4JPM			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 230 72054		LIB GRANT	LIB PROG			62.90		
							62.90		
402	AMAZON CAPITAL SERVIC	0001		INV	04/03/2025	141P-7XJK-44YG			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10004000 73012		LIBRARY	LIB COLL			135.50		
							135.50		
402	AMAZON CAPITAL SERVIC	0001		INV	04/06/2025	149Y-JW3X-GKLG			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10004000 73012		LIBRARY	LIB COLL			93.33		
							93.33		

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CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	04/11/2025	167Y-NVH3-HYPH			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		84.29			
							84.29		
402	AMAZON CAPITAL SERVIC	0001		INV	02/07/2025	1CWW-1F7D-7XLR			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 74120		FIRE	BDLG IMP		32.99			
							32.99		
402	AMAZON CAPITAL SERVIC	0001		INV	02/05/2025	1JX1-XYGV-TKMX			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 74120		FIRE	BDLG IMP		32.00			
							32.00		
402	AMAZON CAPITAL SERVIC	0001		INV	04/14/2025	1FGQ-YXGJ-FNMN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73146		MUSEUM	ED EXP		45.58			
							45.58		
402	AMAZON CAPITAL SERVIC	0001		INV	04/13/2025	1L7W-XXV4-61WN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73146		MUSEUM	ED EXP		94.99			
							94.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/17/2025	1LNG-D94F-PQ91			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73146		MUSEUM	ED EXP		19.99			
							19.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/17/2025	16M3-K9NC-MWYT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73146		MUSEUM	ED EXP		321.07			
							321.07		
402	AMAZON CAPITAL SERVIC	0001		INV	04/16/2025	17D6-RFQK-6YX9			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73720		MUSEUM	SUPP-BM		47.98			
							47.98		
402	AMAZON CAPITAL SERVIC	0001		INV	04/05/2025	1PDK-QPNK-CQMX			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		109.90			
							109.90		

ACCOUNTS PAYABLE CHECK RUN REPORT

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CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	04/11/2025	1W64-Y4YF-GKHG			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003024 72720		PR-REC	RM-BLDG			562.00		
							562.00		
402	AMAZON CAPITAL SERVIC	0001		CRM	04/18/2025	1NWL-YH3V-T1PR			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003024 72720		PR-REC	RM-BLDG			-533.90		
							-533.90		
402	AMAZON CAPITAL SERVIC	0001		CRM	04/19/2025	1QTH-Y9NR-CDM3			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003024 72720		PR-REC	RM-BLDG			-28.10		
							-28.10		
402	AMAZON CAPITAL SERVIC	0001		INV	04/25/2025	1F17-P73H-TH74			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10002000 74360		DS	OFF EQ			47.20		
							47.20		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1PY1-TQYV-7J69			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10008000 72720		AIRPORT	RM-BLDG			59.99		
							59.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/10/2025	1X1P-3Q93-7VMT			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 74355		IT FUND	COMP EQ			1,324.47		
							1,324.47		
402	AMAZON CAPITAL SERVIC	0001		INV	04/25/2025	1VL3-Y616-Y4ML			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 74355		IT FUND	COMP EQ			36.29		
	2 720 74357		IT FUND	EQUIP UTIL			29.69		
							65.98		
402	AMAZON CAPITAL SERVIC	0001		INV	04/11/2025	1PJR-7Y76-J33W			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 74355		IT FUND	COMP EQ			22.09		
							22.09		
402	AMAZON CAPITAL SERVIC	0001		INV	04/17/2025	1GXQ-DWLQ-NLLT			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 74355		IT FUND	COMP EQ			29.04		
	2 720 74357		IT FUND	EQUIP UTIL			23.76		
							52.80		

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CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	04/17/2025	14QR-3Q4N-QCHM			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 74355		IT FUND	COMP EQ		22.99			
							22.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1XGG-HXRR-7JPR			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73001		AMBULANCE	OFF SUPP		21.07			
							21.07		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1CVY-H7XJ-7KKW			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		23.17			
							23.17		
402	AMAZON CAPITAL SERVIC	0001		INV	04/20/2025	1FCF-KKCX-GV46			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		27.96			
							27.96		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1KNG-9TN4-4G1Q			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		70.68			
							70.68		
402	AMAZON CAPITAL SERVIC	0001		INV	04/21/2025	1KYV-LC6H-Q4RM			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		34.43			
							34.43		
402	AMAZON CAPITAL SERVIC	0001		INV	04/19/2025	1PCN-NDR3-7PY4			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		65.99			
							65.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1TM6-VCDC-91HV			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		17.98			
							17.98		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1TM6-VCDC-91NG			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		80.85			
							80.85		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1XXG-LNVL-4JK7			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		21.85			
							21.85		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	1XYX-HNMQ-71YL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		7.59			
							7.59		
402	AMAZON CAPITAL SERVIC	0001		INV	04/24/2025	16VY-99XJ-HMLQ			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		17.62			
							17.62		
402	AMAZON CAPITAL SERVIC	0001		INV	04/24/2025	17KD-NLD4-L4HY			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		41.82			
							41.82		
402	AMAZON CAPITAL SERVIC	0001		INV	04/26/2025	17W1-6NFF-D9CW			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		47.56			
							47.56		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	19R3-7DPQ-7K3M			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73005		LIBRARY	LIB MAKER		109.99			
							109.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/23/2025	19R3-7DPQ-7KQ9			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		7.99			
							7.99		
402	AMAZON CAPITAL SERVIC	0001		INV	04/19/2025	111T-PLF3-93GG			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		22.88			
							22.88		
402	AMAZON CAPITAL SERVIC	0001		INV	04/26/2025	14Q7-1FQN-4XF6			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73724		MUSEUM	EVENT EX		39.59			
	2 270 73146		MUSEUM	ED EXP		91.83			
							131.42		
						CHECK TOTAL	**5,270.87**		

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
463	ANDERSON AUTO GROUP	0001		INV	04/27/2025	5288596			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 74350		PR-PARKS	HEAVY EQ		34,535.00			
							34,535.00		
						CHECK TOTAL	**34,535.00**		
2509	ARGIS SOLUTIONS INC	0001		INV	03/30/2025	2046			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73731		IT FUND	GIS CITY		1,592.58			
	2 720 73732		IT FUND	GIS UTIL		820.42			
							2,413.00		
						CHECK TOTAL	**2,413.00**		
706	ARROW SEED COMPANY IN	0001		INV	04/04/2025	OP-68962-JW			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73710		LANDFILL	LANDSCAPE		482.93			
							482.93		
706	ARROW SEED COMPANY IN	0001		INV	04/04/2025	OP-68963-JW			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10007050 74229		PW-EPA	CAP IMP		1,868.60			
							1,868.60		
						CHECK TOTAL	**2,351.53**		
2522	ARROWHEAD FORENSICS	0001		INV	02/28/2025	177824			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		189.02			
							189.02		
						CHECK TOTAL	**189.02**		
1626	AUTO TRIM DESIGN OF S	0001		INV	04/09/2025	025814			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72720		POLICE	RM-BLDG		416.00			
							416.00		
						CHECK TOTAL	**416.00**		

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CHECK RUN: 250414 04/14/2025
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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
707	AUTO VALUE PARTS STOR	0001		CRM	03/29/2025	70CR014993			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		-144.00			
							-144.00		
707	AUTO VALUE PARTS STOR	0001		INV	03/31/2025	70NV138624			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		101.72			
							101.72		
707	AUTO VALUE PARTS STOR	0001		INV	03/30/2025	70NV138574			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		23.21			
							23.21		
707	AUTO VALUE PARTS STOR	0001		INV	03/30/2025	70NV138590			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		14.57			
							14.57		
707	AUTO VALUE PARTS STOR	0001		INV	04/03/2025	70NV138830			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		111.46			
							111.46		
707	AUTO VALUE PARTS STOR	0001		INV	04/03/2025	70NV138824			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		1,163.96			
							1,163.96		
707	AUTO VALUE PARTS STOR	0001		INV	04/15/2025	70NV139683			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		224.98			
							224.98		
707	AUTO VALUE PARTS STOR	0001		INV	04/15/2025	70NV139684			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72780		PR-PARKS	RM-VEH		15.12			
							15.12		
707	AUTO VALUE PARTS STOR	0001		INV	04/20/2025	70NV139974			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		23.21			
							23.21		

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
707	AUTO VALUE PARTS STOR	0001		INV	04/23/2025	70NV140102			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73126		STREET	FUEL/OIL		76.00			
							76.00		
707	AUTO VALUE PARTS STOR	0001		INV	04/04/2025	70NV138882			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		31.65			
							31.65		
707	AUTO VALUE PARTS STOR	0001		INV	04/04/2025	70NV138902			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		31.65			
							31.65		
707	AUTO VALUE PARTS STOR	0001		INV	04/06/2025	70NV139036			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		29.07			
							29.07		
707	AUTO VALUE PARTS STOR	0001		INV	04/10/2025	70NV139262			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		35.50			
							35.50		
707	AUTO VALUE PARTS STOR	0001		INV	04/12/2025	70NV139462			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		100.44			
							100.44		
707	AUTO VALUE PARTS STOR	0001		INV	04/15/2025	70NV139681			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		91.52			
							91.52		
707	AUTO VALUE PARTS STOR	0001		INV	04/19/2025	70NV139936			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		181.34			
							181.34		
						CHECK TOTAL	**2,111.40**		
1436	AUTOSPA HASTINGS	0001		INV	03/31/2025	3936989			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72780		DS	RM-VEH		35.70			
							35.70		

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
1436	AUTOSPA HASTINGS	0001		INV	03/31/2025	3936991			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72780		FIRE	RM-VEH		23.80			
							23.80		
						CHECK TOTAL	**59.50**		
54	BAKER & TAYLOR, INC.	0001		INV	03/28/2025	2038910636			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		136.78			
							136.78		
54	BAKER & TAYLOR, INC.	0001		INV	04/10/2025	2038933509			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		302.72			
							302.72		
						CHECK TOTAL	**439.50**		
709	BIG G ACE	0001		INV	04/10/2025	751110/1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72770		AIRPORT	RM-TOOLS		57.35			
							57.35		
709	BIG G ACE	0001		INV	04/02/2025	750790/1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 73720		PR-CEM	SUPP-BM		45.80			
							45.80		
709	BIG G ACE	0001		INV	04/12/2025	751246/1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 74360		DS	OFF EQ		31.57			
							31.57		
709	BIG G ACE	0001		INV	04/13/2025	751299/1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10007052 73850		SW MGMT	FIELD EQ		1.97			
							1.97		
709	BIG G ACE	0001		INV	04/17/2025	751424/1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73720		FIRE	SUPP-BM		45.98			
							45.98		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
709	BIG G ACE	0001		INV	04/13/2025	751284/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10005031 72770		POLICE	RM-TOOLS			325.56		
							325.56		
709	BIG G ACE	0001		INV	04/16/2025	751369/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 73710		PR-PARKS	LANDSCAPE			225.28		
							225.28		
709	BIG G ACE	0001		INV	04/16/2025	751367/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72750		PR-PARKS	RM-HEAVY			34.82		
							34.82		
709	BIG G ACE	0001		INV	04/16/2025	751402/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72750		PR-PARKS	RM-HEAVY			11.88		
							11.88		
709	BIG G ACE	0001		INV	04/16/2025	751401/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72720		PR-PARKS	RM-BLDG			7.79		
							7.79		
709	BIG G ACE	0001		INV	04/09/2025	751079/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72750		PR-PARKS	RM-HEAVY			31.92		
							31.92		
709	BIG G ACE	0001		INV	04/20/2025	751522/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003021 72915		PR-CEM	OTHER			101.89		
							101.89		
709	BIG G ACE	0001		INV	04/12/2025	751230/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10008000 72770		AIRPORT	RM-TOOLS			23.97		
							23.97		
709	BIG G ACE	0001		INV	04/23/2025	751617/1			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10006040 73720		FIRE	SUPP-BM			69.49		
							69.49		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
709	BIG G ACE	0001		INV	04/24/2025	751714/1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72780		PR-CEM	RM-VEH		31.02			
							31.02		
709	BIG G ACE	0001		INV	04/20/2025	751564/1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003023 72720		PR-WP	RM-BLDG		16.69			
							16.69		
709	BIG G ACE	0001		INV	03/06/2025	81306			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72915		STREET	OTHER		21.26			
							21.26		
						CHECK TOTAL	**1,084.24**		
718	BOSSELMAN ENERGY, INC	0001		INV	04/02/2025	144-6583341838			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73126		PR-PARKS	FUEL/OIL		127.37			
							127.37		
						CHECK TOTAL	**127.37**		
273	BOUND TREE MEDICAL LL	0001		INV	04/10/2025	85693779			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73135		AMBULANCE	MED SUPP		1,367.56			
							1,367.56		
273	BOUND TREE MEDICAL LL	0001		INV	04/17/2025	85702059			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73135		AMBULANCE	MED SUPP		3,444.29			
							3,444.29		
273	BOUND TREE MEDICAL LL	0001		INV	04/20/2025	85706803			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73135		AMBULANCE	MED SUPP		452.95			
							452.95		
						CHECK TOTAL	**5,264.80**		
2382	BRANCHING OUT TREE SE	0001		INV	04/25/2025	1988			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 211 72311		BID	PI - PROMO		950.00			
							950.00		

ACCOUNTS PAYABLE CHECK RUN REPORT

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
						CHECK TOTAL	**950.00**		
1572	BRYAN HEALTH - HEALTH	0001		INV	04/09/2025	24403			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		37.50			
							37.50		
						CHECK TOTAL	**37.50**		
2516	BULLSEYE BAR & GRILL	0001		INV	03/08/2025	177575			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 73143		PR-REC	SUPP-SE		1,860.00			
							1,860.00		
						CHECK TOTAL	**1,860.00**		
615	BUSINESS WORLD PRODUC	0001		INV	04/06/2025	684348			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 73170		PR-REC	WEARING		57.06			
							57.06		
615	BUSINESS WORLD PRODUC	0001		INV	04/05/2025	024463			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73001		LIBRARY	OFF SUPP		107.19			
							107.19		
615	BUSINESS WORLD PRODUC	0001		INV	04/16/2025	684480			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 73170		911	WEARING		63.96			
							63.96		
						CHECK TOTAL	**228.21**		
920	C E I SECURITY & SOUN	0001		INV	04/26/2025	2025082			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 74357		IT FUND	EQUIP UTIL		3,546.00			
							3,546.00		
920	C E I SECURITY & SOUN	0001		INV	04/16/2025	WO-2751			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 74355		IT FUND	COMP EQ		742.68			
							742.68		
						CHECK TOTAL	**4,288.68**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
2518	CALIBRE PRESS	0001		INV	04/10/2025	25-132149			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		219.00			
							219.00		
						CHECK TOTAL	**219.00**		
631	CENTRAL COMMUNITY COL	0001		INV	04/11/2025	002053312			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72035		PR-PARKS	TRAIN/CONF		300.00			
	2 10003021 72035		PR-CEM	TRAIN/CONF		300.00			
							600.00		
						CHECK TOTAL	**600.00**		
107	CENTRAL PLAINS LIBRAR	0001		INV	04/19/2025	599			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72035		LIB GRANT	TRAIN/CONF		15.00			
							15.00		
						CHECK TOTAL	**15.00**		
2481	CLARK & ENERSEN, INC	0001		INV	04/27/2025	1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 74121		LIB GRANT	INF IMP		17,625.00			
							17,625.00		
2481	CLARK & ENERSEN, INC	0001		INV	04/27/2025	2			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 74121		LIB GRANT	INF IMP		14,100.00			
							14,100.00		
						CHECK TOTAL	**31,725.00**		
447	CONNER PSYCHOLOGICAL	0001		INV	03/02/2025	10000211 013125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72030		FIRE	PROF SERV		850.00			
							850.00		
447	CONNER PSYCHOLOGICAL	0001		INV	03/30/2025	10000342 022825			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		1,795.00			
							1,795.00		
						CHECK TOTAL	**2,645.00**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
645	CONSOLIDATED CONCRETE	0001		INV	04/23/2025	305363			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72805		STREET	HIRE EQ		4,819.63			
							4,819.63		
645	CONSOLIDATED CONCRETE	0001		INV	04/25/2025	305420			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73105		STREET	ASP/CEMENT		1,022.13			
							1,022.13		
						CHECK TOTAL	**5,841.76**		
630	COOPERATIVE PRODUCERS	0001		INV	03/28/2025	D83872			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73126		FIRE	FUEL/OIL		38.81			
							38.81		
						CHECK TOTAL	**38.81**		
630	COOPERATIVE PRODUCERS	0002		INV	04/12/2025	J95299			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 72780		AMBULANCE	RM-VEH		225.22			
							225.22		
						CHECK TOTAL	**225.22**		
1953	CORNHUSKER MARRIOTT	0001		INV	04/16/2025	GV 333 031725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001012 72035		ATTORNEY	TRAIN/CONF		418.00			
							418.00		
						CHECK TOTAL	**418.00**		
647	CORNHUSKER PRESS	0001		INV	01/15/2025	P204129			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72405		PR-PARKS	PRINTING		294.43			
							294.43		
647	CORNHUSKER PRESS	0001		INV	02/20/2025	P204336			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72030		PR-CEM	PROF SERV		95.00			
							95.00		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
647	CORNHUSKER PRESS	0001		INV	04/24/2025	P204784			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001010 72405		CITY ADMIN	PRINTING		7,379.20			
							7,379.20		
						CHECK TOTAL	**7,768.63**		
207	CULLIGAN OF HASTINGS	0001		INV	03/30/2025	1039932 022825			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72720		LIBRARY	RM-BLDG		49.75			
							49.75		
						CHECK TOTAL	**49.75**		
1547	DAKOTA FLUID POWER, I	0001		INV	04/02/2025	7309016			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		516.60			
							516.60		
1547	DAKOTA FLUID POWER, I	0001		INV	04/12/2025	7313242			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		837.69			
							837.69		
						CHECK TOTAL	**1,354.29**		
653	DELL MARKETING L.P.	0001		INV	04/20/2025	10805879669			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 74355		IT FUND	COMP EQ		3,121.31			
	2 720 74357		IT FUND	EQUIP UTIL		2,553.79			
							5,675.10		
653	DELL MARKETING L.P.	0001		INV	04/23/2025	10806182759			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 74355		IT FUND	COMP EQ		4,518.45			
	2 720 74357		IT FUND	EQUIP UTIL		3,696.91			
							8,215.36		
						CHECK TOTAL	**13,890.46**		
2085	DELTA FIRE & SAFETY I	0001		INV	04/12/2025	INVTX25-1379			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72770		FIRE	RM-TOOLS		15.00			
							15.00		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
						CHECK TOTAL	**15.00**		
233	TOM DINSDALE CHRYSLER	0001		INV	04/12/2025	CHCS25478			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 72780		AMBULANCERM-VEH			8,102.85			
							8,102.85		
						CHECK TOTAL	**8,102.85**		
648	DUTTON-LAINSON CO.	0001		INV	04/09/2025	910092-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73721		MUSEUM	SUPP-ELEC		445.73			
							445.73		
648	DUTTON-LAINSON CO.	0001		INV	04/04/2025	909846-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 73720		PR-AUD	SUPP-BM		28.13			
							28.13		
648	DUTTON-LAINSON CO.	0001		INV	04/05/2025	909920-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 73720		PR-AUD	SUPP-BM		81.40			
							81.40		
648	DUTTON-LAINSON CO.	0001		INV	04/05/2025	909966-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 73720		PR-AUD	SUPP-BM		17.66			
							17.66		
648	DUTTON-LAINSON CO.	0001		INV	04/04/2025	909839-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 73720		PR-AUD	SUPP-BM		2.88			
							2.88		
						CHECK TOTAL	**575.80**		
6	EAKES OFFICE SOLUTION	0001		INV	03/20/2025	9093828-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 73720		PR-AUD	SUPP-BM		117.59			
							117.59		
6	EAKES OFFICE SOLUTION	0001		CRM	03/20/2025	C9090458-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 73720		PR-AUD	SUPP-BM		-78.72			
							-78.72		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
6	EAKES OFFICE SOLUTION	0001		INV	04/03/2025	9101146-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73001		LIBRARY	OFF SUPP		89.89			
							89.89		
6	EAKES OFFICE SOLUTION	0001		INV	03/18/2025	INV626684			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72760		LANDFILL	RM-OFFICE		32.31			
							32.31		
6	EAKES OFFICE SOLUTION	0001		INV	04/17/2025	9108593-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001010 73001		CITY ADMIN	OFF SUPP		99.63			
							99.63		
6	EAKES OFFICE SOLUTION	0001		INV	04/17/2025	9108593-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001010 73001		CITY ADMIN	OFF SUPP		14.84			
							14.84		
6	EAKES OFFICE SOLUTION	0001		INV	04/19/2025	9108759-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 73001		DS	OFF SUPP		80.29			
							80.29		
6	EAKES OFFICE SOLUTION	0001		INV	04/12/2025	INV634134			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		84.42			
	2 720 73727		IT FUND	SFTW UTIL		69.07			
							153.49		
6	EAKES OFFICE SOLUTION	0001		INV	04/20/2025	INV636121			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 74355		IT FUND	COMP EQ		33.43			
							33.43		
						CHECK TOTAL	**542.75**		
979	ECHO ELECTRIC SUPPLY	0001		INV	03/30/2025	S011084662.001			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		5.00			
							5.00		
						CHECK TOTAL	**5.00**		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
140	ECHO SYSTEMS	0001		INV	04/03/2025	S011090346.001			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72720		FIRE	RM-BLDG		63.84			
							63.84		
140	ECHO SYSTEMS	0001		INV	04/05/2025	S011093057.001			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		114.98			
							114.98		
140	ECHO SYSTEMS	0001		INV	04/09/2025	S011093057.003			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		107.46			
							107.46		
140	ECHO SYSTEMS	0001		CRM	04/09/2025	S011093057.002			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		-114.98			
							-114.98		
						CHECK TOTAL	**171.30**		
676	FAMILY MEDICAL CENTER	0001		INV	02/28/2025	20656V30441			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72030		FIRE	PROF SERV		258.00			
							258.00		
676	FAMILY MEDICAL CENTER	0001		INV	02/28/2025	20955V30441			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72030		FIRE	PROF SERV		218.00			
							218.00		
676	FAMILY MEDICAL CENTER	0001		INV	02/28/2025	20953V30441			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72030		FIRE	PROF SERV		218.00			
							218.00		
676	FAMILY MEDICAL CENTER	0001		INV	02/28/2025	20956V30441			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72030		FIRE	PROF SERV		258.00			
							258.00		
676	FAMILY MEDICAL CENTER	0001		INV	03/29/2025	21514V30441			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		280.00			
							280.00		

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676	FAMILY MEDICAL CENTER	0001		INV	03/30/2025	21727V30441			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		18.00			
							18.00		
676	FAMILY MEDICAL CENTER	0001		INV	03/01/2025	18800V30441			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		288.00			
							288.00		
						CHECK TOTAL	**1,538.00**		
122	FILL-N-CHILL	0001		INV	04/06/2025	030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		301.00			
							301.00		
						CHECK TOTAL	**301.00**		
399	FIRESPRING	0001		INV	04/19/2025	451157			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 73141		PR-REC	SUPP-ADULT		286.26			
							286.26		
						CHECK TOTAL	**286.26**		
174	FLEET PRIDE, INC.	0001		INV	04/11/2025	124126154			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		150.99			
							150.99		
						CHECK TOTAL	**150.99**		
490	MATTHEW FRANKEN	0001		INV	04/07/2025	030825			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		450.00			
							450.00		
						CHECK TOTAL	**450.00**		
89	GALL'S, LLC	0001		INV	03/29/2025	030592259			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73170		POLICE	WEARING		289.90			
							289.90		

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89	GALL'S, LLC	0001		INV	03/22/2025	030529357			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73165		FIRE	UNIFORM		144.65			
							144.65		
89	GALL'S, LLC	0001		INV	03/26/2025	030552672			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73165		FIRE	UNIFORM		38.81			
							38.81		
89	GALL'S, LLC	0001		INV	04/09/2025	030697273			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73165		POLICE	UNIFORM		16.08			
							16.08		
89	GALL'S, LLC	0001		INV	04/11/2025	030714110			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73165		POLICE	UNIFORM		617.66			
							617.66		
89	GALL'S, LLC	0001		INV	04/03/2025	030638433			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73165		POLICE	UNIFORM		206.16			
							206.16		
89	GALL'S, LLC	0001		INV	04/14/2025	030751410			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73165		POLICE	UNIFORM		702.03			
							702.03		
89	GALL'S, LLC	0001		INV	04/19/2025	030797944			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73165		AMBULANCE	UNIFORM		109.80			
							109.80		
						CHECK TOTAL	**2,125.09**		
359	GEOCOMM, INC.	0001		INV	04/10/2025	INV161758			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		9,805.00			
							9,805.00		
						CHECK TOTAL	**9,805.00**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
2524	GOLDEN TICKET CINEMAS	0001		INV	04/23/2025	0000001			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73121		MUSEUM	CONC-RES		260.00			
							260.00		
						CHECK TOTAL	**260.00**		
603	GRACE'S LOCKSMITH SER	0001		INV	03/27/2025	69151			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 74120		PR-AUD	BDLG IMP		165.00			
							165.00		
						CHECK TOTAL	**165.00**		
1042	H D R ENGINEERING INC	0001		INV	04/23/2025	1200705881			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72030		LANDFILL	PROF SERV		17,737.03			
							17,737.03		
						CHECK TOTAL	**17,737.03**		
1826	HALL COUNTY SHERIFF'S	0001		INV	04/04/2025	4167 030525			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 265 45115		DIVERSION	DIV FEE		46.63			
							46.63		
						CHECK TOTAL	**46.63**		
597	HASTINGS FORD LINCOLN	0001		INV	04/10/2025	98219			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		59.95			
							59.95		
597	HASTINGS FORD LINCOLN	0001		INV	04/09/2025	98177			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		59.95			
							59.95		
597	HASTINGS FORD LINCOLN	0001		INV	04/23/2025	98887			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		245.00			
							245.00		
						CHECK TOTAL	**364.90**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
623	HASTINGS OUTDOOR POWE	0001		INV	04/20/2025	51768			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72780		PR-CEM	RM-VEH		188.00			
							188.00		
623	HASTINGS OUTDOOR POWE	0001		INV	04/26/2025	51860			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72728		PR-CEM	BUILD SUPP		62.00			
							62.00		
						CHECK TOTAL	**250.00**		
652	HASTINGS TRIBUNE	0001		INV	03/30/2025	300154045			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72311		PR-PARKS	PI - PROMO		190.95			
							190.95		
652	HASTINGS TRIBUNE	0001		INV	03/30/2025	300154149			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 72305		PR-REC	ADVERTISE		160.95			
							160.95		
652	HASTINGS TRIBUNE	0001		INV	03/30/2025	300154101			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72305		LIBRARY	ADVERTISE		5.73			
							5.73		
652	HASTINGS TRIBUNE	0001		INV	04/19/2025	00103544			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001010 72305		CITY ADMIN	ADVERTISE		400.00			
							400.00		
652	HASTINGS TRIBUNE	0001		INV	04/19/2025	00103545			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10001010 72305		CITY ADMIN	ADVERTISE		280.00			
							280.00		
652	HASTINGS TRIBUNE	0001		INV	03/30/2025	300154082			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72915		STREET	OTHER		170.55			
							170.55		
						CHECK TOTAL	**1,208.18**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	04/03/2025	18711790-00 030425			

	ACCOUNT DETAIL				LINE AMOUNT
1	10001010	72625	CITY ADMIN	WATER	109.29
2	10001010	72610	CITY ADMIN	NAT GAS	180.51
3	10001010	72615	CITY ADMIN	SEWER	13.93
4	10001010	72605	CITY ADMIN	ELECTRICIT	264.45

568.18

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	04/03/2025	18721090-02 030425			

	ACCOUNT DETAIL				LINE AMOUNT
1	10004000	72605	LIBRARY	ELECTRICIT	1,819.50
2	10004000	72610	LIBRARY	NAT GAS	966.52
3	10004000	72615	LIBRARY	SEWER	35.37
4	10004000	72625	LIBRARY	WATER	231.41

3,052.80

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	04/03/2025	19740650-00 030425			

	ACCOUNT DETAIL				LINE AMOUNT
1	211	72915	BID	OTHER	190.75

190.75

CHECK TOTAL **3,811.73**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	03/30/2025	5454			

	ACCOUNT DETAIL				LINE AMOUNT
1	10001010	72728	CITY ADMIN	BUILD SUPP	1,154.66
2	10008000	72728	AIRPORT	BUILD SUPP	4,929.32
3	10003020	72728	PR-AUD	BUILD SUPP	2,417.01
4	10003021	72728	PR-CEM	BUILD SUPP	302.41
5	10006040	72728	FIRE	BUILD SUPP	1,589.40
6	10004000	72728	LIBRARY	BUILD SUPP	1,986.34
7	10003022	72728	PR-PARKS	BUILD SUPP	4,102.18
8	10005031	72728	POLICE	BUILD SUPP	1,722.57
9	270	72728	MUSEUM	BUILD SUPP	9,618.50
10	280	72728	STREET	BUILD SUPP	1,411.99
11	610	72728	LANDFILL	BUILD SUPP	916.66

30,151.04

CHECK TOTAL **30,151.04**

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	03/30/2025	5455			

ACCOUNT DETAIL					LINE AMOUNT
1	280	73733	STREET	ENG SUPORT	33,432.09
2	270	74120	MUSEUM	BDLG IMP	623.70
3	610	74229	LANDFILL	CAP IMP	995.20
4	10003021	74242	PR-CEM	DEPT CAP	2,377.02
5	10009000	74120	OTHER-GOVT	BDLG IMP	23.10
6	283	74229	STREET ST	CAP IMP	6,742.77
7	285	74229	CONST PROJ	CAP IMP	2,925.96
8	280	73733	STREET	ENG SUPORT	20,679.12

67,798.96
CHECK TOTAL **67,798.96**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	03/30/2025	5456			

ACCOUNT DETAIL					LINE AMOUNT
1	10005031	72105	POLICE	POSTAGE	15.59
2	285	74229	CONST PROJ	CAP IMP	354.83

370.42
CHECK TOTAL **370.42**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
720	HASTINGS UTILITIES	0001		INV	03/30/2025	5457			

ACCOUNT DETAIL					LINE AMOUNT
1	280	72771	STREET	RM-TRAF	299.68

299.68
CHECK TOTAL **299.68**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
222	HEARTLAND PET CONNECT	0001		INV	04/27/2025	APRIL 2025			

ACCOUNT DETAIL					LINE AMOUNT
1	10005031	72924	POLICE	PET AGREE	5,493.33

5,493.33
CHECK TOTAL **5,493.33**

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
157	IDEA BANK MARKETING	0001		INV	03/30/2025	INV-17288			

ACCOUNT DETAIL					LINE AMOUNT
1	720	73725	IT FUND	COMPT SOFT	151.25
2	720	73727	IT FUND	SFTW UTIL	123.75

275.00
CHECK TOTAL **275.00**

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
11	ISLAND SUPPLY WELDING	0001		INV	04/02/2025	338675			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73771		STREET	SUPP-WELD		133.87			
							133.87		
						CHECK TOTAL	**133.87**		
1082	ITRON, INC.	0001		INV	04/11/2025	702106			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73727		IT FUND	SFTW UTIL		6,981.08			
							6,981.08		
						CHECK TOTAL	**6,981.08**		
671	J E O CONSULTING GROU	0001		INV	04/13/2025	158979			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72030		STREET	PROF SERV		15,877.50			
							15,877.50		
671	J E O CONSULTING GROU	0001		INV	04/06/2025	159271			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 285 74229		CONST PROJ	CAP IMP		260.00			
							260.00		
						CHECK TOTAL	**16,137.50**		
586	K-T HEATING & AIR CON	0001		INV	03/29/2025	i10985			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		130.00			
							130.00		
						CHECK TOTAL	**130.00**		
229	K2 COMMUNICATION CORP	0001		INV	04/19/2025	00007658			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		328.60			
							328.60		
229	K2 COMMUNICATION CORP	0001		INV	04/18/2025	00007651			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		57.59			
							57.59		
						CHECK TOTAL	**386.19**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
684	KELLY SUPPLY COMPANY	0001		INV	04/06/2025	S15119608-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		155.15			
							155.15		
684	KELLY SUPPLY COMPANY	0001		CRM	01/05/2025	R15503865-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		-60.74			
							-60.74		
684	KELLY SUPPLY COMPANY	0001		INV	04/24/2025	S15119802-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		126.41			
							126.41		
684	KELLY SUPPLY COMPANY	0001		INV	04/24/2025	S15119807-0			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72750		PR-CEM	RM-HEAVY		215.57			
							215.57		
						CHECK TOTAL	**436.39**		
1100	KIMBALL MIDWEST	0001		INV	04/04/2025	103130842			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		695.94			
							695.94		
						CHECK TOTAL	**695.94**		
658	KULLY PIPE & STEEL CO	0001		INV	04/16/2025	825982			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		37.21			
							37.21		
658	KULLY PIPE & STEEL CO	0001		INV	04/19/2025	826136			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		11.76			
							11.76		
						CHECK TOTAL	**48.97**		
670	L C L TRUCK EQUIPMENT	0001		INV	04/04/2025	INV1011093			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		436.05			

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
							436.05		
						CHECK TOTAL	**436.05**		
86	LAMAR COMPANIES	0001		INV	03/31/2025	116828403			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72305		MUSEUM	ADVERTISE		315.00			
							315.00		
						CHECK TOTAL	**315.00**		
669	LANDMARK IMPLEMENT, I	0001		INV	04/10/2025	11863941			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72780		AIRPORT	RM-VEH		1,467.92			
							1,467.92		
669	LANDMARK IMPLEMENT, I	0001		INV	03/09/2025	11853009			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72750		PR-CEM	RM-HEAVY		5,155.16			
							5,155.16		
						CHECK TOTAL	**6,623.08**		
1663	LEE ENTERPRISES, INC	0001		INV	04/01/2025	1244923			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72305		MUSEUM	ADVERTISE		629.00			
							629.00		
						CHECK TOTAL	**629.00**		
2278	MAINTAINX, INC	0001		INV	04/21/2025	30D99C72-0002			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		5,313.00			
	2 720 73727		IT FUND	SFTW UTIL		4,347.00			
							9,660.00		
						CHECK TOTAL	**9,660.00**		
589	MALOUF JR AND ASSOCIA	0001		INV	04/06/2025	IN-37188			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73720		POLICE	SUPP-BM		327.20			
							327.20		
						CHECK TOTAL	**327.20**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
15	MATHESON TRIGAS-LINWE	0001		INV	04/04/2025	0031156720			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72771		LANDFILL	SUPP-WELD		232.10			
	2 610 73772		LANDFILL	SUPP-SHOP		49.74			
							281.84		
15	MATHESON TRIGAS-LINWE	0001		INV	04/13/2025	0031193217			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73135		AMBULANCE	MED SUPP		52.80			
							52.80		
15	MATHESON TRIGAS-LINWE	0001		INV	04/13/2025	0031194148			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73135		AMBULANCE	MED SUPP		44.00			
							44.00		
15	MATHESON TRIGAS-LINWE	0001		INV	04/17/2025	0031205362			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73135		AMBULANCE	MED SUPP		52.80			
							52.80		
						CHECK TOTAL	**431.44**		
679	MATT FRIEND TRUCK EQU	0001		INV	04/09/2025	0095249-IN			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		695.22			
							695.22		
						CHECK TOTAL	**695.22**		
601	MENARDS	0001		INV	04/04/2025	82589			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72720		LANDFILL	RM-BLDG		95.58			
							95.58		
601	MENARDS	0001		INV	04/05/2025	82632			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72770		AIRPORT	RM-TOOLS		491.94			
							491.94		
601	MENARDS	0001		INV	03/28/2025	82251			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 73772		AIRPORT	SUPP-SHOP		100.86			
							100.86		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
601	MENARDS	0001		INV	04/09/2025	82790			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10008000 72720		AIRPORT	RM-BLDG			85.95		
							85.95		
601	MENARDS	0001		INV	04/03/2025	82530			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10008000 72720		AIRPORT	RM-BLDG			63.52		
							63.52		
601	MENARDS	0001		INV	04/10/2025	82826			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10008000 72720		AIRPORT	RM-BLDG			18.48		
							18.48		
601	MENARDS	0001		INV	04/11/2025	82876			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 610 74229		LANDFILL	CAP IMP			87.99		
	2 610 72780		LANDFILL	RM-VEH			59.76		
							147.75		
601	MENARDS	0001		INV	03/27/2025	82239			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10006040 72720		FIRE	RM-BLDG			28.49		
							28.49		
601	MENARDS	0001		INV	04/11/2025	82887			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003024 72720		PR-REC	RM-BLDG			100.58		
							100.58		
601	MENARDS	0001		INV	04/12/2025	82919			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10005031 72770		POLICE	RM-TOOLS			51.46		
							51.46		
601	MENARDS	0001		INV	04/12/2025	82935			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10005031 72720		POLICE	RM-BLDG			113.07		
							113.07		
601	MENARDS	0001		INV	04/11/2025	82912			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10005031 73136		POLICE	K-9 UNIT			32.95		
							32.95		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
601	MENARDS	0001		INV	04/11/2025	82882			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10005031 72770		POLICE	RM-TOOLS			233.13		
							233.13		
601	MENARDS	0001		INV	04/13/2025	82976			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10005031 72770		POLICE	RM-TOOLS			53.35		
							53.35		
601	MENARDS	0001		INV	04/02/2025	82454			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10004000 72720		LIBRARY	RM-BLDG			11.98		
							11.98		
601	MENARDS	0001		INV	03/06/2025	81306			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 280 72770		STREET	RM-TOOLS			21.26		
							21.26		
601	MENARDS	0001		CRM	04/20/2025	83193			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003021 72720		PR-CEM	RM-BLDG			-9.88		
							-9.88		
601	MENARDS	0001		INV	04/24/2025	83356			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 280 72915		STREET	OTHER			172.20		
							172.20		
601	MENARDS	0001		INV	03/27/2025	82228			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003021 72720		PR-CEM	RM-BLDG			29.64		
							29.64		
601	MENARDS	0001		INV	04/24/2025	83353			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10008000 72720		AIRPORT	RM-BLDG			5.00		
							5.00		
601	MENARDS	0001		INV	04/16/2025	83053			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10008000 72720		AIRPORT	RM-BLDG			65.28		
							65.28		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
601	MENARDS	0001		INV	04/16/2025	83054			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72720		AIRPORT	RM-BLDG		149.00			
							149.00		
601	MENARDS	0001		INV	04/13/2025	82985			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		64.98			
							64.98		
601	MENARDS	0001		INV	04/23/2025	83319			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		41.35			
							41.35		
601	MENARDS	0001		INV	04/23/2025	83322			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72915		STREET	OTHER		152.96			
							152.96		
601	MENARDS	0001		INV	04/25/2025	83421			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73720		FIRE	SUPP-BM		29.98			
							29.98		
						CHECK TOTAL	**2,350.86**		
218	MIDWEST TAPE	0001		INV	03/30/2025	506822250			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		3,799.91			
							3,799.91		
218	MIDWEST TAPE	0001		INV	04/02/2025	506829341			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		35.00			
							35.00		
218	MIDWEST TAPE	0001		INV	03/30/2025	506830036			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		35.00			
							35.00		
218	MIDWEST TAPE	0001		INV	04/04/2025	506844800			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72914		LIBRARY	PROC FEE		9.40			
	2 10004000 73012		LIBRARY	LIB COLL		65.97			

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
							75.37		
218	MIDWEST TAPE	0001		INV	04/10/2025	506872972			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72914		LIBRARY	PROC FEE		23.30			
	2 10004000 73012		LIBRARY	LIB COLL		166.42			
							189.72		
218	MIDWEST TAPE	0001		INV	04/18/2025	506910408			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		122.19			
	2 10004000 72914		LIBRARY	PROC FEE		13.50			
							135.69		
218	MIDWEST TAPE	0001		INV	04/24/2025	506939082			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72914		LIBRARY	PROC FEE		27.00			
	2 10004000 73012		LIBRARY	LIB COLL		128.17			
							155.17		
						CHECK TOTAL	**4,425.86**		
28	MIDWEST TURF & IRRIGA	0001		INV	04/12/2025	3947599-00			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		1,185.06			
							1,185.06		
28	MIDWEST TURF & IRRIGA	0001		INV	04/03/2025	3946515-00			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72750		PR-CEM	RM-HEAVY		909.26			
							909.26		
28	MIDWEST TURF & IRRIGA	0001		INV	04/09/2025	3946679-00			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72750		PR-CEM	RM-HEAVY		430.96			
							430.96		
28	MIDWEST TURF & IRRIGA	0001		INV	04/20/2025	3947599-03			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		98.53			
							98.53		
						CHECK TOTAL	**2,623.81**		

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
1849	MR. SPARKLES CLEANING	0001		INV	04/09/2025	40258			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72720		POLICE	RM-BLDG		1,206.00			
							1,206.00		
1849	MR. SPARKLES CLEANING	0001		INV	04/24/2025	40407			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72720		POLICE	RM-BLDG		1,350.00			
							1,350.00		
						CHECK TOTAL	**2,556.00**		
688	NAPA AUTO PARTS	0001		INV	04/11/2025	323683			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		23.38			
							23.38		
688	NAPA AUTO PARTS	0001		INV	04/06/2025	322776			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		44.12			
							44.12		
688	NAPA AUTO PARTS	0001		INV	04/05/2025	322542			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		65.18			
							65.18		
688	NAPA AUTO PARTS	0001		INV	03/30/2025	321551			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72750		PR-PARKS	RM-HEAVY		21.55			
							21.55		
688	NAPA AUTO PARTS	0001		INV	04/03/2025	322098			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72780		PR-PARKS	RM-VEH		10.56			
							10.56		
688	NAPA AUTO PARTS	0001		INV	03/15/2025	318621			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72780		PR-PARKS	RM-VEH		40.43			
							40.43		
688	NAPA AUTO PARTS	0001		INV	04/12/2025	323790			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72780		PR-PARKS	RM-VEH		26.87			
							26.87		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
688	NAPA AUTO PARTS	0001		INV	04/11/2025	323630			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72780		PR-PARKS	RM-VEH			698.69		
							698.69		
688	NAPA AUTO PARTS	0001		INV	04/07/2025	322892			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72750		PR-PARKS	RM-HEAVY			108.82		
							108.82		
688	NAPA AUTO PARTS	0001		INV	04/10/2025	323336			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72750		PR-PARKS	RM-HEAVY			62.80		
							62.80		
688	NAPA AUTO PARTS	0001		INV	04/11/2025	323671			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 10003022 72780		PR-PARKS	RM-VEH			22.09		
							22.09		
688	NAPA AUTO PARTS	0001		INV	04/02/2025	321845			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 280 72750		STREET	RM-HEAVY			59.94		
							59.94		
688	NAPA AUTO PARTS	0001		INV	04/05/2025	322576			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 280 72750		STREET	RM-HEAVY			61.01		
							61.01		
688	NAPA AUTO PARTS	0001		INV	04/10/2025	323450			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 280 72750		STREET	RM-HEAVY			38.20		
							38.20		
688	NAPA AUTO PARTS	0001		INV	04/11/2025	323610			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 280 72750		STREET	RM-HEAVY			87.95		
							87.95		
688	NAPA AUTO PARTS	0001		INV	04/16/2025	324399			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 280 72750		STREET	RM-HEAVY			238.99		
							238.99		

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
688	NAPA AUTO PARTS	0001		INV	04/16/2025	324509			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		154.99			
							154.99		
688	NAPA AUTO PARTS	0001		INV	04/17/2025	324616			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		95.91			
							95.91		
688	NAPA AUTO PARTS	0001		INV	04/23/2025	325464			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		117.16			
							117.16		
688	NAPA AUTO PARTS	0001		INV	04/24/2025	325873			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		104.39			
							104.39		
688	NAPA AUTO PARTS	0001		INV	04/25/2025	325954			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73772		STREET	SUPP-SHOP		6.49			
							6.49		
688	NAPA AUTO PARTS	0001		INV	04/25/2025	326049			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		277.98			
							277.98		
						CHECK TOTAL	**2,367.50**		
62	NE PUBLIC HEALTH ENVI	0001		INV	04/10/2025	588293			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		1,155.00			
							1,155.00		
						CHECK TOTAL	**1,155.00**		
85	NE SALT AND GRAIN CO.	0001		INV	04/17/2025	75117			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73155		STREET	SAND/GRAV		1,759.69			
							1,759.69		
						CHECK TOTAL	**1,759.69**		

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
568	NEBRASKA FIRE SPRINKL	0001		INV	04/13/2025	12985			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72720		FIRE	RM-BLDG		245.00			
							245.00		
						CHECK TOTAL	**245.00**		
656	NEBRASKA MACHINERY CO	0001		INV	03/23/2025	CUI1456582			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72780		AIRPORT	RM-VEH		952.78			
							952.78		
656	NEBRASKA MACHINERY CO	0001		INV	03/23/2025	CUI1455586			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72780		AIRPORT	RM-VEH		137.57			
							137.57		
656	NEBRASKA MACHINERY CO	0001		INV	03/22/2025	CUI1456153			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72780		AIRPORT	RM-VEH		67.85			
							67.85		
656	NEBRASKA MACHINERY CO	0001		INV	02/26/2025	CUI1447096			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		215.85			
							215.85		
656	NEBRASKA MACHINERY CO	0001		CRM	04/11/2025	SCN108097			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		-183.47			
							-183.47		
656	NEBRASKA MACHINERY CO	0001		INV	03/28/2025	CUI1457814			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72780		AIRPORT	RM-VEH		940.23			
							940.23		
656	NEBRASKA MACHINERY CO	0001		INV	03/14/2025	CUI1453450			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		674.42			
							674.42		
656	NEBRASKA MACHINERY CO	0001		INV	03/31/2025	CUI1459784			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		40.38			
							40.38		

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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
656	NEBRASKA MACHINERY CO	0001		INV	03/16/2025	CUI1454395			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		94.94			
							94.94		
656	NEBRASKA MACHINERY CO	0001		INV	03/19/2025	CUI1454780			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		12.16			
							12.16		
656	NEBRASKA MACHINERY CO	0001		INV	03/16/2025	CUI1454406			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		0.26			
							0.26		
656	NEBRASKA MACHINERY CO	0001		INV	03/16/2025	CUI1454394			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		74.38			
							74.38		
656	NEBRASKA MACHINERY CO	0001		INV	03/19/2025	CUI1454864			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		804.58			
							804.58		
656	NEBRASKA MACHINERY CO	0001		INV	02/09/2025	CUI1441045			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		43.44			
							43.44		
						CHECK TOTAL	**3,875.37**		
689	NUTRIEN AG SOLUTIONS	0001		INV	04/19/2025	56380440			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73126		LIBRARY	FUEL/OIL		36.25			
							36.25		
						CHECK TOTAL	**36.25**		
692	O'REILLY AUTO PARTS	0001		INV	04/03/2025	0764-245025			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		47.15			
							47.15		
						CHECK TOTAL	**47.15**		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
297	OCLC INC	0001		INV	10/31/2024	1000406140			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		2,591.23			
							2,591.23		
						CHECK TOTAL	**2,591.23**		
201	ODEYS, INC.	0001		INV	04/11/2025	125273			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73710		PR-PARKS	LANDSCAPE		6,524.90			
							6,524.90		
201	ODEYS, INC.	0001		INV	04/11/2025	125272			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73710		PR-PARKS	LANDSCAPE		7,418.00			
							7,418.00		
201	ODEYS, INC.	0001		INV	04/11/2025	125271			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73710		PR-PARKS	LANDSCAPE		9,984.00			
							9,984.00		
201	ODEYS, INC.	0001		INV	04/11/2025	125274			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73140		PR-PARKS	OTHER SUPP		1,217.80			
							1,217.80		
						CHECK TOTAL	**25,144.70**		
1400	RICHARD UTTER	0000		INV	04/23/2025	REIMBURSEMENT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72915		STREET	OTHER		31.00			
							31.00		
						CHECK TOTAL	**31.00**		
1400	STAROSTKA GROUP UNLIM	0000		INV	04/11/2025	20240379			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 100 42206		GENERAL	CERT OCC		250.00			
							250.00		
						CHECK TOTAL	**250.00**		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
1400	STAROSTKA GROUP UNLIM	0000		INV	04/11/2025	20240599			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 100 42206		GENERAL	CERT OCC		250.00			
							250.00		
						CHECK TOTAL	**250.00**		
1400	STAROSTKA GROUP UNLIM	0000		INV	04/11/2025	20240855			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 100 42206		GENERAL	CERT OCC		250.00			
							250.00		
						CHECK TOTAL	**250.00**		
320	OVERDRIVE INC	0001		INV	03/30/2025	01419MA25063036			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		55.00			
							55.00		
320	OVERDRIVE INC	0001		INV	03/30/2025	01419MA25067742			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		414.97			
							414.97		
						CHECK TOTAL	**469.97**		
305	PAVERS, INC.	0001		INV	04/16/2025	111741			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73105		STREET	ASP/CEMENT		2,898.00			
							2,898.00		
						CHECK TOTAL	**2,898.00**		
598	PRECISION HEATING & A	0001		INV	03/27/2025	34330			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72720		AIRPORT	RM-BLDG		110.00			
							110.00		
						CHECK TOTAL	**110.00**		
24	PRESTO-X	0001		INV	03/30/2025	525597C			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 72720		PR-REC	RM-BLDG		60.41			
							60.41		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
						CHECK TOTAL	**60.41**		
24	PRESTO-X	0001		INV	04/03/2025	74582008			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72622		FIRE	PEST CONTR		73.42			
							73.42		
						CHECK TOTAL	**73.42**		
24	PRESTO-X	0001		INV	04/03/2025	74582007			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72622		FIRE	PEST CONTR		56.79			
							56.79		
						CHECK TOTAL	**56.79**		
24	PRESTO-X	0001		INV	04/03/2025	74582071			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 72622		FIRE	PEST CONTR		72.49			
							72.49		
						CHECK TOTAL	**72.49**		
712	PRIME SECURED	0001		INV	04/18/2025	95564			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 72030		IT FUND	PROF SERV		3,307.50			
							3,307.50		
712	PRIME SECURED	0001		INV	04/04/2025	95432			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 74357		IT FUND	EQUIP UTIL		2,595.90			
							2,595.90		
						CHECK TOTAL	**5,903.40**		
318	PROFORMA	0001		INV	04/10/2025	BG16006963A			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 72305		PR-REC	ADVERTISE		271.95			
							271.95		
						CHECK TOTAL	**271.95**		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
638	PROTEX CENTRAL, INC.	0001		INV	04/27/2025	160341			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 74120		MUSEUM	BDLG IMP		57,530.32			
							57,530.32		
						CHECK TOTAL	**57,530.32**		
2169	PROVISION WINDOW CLEA	0001		INV	04/23/2025	1223			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72720		AIRPORT	RM-BLDG		250.00			
							250.00		
						CHECK TOTAL	**250.00**		
475	QTPOD	0001		INV	04/03/2025	6908			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72720		AIRPORT	RM-BLDG		211.73			
							211.73		
						CHECK TOTAL	**211.73**		
667	QUADIENT LEASING USA,	0001		INV	04/10/2025	61805335			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72760		LIBRARY	RM-OFFICE		120.00			
							120.00		
						CHECK TOTAL	**120.00**		
280	RAMAKER & ASSOCIATES	0001		INV	04/17/2025	135582			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		400.00			
							400.00		
						CHECK TOTAL	**400.00**		
319	REAL D INC.	0001		INV	04/03/2025	INV204478			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		100.00			
							100.00		
						CHECK TOTAL	**100.00**		

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VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
378	REAL TIME TRANSLATION	0001		INV	04/18/2025	118834			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		16.50			
							16.50		
						CHECK TOTAL	**16.50**		
158	REAMS SPRINKLER SUPPL	0001		INV	04/16/2025	0018309063-001			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73116		PR-PARKS	FERTLIZER		9,451.20			
							9,451.20		
158	REAMS SPRINKLER SUPPL	0001		INV	04/16/2025	0019179617-001			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73116		PR-PARKS	FERTLIZER		3,870.00			
							3,870.00		
						CHECK TOTAL	**13,321.20**		
278	RESOURCE MANAGEMENT C	0001		INV	04/05/2025	13903			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72030		LANDFILL	PROF SERV		2,547.00			
							2,547.00		
						CHECK TOTAL	**2,547.00**		
1944	RLR ASSOCIATES, INC	0001		INV	04/27/2025	2025-027			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 271 74229		MUSEUM ST CAP IMP			2,291.40			
							2,291.40		
						CHECK TOTAL	**2,291.40**		
185	ROAD BUILDERS	0001		INV	04/05/2025	P68423			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		756.59			
							756.59		
						CHECK TOTAL	**756.59**		
611	RUSS'S MARKET	0001		INV	04/13/2025	18952			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72735		LIB GRANT	GRANT EXP		9.12			
							9.12		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
						CHECK TOTAL	**9.12**		
564	RUTT'S HEATING & AC	0001		INV	04/30/2025	7597			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 72030		PR-AUD	PROF SERV		1,050.00			
							1,050.00		
564	RUTT'S HEATING & AC	0001		INV	03/22/2025	56549			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		496.92			
							496.92		
564	RUTT'S HEATING & AC	0001		INV	03/20/2025	56502			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003020 72720		PR-AUD	RM-BLDG		37.50			
							37.50		
						CHECK TOTAL	**1,584.42**		
234	S K FILMS, INC.	0001		INV	02/19/2025	9094US			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		346.49			
							346.49		
						CHECK TOTAL	**346.49**		
234	S K FILMS, INC.	0001		INV	02/19/2025	9095US			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		57.45			
							57.45		
						CHECK TOTAL	**57.45**		
234	S K FILMS, INC.	0001		INV	02/19/2025	9096US			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		55.12			
							55.12		
						CHECK TOTAL	**55.12**		
234	S K FILMS, INC.	0001		INV	04/13/2025	9172US			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		707.74			
							707.74		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
						CHECK TOTAL	**707.74**		
234	S K FILMS, INC.	0001		INV	04/13/2025	9174US			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		8.75			
							8.75		
						CHECK TOTAL	**8.75**		
234	S K FILMS, INC.	0001		INV	04/13/2025	9173US			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		32.76			
							32.76		
						CHECK TOTAL	**32.76**		
657	SAPP BROTHERS PETROLE	0001		INV	04/02/2025	IN4690429			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73126		LANDFILL	FUEL/OIL		1,038.46			
							1,038.46		
657	SAPP BROTHERS PETROLE	0001		INV	04/03/2025	IN4690972			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73126		LANDFILL	FUEL/OIL		1,451.30			
							1,451.30		
657	SAPP BROTHERS PETROLE	0001		INV	04/10/2025	IN4696930			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73126		LANDFILL	FUEL/OIL		970.16			
							970.16		
657	SAPP BROTHERS PETROLE	0001		INV	03/27/2025	IN4684763			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73126		PR-PARKS	FUEL/OIL		1,071.03			
							1,071.03		
657	SAPP BROTHERS PETROLE	0001		INV	04/16/2025	IN4701375			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73126		LANDFILL	FUEL/OIL		2,471.56			
							2,471.56		
657	SAPP BROTHERS PETROLE	0001		INV	04/12/2025	IN4699215			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 73126		PR-CEM	FUEL/OIL		1,122.75			
							1,122.75		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
657	SAPP BROTHERS PETROLE	0001		INV	04/11/2025	IN4697560			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 73126		PR-PARKS	FUEL/OIL		2,361.41			
							2,361.41		
657	SAPP BROTHERS PETROLE	0001		INV	04/23/2025	IN4706274			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73126		LANDFILL	FUEL/OIL		559.01			
							559.01		
657	SAPP BROTHERS PETROLE	0001		INV	04/13/2025	IN4700509			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73126		STREET	FUEL/OIL		1,560.00			
							1,560.00		
657	SAPP BROTHERS PETROLE	0001		INV	03/23/2025	IN4682372			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73126		STREET	FUEL/OIL		819.30			
							819.30		
657	SAPP BROTHERS PETROLE	0001		INV	03/24/2025	IN4682514			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73126		STREET	FUEL/OIL		2,620.09			
							2,620.09		
657	SAPP BROTHERS PETROLE	0001		INV	03/28/2025	IN4686211			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73126		STREET	FUEL/OIL		1,305.19			
							1,305.19		
657	SAPP BROTHERS PETROLE	0001		INV	04/05/2025	IN4692842			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73126		STREET	FUEL/OIL		4,588.67			
							4,588.67		
						CHECK TOTAL	**21,938.93**		
1279	SCALES SALES & SERVIC	0001		INV	04/25/2025	45547			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 72750		LANDFILL	RM-HEAVY		1,048.15			
							1,048.15		
						CHECK TOTAL	**1,048.15**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
21	SHERWIN-WILLIAMS	0001		INV	04/11/2025	0067-2			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73160		STREET	SIGNS		59.63			
							59.63		
						CHECK TOTAL	**59.63**		
625	SOS PORTABLE TOILETS,	0001		INV	04/18/2025	55694			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72030		POLICE	PROF SERV		50.00			
							50.00		
625	SOS PORTABLE TOILETS,	0001		INV	04/18/2025	55723			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 285 74229		CONST PROJ	CAP IMP		102.00			
							102.00		
						CHECK TOTAL	**152.00**		
713	SPEIDELL MONUMENTS, I	0001		INV	04/11/2025	5682			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 73729		PR-CEM	SUPP-NICHE		259.00			
							259.00		
						CHECK TOTAL	**259.00**		
125	STATE OF NE - DAS STA	0001		INV	04/20/2025	1471790			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		844.80			
							844.80		
						CHECK TOTAL	**844.80**		
1920	STEVE'S LIGHTNING SOU	0001		INV	03/30/2025	022825			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 72052		PR-REC	CL-YOUTH		300.00			
							300.00		
						CHECK TOTAL	**300.00**		
848	STRONG TECHNICAL SERV	0001		INV	04/12/2025	SIN181900			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72750		MUSEUM	RM-HEAVY		888.26			
							888.26		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
						CHECK TOTAL	**888.26**		
1999	TANTALUS SYSTEMS INC	0001	22500167	INV	12/30/2024	AM2025-181			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73727		IT FUND	SFTW UTIL		48,394.90			
							48,394.90		
						CHECK TOTAL	**48,394.90**		
1462	TAPCO, INC	0001	22400321	INV	08/23/2024	I783494			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 74371		STREET	TRAFF EQ		16,073.80			
							16,073.80		
1462	TAPCO, INC	0001	22400321	INV	10/20/2024	I787599			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 74371		STREET	TRAFF EQ		1,895.97			
							1,895.97		
						CHECK TOTAL	**17,969.77**		
2459	LILY TEEPLE	0001		INV	05/01/2025	04012025			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 211 72030		BID	PROF SERV		2,000.00			
							2,000.00		
						CHECK TOTAL	**2,000.00**		
365	TELEFLEX LLC	0001		INV	04/16/2025	9509735892			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73135		AMBULANCE	MED SUPP		665.00			
							665.00		
						CHECK TOTAL	**665.00**		
2523	THE TALBOTT BROTHERS,	0001		INV	04/06/2025	032125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73146		MUSEUM	ED EXP		2,500.00			
							2,500.00		
						CHECK TOTAL	**2,500.00**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
23	TERRY HAINES	0001		INV	04/04/2025	1174			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72780		PR-PARKS	RM-VEH		26.00			
							26.00		
						CHECK TOTAL	**26.00**		
614	TITAN MACHINERY-HASTI	0001		INV	04/06/2025	PS0641918-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		161.60			
							161.60		
614	TITAN MACHINERY-HASTI	0001		INV	04/06/2025	PS0642430-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		188.40			
							188.40		
614	TITAN MACHINERY-HASTI	0001		INV	04/12/2025	PS0649123-1			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72750		STREET	RM-HEAVY		5.99			
							5.99		
						CHECK TOTAL	**355.99**		
17	TK ELEVATOR CORPORATI	0001		INV	03/31/2025	1000676522			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 72720		LIBRARY	RM-BLDG		243.36			
							243.36		
						CHECK TOTAL	**243.36**		
1344	TRANSIT WORKS	0001		INV	04/10/2025	54387			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72915		STREET	OTHER		194.10			
							194.10		
						CHECK TOTAL	**194.10**		
95	TYLER TECHNOLOGIES, I	0001		INV	03/07/2025	045-504120			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10009000 74356		OTHER-GOVT	COMP SOFT		1,400.00			
							1,400.00		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
95	TYLER TECHNOLOGIES, I	0001		INV	03/29/2025	045-507723			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10009000 74356		OTHER-GOVT	COMP SOFT		2,602.00			
							2,602.00		
95	TYLER TECHNOLOGIES, I	0001		INV	03/30/2025	045-508067			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10009000 74356		OTHER-GOVT	COMP SOFT		9,627.00			
							9,627.00		
						CHECK TOTAL	**13,629.00**		
698	ULINE	0001		INV	03/13/2025	189024345			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 73001		911	OFF SUPP		391.91			
							391.91		
						CHECK TOTAL	**391.91**		
294	US BANK	0001		INV	04/04/2025	WALMART 3-05-25			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 74229		LANDFILL	CAP IMP		139.99			
							139.99		
294	US BANK	0001		INV	03/23/2025	WORLD SERVICES, INC.			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		147.00			
							147.00		
294	US BANK	0001		INV	04/10/2025	BRICK CITY			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73005		LIBRARY	LIB MAKER		57.00			
							57.00		
294	US BANK	0001		INV	03/30/2025	HASTINGS MUSEUM			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 230 72054		LIB GRANT	LIB PROG		75.00			
							75.00		
294	US BANK	0001		INV	04/15/2025	ADOBE 3045058926			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72905		MUSEUM	DUE/SUBS		64.19			
							64.19		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/16/2025	COVERTTRACK GROUP			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73850		POLICE	FIELD EQ		600.00			
							600.00		
294	US BANK	0001		INV	03/30/2025	WALMART			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73165		POLICE	UNIFORM		53.96			
							53.96		
294	US BANK	0001		INV	04/06/2025	SP SERVICE FIRST			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72720		PR-PARKS	RM-BLDG		847.53			
							847.53		
294	US BANK	0001		INV	04/13/2025	INT'L CODE COUNCIL			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72905		DS	DUE/SUBS		170.00			
							170.00		
294	US BANK	0001		INV	04/17/2025	NIFA* NIFA INNOVATIO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72035		DS	TRAIN/CONF		275.00			
							275.00		
294	US BANK	0001		INV	04/12/2025	HOME DEPOT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 72780		STREET	RM-VEH		56.74			
							56.74		
294	US BANK	0001		INV	04/20/2025	TACO JOHN'S			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73120		STREET	FOOD SUPP		151.51			
							151.51		
294	US BANK	0001		INV	04/19/2025	NEBRASKA RECREATION			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 72035		PR-REC	TRAIN/CONF		45.00			
							45.00		
294	US BANK	0001		INV	04/25/2025	EB*HOUSING INSPECTIO			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10002000 72035		DS	TRAIN/CONF		135.23			
							135.23		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/09/2025	METRICOOL.COM			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 73725		IT FUND	COMPT SOFT			363.00		
	2 720 73727		IT FUND	SFTW UTIL			297.00		
							660.00		
294	US BANK	0001		INV	04/09/2025	SURVEYMONK			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 73725		IT FUND	COMPT SOFT			1,821.60		
	2 720 73727		IT FUND	SFTW UTIL			1,490.40		
							3,312.00		
294	US BANK	0001		INV	04/09/2025	MICROSOFT			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 73725		IT FUND	COMPT SOFT			16.36		
	2 720 73727		IT FUND	SFTW UTIL			13.39		
							29.75		
294	US BANK	0001		INV	04/10/2025	PADDLE.NET			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 73725		IT FUND	COMPT SOFT			5.89		
	2 720 73727		IT FUND	SFTW UTIL			4.81		
							10.70		
294	US BANK	0001		INV	04/12/2025	GOTOCOM			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 73725		IT FUND	COMPT SOFT			52.38		
	2 720 73727		IT FUND	SFTW UTIL			42.86		
							95.24		
294	US BANK	0001		INV	04/16/2025	MSFT			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 73725		IT FUND	COMPT SOFT			12.38		
	2 720 73727		IT FUND	SFTW UTIL			10.12		
							22.50		
294	US BANK	0001		INV	04/16/2025	MSFT			
	ACCOUNT DETAIL						**LINE AMOUNT**		
	1 720 73725		IT FUND	COMPT SOFT			9,147.60		
	2 720 73727		IT FUND	SFTW UTIL			7,484.40		
							16,632.00		

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CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/16/2025	MSFT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		104.50			
	2 720 73727		IT FUND	SFTW UTIL		85.50			
							190.00		
294	US BANK	0001		INV	04/16/2025	MSFT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		44.00			
	2 720 73727		IT FUND	SFTW UTIL		36.00			
							80.00		
294	US BANK	0001		INV	04/16/2025	MSFT			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		120.00			
							120.00		
294	US BANK	0001		INV	04/24/2025	TEXTMAGIC.COM			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003023 72030		PR-WP	PROF SERV		20.00			
							20.00		
294	US BANK	0001		INV	04/21/2025	DELIGHT DONUTS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73120		FIRE	FOOD SUPP		67.89			
							67.89		
294	US BANK	0001		INV	04/21/2025	LITTLE CAESARS			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006040 73120		FIRE	FOOD SUPP		79.04			
							79.04		
294	US BANK	0001		INV	04/20/2025	WORLD SERVICES, INC.			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73012		LIBRARY	LIB COLL		147.00			
							147.00		
294	US BANK	0001		INV	04/16/2025	TABLE COVERS NOW			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10004000 73150		LIBRARY	PROMO MAT		404.88			
							404.88		
294	US BANK	0001		INV	04/26/2025	WALMART			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 280 73140		STREET	OTHER SUPP		69.29			
							69.29		

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CHECK RUN: 250414 04/14/2025
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CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
294	US BANK	0001		INV	04/20/2025	WALMART 2000127-7048			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73146		MUSEUM	ED EXP		159.95			
							159.95		
294	US BANK	0001		INV	04/19/2025	CANVA 04461-66378660			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72905		MUSEUM	DUE/SUBS		119.40			
							119.40		
294	US BANK	0001		INV	04/25/2025	STAMPS,POST 03.25			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72105		MUSEUM	POSTAGE		200.00			
							200.00		
294	US BANK	0001		INV	04/23/2025	LEARNING WJ7NGWDEJB			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73122		MUSEUM	STORE MERC		207.05			
							207.05		
294	US BANK	0001		INV	04/20/2025	USPS 732			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72105		MUSEUM	POSTAGE		6.88			
							6.88		
294	US BANK	0001		INV	04/22/2025	STAMPS.SF 03.25			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72760		MUSEUM	RM-OFFICE		29.99			
							29.99		
						CHECK TOTAL	**25,481.71**		
2519	VARIANCE FILMS, INC	0001		INV	04/02/2025	FLOW 2.21-3.2.2025			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72815		MUSEUM	FILM ROY		275.00			
							275.00		
						CHECK TOTAL	**275.00**		
354	VENUPLUS INC	0001		INV	03/15/2025	CI2501327			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73123		MUSEUM	PENN PRESS		106.55			
							106.55		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
354	VENUPLUS INC	0001		INV	03/30/2025	CI2501380			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 73123		MUSEUM	PENN PRESS		47.66			
							47.66		
						CHECK TOTAL	**154.21**		
725	VERIZON WIRELESS	0001		INV	04/19/2025	6108265101			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72620		POLICE	TELEPHONE		2,444.31			
							2,444.31		
						CHECK TOTAL	**2,444.31**		
2304	VESTIS	0001		INV	04/02/2025	6280476274			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73170		LANDFILL	WEARING		6.15			
	2 610 72720		LANDFILL	RM-BLDG		24.24			
							30.39		
2304	VESTIS	0001		INV	04/09/2025	6280479124			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73170		LANDFILL	WEARING		6.15			
	2 610 72720		LANDFILL	RM-BLDG		24.24			
							30.39		
2304	VESTIS	0001		INV	04/16/2025	6280482122			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 610 73170		LANDFILL	WEARING		6.15			
	2 610 72720		LANDFILL	RM-BLDG		24.24			
							30.39		
2304	VESTIS	0001		INV	04/25/2025	6280487547			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 73720		POLICE	SUPP-BM		35.00			
							35.00		
						CHECK TOTAL	**126.17**		
176	VIAERO WIRELESS	0001		INV	05/13/2025	638575 041325			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73725		IT FUND	COMPT SOFT		317.77			
							317.77		
						CHECK TOTAL	**317.77**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
1549	VIP SMALL ENGINES	0001		INV	04/24/2025	12			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003021 72750		PR-CEM	RM-HEAVY		1,503.60			
							1,503.60		
						CHECK TOTAL	**1,503.60**		
179	WAL-MART COMMUNITY	0001		INV	04/20/2025	09370			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 73001		911	OFF SUPP		4.94			
							4.94		
179	WAL-MART COMMUNITY	0001		INV	04/20/2025	09371			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72780		POLICE	RM-VEH		52.52			
	2 10005031 72760		POLICE	RM-OFFICE		170.58			
							223.10		
179	WAL-MART COMMUNITY	0001		CRM	04/23/2025	08519			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72760		POLICE	RM-OFFICE		-30.00			
							-30.00		
179	WAL-MART COMMUNITY	0001		INV	04/23/2025	05382			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 73144		PR-REC	SUPP-FAM		40.00			
							40.00		
179	WAL-MART COMMUNITY	0001		INV	04/26/2025	05923			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003024 73144		PR-REC	SUPP-FAM		74.51			
							74.51		
179	WAL-MART COMMUNITY	0001		INV	04/24/2025	00363			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10006041 73001		AMBULANCE	OFF SUPP		36.36			
	2 10006040 73720		FIRE	SUPP-BM		41.62			
							77.98		
						CHECK TOTAL	**390.53**		
2319	WHEN THEN PROJECT, LL	0001		INV	04/13/2025	INV-0001246			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005031 72035		POLICE	TRAIN/CONF		1,857.60			

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
							1,857.60		
						CHECK TOTAL	**1,857.60**		
112	WILLIAMS EXTERMINATIN	0001		INV	03/31/2025	62251			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 270 72720		MUSEUM	RM-BLDG		45.00			
							45.00		
						CHECK TOTAL	**45.00**		
14	WINDSTREAM	0001		INV	04/06/2025	090229723 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		119.74			
							119.74		
						CHECK TOTAL	**119.74**		
14	WINDSTREAM	0001		INV	04/06/2025	090223890 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		16.83			
							16.83		
						CHECK TOTAL	**16.83**		
14	WINDSTREAM	0001		INV	04/06/2025	090223889 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		16.83			
							16.83		
						CHECK TOTAL	**16.83**		
14	WINDSTREAM	0001		INV	04/06/2025	090223888 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		16.83			
							16.83		
						CHECK TOTAL	**16.83**		
14	WINDSTREAM	0001		INV	04/06/2025	090219386 030725			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10005030 72620		911	TELEPHONE		98.50			
							98.50		
						CHECK TOTAL	**98.50**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
14	WINDSTREAM	0001		INV	04/20/2025	091989818 032125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003022 72620		PR-PARKS	TELEPHONE		48.23			
							48.23		
						CHECK TOTAL	**48.23**		
14	WINDSTREAM	0001		INV	04/10/2025	090937657 031125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10008000 72620		AIRPORT	TELEPHONE		53.31			
							53.31		
						CHECK TOTAL	**53.31**		
14	WINDSTREAM	0001		INV	04/20/2025	090766033 032125			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10003023 72620		PR-WP	TELEPHONE		65.89			
							65.89		
						CHECK TOTAL	**65.89**		
2520	WINTRUST SPECIALTY FI	0001		INV	04/27/2025	2289275			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 720 73727		IT FUND	SFTW UTIL		22,773.42			
	2 720 73725		IT FUND	COMPT SOFT		27,834.18			
							50,607.60		
						CHECK TOTAL	**50,607.60**		
726	WOODWARD'S DISPOSAL S	0001		INV	03/26/2025	9246-668			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10009000 72630		OTHER-GOVT	WASTE DISP		3,537.50			
							3,537.50		
726	WOODWARD'S DISPOSAL S	0001		INV	04/23/2025	9253-706			
	ACCOUNT DETAIL					**LINE AMOUNT**			
	1 10009000 72630		OTHER-GOVT	WASTE DISP		3,500.00			
							3,500.00		
						CHECK TOTAL	**7,037.50**		

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
697	ZIEMBA ROOFING CO.	0001		INV	04/27/2025	11105			

ACCOUNT DETAIL				LINE AMOUNT
1	261	72720	NAT DISAST RM-BLDGS	190,559.55

		190,559.55
	CHECK TOTAL	**190,559.55**

462	**INVOICES**	**WARRANT TOTAL**	**864,458.19**	**864,458.19**
		CASH ACCOUNT BALANCE		**0.00**

ACCOUNTS PAYABLE CHECK RUN REPORT

Check Run Summary

CHECK RUN: 250414 04/14/2025
DUE DATE: 04/14/2025

FUND	ORG		ACCOUNT		AMOUNT	AVLB BUDGET
100	100	GENERAL FUND	100-00-000-00-0000-00000-42206-	CERT OF OCCUPANCY FEE	750.00	0.00
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72305-	ADVERTISING	680.00	527,948.03
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72405-	PRINTING	7,379.20	527,948.03
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72605-	ELECTRICITY	264.45	527,948.03
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72610-	NATURAL GAS	180.51	527,948.03
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72615-	SEWER	13.93	527,948.03
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72625-	WATER	109.29	527,948.03
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-72728-	BUILDING MAINTENANCE	1,154.66	527,948.03
100	10001010	ADMIN - CITY ADMINIST	100-10-010-10-0000-00000-73001-	OFFICE SUPPLIES	114.47	527,948.03
100	10001012	ADMIN - CITY ATTORNEY	100-10-010-12-0000-00000-72035-	TRAINING/CONFERENCES	418.00	164,356.82
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-72035-	TRAINING/CONFERENCES	410.23	699,347.98
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-72780-	R & M VEHICLES	35.70	699,347.98
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-72905-	DUES & SUBSCRIPTIONS	170.00	699,347.98
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-73001-	OFFICE SUPPLIES	80.29	699,347.98
100	10002000	DEVELOPMENT SERVICES	100-10-020-00-0000-00000-74360-	OFFICE EQUIPMENT	78.77	699,347.98
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72030-	PROFESSIONAL SERVICES	1,050.00	115,762.86
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72720-	R & M BUILDINGS	37.50	115,762.86
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-72728-	BUILDING MAINTENANCE	2,417.01	115,762.86
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-73720-	BUILDING MAINTENANCE	168.94	115,762.86
100	10003020	PARKS & REC - AUDITOR	100-40-030-20-0000-00000-74120-	BUILDING IMPROVEMENTS	165.00	115,762.86
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72030-	PROFESSIONAL SERVICES	95.00	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72035-	TRAINING/CONFERENCES	300.00	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72720-	R & M BUILDINGS	19.76	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72728-	BUILDING MAINTENANCE	364.41	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72750-	R & M HEAVY MACHINERY	8,214.55	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72780-	R & M VEHICLES	219.02	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-72915-	OTHER	101.89	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-73126-	FUEL & OIL	1,122.75	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-73720-	BUILDING MAINTENANCE	45.80	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-73729-	NICHE SUPPLIES	259.00	801,438.77
100	10003021	PARKS & REC - CEMETER	100-40-030-21-0000-00000-74242-	DEPARTMENTAL CAPITAL	2,377.02	801,438.77
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72035-	TRAINING/CONFERENCES	300.00	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72311-	PUBLIC IMPROVEMENTS/P	190.95	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72405-	PRINTING	294.43	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72620-	TELEPHONE	48.23	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72720-	R & M BUILDINGS	2,556.17	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72728-	BUILDING MAINTENANCE	4,102.18	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72750-	R & M HEAVY MACHINERY	2,229.50	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-72780-	R & M VEHICLES	839.76	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-73116-	FERTILIZER	13,321.20	1,596,232.93

ACCOUNTS PAYABLE CHECK RUN REPORT

100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-73126-	FUEL & OIL	3,559.81	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-73140-	OTHER SUPPLIES	1,217.80	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-73710-	LANDSCAPING SUPPLIES	24,152.18	1,596,232.93
100	10003022	PARKS & REC - PARKS	100-40-030-22-0000-00000-74350-	HEAVY MACHINERY & EQU	34,535.00	1,596,232.93
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72030-	PROFESSIONAL SERVICES	20.00	512,179.91
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72620-	TELEPHONE	65.89	512,179.91
100	10003023	PARKS & REC - WATER P	100-40-030-23-0000-00000-72720-	R & M BUILDINGS	16.69	512,179.91
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72035-	TRAINING/CONFERENCES	45.00	124,584.93
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72052-	YOUTH ACT. CONTRACT L	300.00	124,584.93
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72305-	ADVERTISING	432.90	124,584.93
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-72720-	R & M BUILDINGS	160.99	124,584.93
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-73141-	ADULT REC SUPPLIES	286.26	124,584.93
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-73143-	SPEC. EVENT SUPPLIES	1,860.00	124,584.93
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-73144-	ADULT-FAM. REC. SUPPL	114.51	124,584.93
100	10003024	PARKS & REC - RECREAT	100-40-030-24-0000-00000-73170-	WEARING APPAREL	57.06	124,584.93
100	10004000	LIBRARY	100-40-040-00-0000-00000-72305-	ADVERTISING	5.73	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72605-	ELECTRICITY	1,819.50	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72610-	NATURAL GAS	966.52	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72615-	SEWER	35.37	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72620-	TELEPHONE	225.47	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72625-	WATER	231.41	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72720-	R & M BUILDINGS	573.81	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72728-	BUILDING MAINTENANCE	1,986.34	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72760-	R & M OFFICE EQUIPMEN	120.00	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-72914-	PROCESSING FEES	73.20	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-73001-	OFFICE SUPPLIES	208.05	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-73005-	LIBRARY MAKER SPACE S	326.06	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-73012-	LIBRARY COLLECTION	6,881.47	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-73126-	FUEL & OIL	36.25	991,572.18
100	10004000	LIBRARY	100-40-040-00-0000-00000-73150-	PROMOTIONAL MATERIALS	404.88	991,572.18
100	10005030	POLICE - 911 CENTER	100-20-050-30-0000-00000-72620-	TELEPHONE	1,113.53	905,398.46
100	10005030	POLICE - 911 CENTER	100-20-050-30-0000-00000-73001-	OFFICE SUPPLIES	396.85	905,398.46
100	10005030	POLICE - 911 CENTER	100-20-050-30-0000-00000-73170-	WEARING APPAREL	63.96	905,398.46
100	10005031	POLICE	100-20-050-31-0000-00000-72030-	PROFESSIONAL SERVICES	4,090.00	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72035-	TRAINING/CONFERENCES	2,076.60	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72105-	POSTAGE	15.59	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72620-	TELEPHONE	2,444.31	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72720-	R & M BUILDINGS	3,085.07	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72728-	BUILDING MAINTENANCE	1,722.57	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72760-	R & M OFFICE EQUIPMEN	140.58	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72770-	R & M TOOLS & MISC. E	663.50	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72780-	R & M VEHICLES	1,154.47	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-72924-	HEARTLAND PET CONN. A	5,493.33	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-73136-	K-9 UNIT	32.95	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-73165-	UNIFORM ALLOWANCE	1,595.89	3,846,986.75

ACCOUNTS PAYABLE CHECK RUN REPORT

100	10005031	POLICE	100-20-050-31-0000-00000-73170-	WEARING APPAREL	289.90	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-73720-	BUILDING MAINTENANCE	362.20	3,846,986.75
100	10005031	POLICE	100-20-050-31-0000-00000-73850-	FIELD EQUIPMENT	789.02	3,846,986.75
100	10006040	FIRE	100-20-060-40-0000-00000-72030-	PROFESSIONAL SERVICES	1,802.00	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-72622-	PEST CONTROL	202.70	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-72720-	R & M BUILDINGS	337.33	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-72728-	BUILDING MAINTENANCE	1,589.40	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-72770-	R & M TOOLS & MISC. E	15.00	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-72780-	R & M VEHICLES	23.80	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-73120-	FOOD SUPPLIES	146.93	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-73126-	FUEL & OIL	38.81	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-73165-	UNIFORM ALLOWANCE	183.46	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-73720-	BUILDING MAINTENANCE	187.07	2,760,356.98
100	10006040	FIRE	100-20-060-40-0000-00000-74120-	BUILDING IMPROVEMENTS	64.99	2,760,356.98
100	10006041	FIRE - AMBULANCE	100-20-060-41-0000-00000-72780-	R & M VEHICLES	8,328.07	76,197.83
100	10006041	FIRE - AMBULANCE	100-20-060-41-0000-00000-73001-	OFFICE SUPPLIES	57.43	76,197.83
100	10006041	FIRE - AMBULANCE	100-20-060-41-0000-00000-73135-	MEDICAL SUPPLIES	6,079.40	76,197.83
100	10006041	FIRE - AMBULANCE	100-20-060-41-0000-00000-73165-	UNIFORM ALLOWANCE	109.80	76,197.83
100	10007050	PW - EPA MANDATES	100-30-070-50-0000-00000-74229-	CAPITAL IMPROVEMENTS/	1,868.60	121,032.15
100	10007052	PW - STORM WATER MGMT	100-30-070-52-0000-00000-73850-	FIELD EQUIPMENT	1.97	49,721.99
100	10008000	AIRPORT	100-30-080-00-0000-00000-72620-	TELEPHONE	53.31	978,136.53
100	10008000	AIRPORT	100-30-080-00-0000-00000-72720-	R & M BUILDINGS	1,018.95	978,136.53
100	10008000	AIRPORT	100-30-080-00-0000-00000-72728-	BUILDING MAINTENANCE	4,929.32	978,136.53
100	10008000	AIRPORT	100-30-080-00-0000-00000-72770-	R & M TOOLS & MISC. E	573.26	978,136.53
100	10008000	AIRPORT	100-30-080-00-0000-00000-72780-	R & M VEHICLES	3,566.35	978,136.53
100	10008000	AIRPORT	100-30-080-00-0000-00000-73772-	SHOP SUPPLIES	100.86	978,136.53
100	10009000	OTHER GOV'T ACCOUNTS	100-10-090-00-0000-00000-72630-	WASTE DISPOSAL SERVIC	7,037.50	978,136.53
100	10009000	OTHER GOV'T ACCOUNTS	100-10-090-00-0000-00000-74120-	BUILDING IMPROVEMENTS	23.10	978,136.53
100	10009000	OTHER GOV'T ACCOUNTS	100-10-090-00-0000-00000-74356-	COMPUTER SOFTWARE	13,629.00	978,136.53
				FUND TOTAL	**210,896.45**	

CASH ACCOUNT 999 11010 BALANCE .00

211	211	BUSINESS IMPROVEMENT	211-50-000-00-0000-00000-72030-	PROFESSIONAL SERVICES	2,000.00	56,977.81
211	211	BUSINESS IMPROVEMENT	211-50-000-00-0000-00000-72311-	PUBLIC IMPROVEMENTS/P	950.00	56,977.81
211	211	BUSINESS IMPROVEMENT	211-50-000-00-0000-00000-72915-	OTHER (UTIL/TRASH)	190.75	56,977.81
				FUND TOTAL	**3,140.75**	

CASH ACCOUNT 999 11010 BALANCE .00

230	230	LIBRARY GRANT	230-40-000-00-0000-00000-72035-	TRAINING/CONFERENCES	15.00	447,956.30
230	230	LIBRARY GRANT	230-40-000-00-0000-00000-72054-	LIBRARY PROGRAMS	968.35	447,956.30
230	230	LIBRARY GRANT	230-40-000-00-0000-00000-72735-	GRANT EXPENSES	9.12	447,956.30
230	230	LIBRARY GRANT	230-40-000-00-0000-00000-74121-	INFRASTRUCTURE IMPROV	31,725.00	447,956.30

ACCOUNTS PAYABLE CHECK RUN REPORT

					FUND TOTAL	**32,717.47**
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
261	261	NATURAL DISASTER	261-20-000-00-0000-00000-72720-	R & M BUILDINGS	190,559.55	1,713,103.23
					FUND TOTAL	**190,559.55**
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
265	265	DIVERSION PROGRAM	265-30-000-00-0000-00000-45115-	DIVERSION PROGRAM FEE	46.63	0.00
					FUND TOTAL	**46.63**
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
270	270	MUSEUM	270-40-000-00-0000-00000-72105-	POSTAGE	206.88	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72305-	ADVERTISING	944.00	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72410-	FILM PRINT COST	70.00	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72720-	R & M BUILDINGS	45.00	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72728-	BUILDING MAINTENANCE	9,618.50	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72750-	R & M HEAVY MACHINERY	888.26	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72760-	R & M OFFICE EQUIPMEN	29.99	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72815-	FILM ROYALTY	1,969.50	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-72905-	DUES & SUBSCRIPTIONS	183.59	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-73121-	CONCESSIONS FOR RESAL	260.00	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-73122-	STORE MERCHANDISE	207.05	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-73123-	PENNY PRESSER	154.21	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-73146-	EDUCATIONAL EXPENSES	3,243.79	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-73720-	BUILDING MAINTENANCE	47.98	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-73721-	ELECTRICAL SUPPLIES	445.73	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-73724-	EVENT EXPENSES	39.59	1,058,659.65
270	270	MUSEUM	270-40-000-00-0000-00000-74120-	BUILDING IMPROVEMENTS	58,154.02	1,058,659.65
					FUND TOTAL	**76,508.09**
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
271	271	MUSEUM SALES TAX	271-40-000-00-0000-00000-74229-	CAPITAL IMPROVEMENTS/	2,291.40	-386,316.06
					FUND TOTAL	**2,291.40**
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
280	280	STREET FUND	280-30-000-00-0000-00000-72030-	PROFESSIONAL SERVICES	15,877.50	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-72728-	BUILDING MAINTENANCE	1,411.99	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-72750-	R & M HEAVY MACHINERY	6,565.83	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-72770-	R & M TOOLS & MISC. E	21.26	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-72771-	R & M TRAFFIC SIGNALS	299.68	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-72780-	R & M VEHICLES	1,245.56	1,998,310.99

ACCOUNTS PAYABLE CHECK RUN REPORT

280	280	STREET FUND	280-30-000-00-0000-00000-72805-	HIRE OF EQUIPMENT	5,479.63	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-72915-	OTHER	742.07	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73105-	ASPHALT & CEMENT	3,920.13	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73120-	FOOD SUPPLIES	151.51	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73126-	FUEL & OIL	10,969.25	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73140-	OTHER SUPPLIES	69.29	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73155-	SAND & GRAVEL	1,759.69	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73160-	SIGNS	59.63	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73733-	ENGINEERING SUPPORT	54,111.21	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73771-	WELDING SUPPLIES	133.87	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-73772-	SHOP SUPPLIES	6.49	1,998,310.99
280	280	STREET FUND	280-30-000-00-0000-00000-74371-	TRAFFIC CONTROL EQUIP	17,969.77	1,998,310.99
				FUND TOTAL	**120,794.36**	
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
283	283	STREET SALES TAX	283-30-000-00-0000-00000-74229-	CAPITAL IMPROVEMENTS/	6,742.77	4,766,794.53
				FUND TOTAL	**6,742.77**	
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
285	285	CONSTRUCTION PROJECTS	285-30-000-00-0000-00000-74229-	CAPITAL IMPROVEMENTS/	3,642.79	1,453,036.59
				FUND TOTAL	**3,642.79**	
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72030-	PROFESSIONAL SERVICES	20,284.03	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72620-	TELEPHONE	7.99	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72720-	R & M BUILDINGS	168.30	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72728-	BUILDING MAINTENANCE	916.66	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72750-	R & M HEAVY MACHINERY	1,366.52	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72760-	R & M OFFICE EQUIPMEN	32.31	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-72780-	R & M VEHICLES	59.76	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-73126-	FUEL & OIL	6,490.49	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-73170-	WEARING APPAREL	18.45	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-73710-	LANDSCAPING SUPPLIES	482.93	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-73771-	WELDING SUPPLIES	232.10	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-73772-	SHOP SUPPLIES	49.74	1,689,879.60
610	610	LANDFILL FUND	610-60-000-00-0000-00000-74229-	CAPITAL IMPROVEMENTS/	1,255.73	1,689,879.60
				FUND TOTAL	**31,365.01**	
CASH ACCOUNT	**999 11010**	**BALANCE**	**.00**			
720	720	IT FUND	720-10-000-00-0000-00000-72030-	PROFESSIONAL SERVICES	3,307.50	2,258,039.58
720	720	IT FUND	720-10-000-00-0000-00000-73725-	COMPUTER SFTW/SVCS-CI	62,253.11	2,258,039.58

ACCOUNTS PAYABLE CHECK RUN REPORT

720	720	IT FUND	720-10-000-00-0000-00000-73727-	COMPUTER SFTW/SVCS-UT	95,482.51	2,258,039.58
720	720	IT FUND	720-10-000-00-0000-00000-73731-	GIS SOFTWARE - CITY	1,592.58	2,258,039.58
720	720	IT FUND	720-10-000-00-0000-00000-73732-	GIS SOFTWARE-UTILITIE	820.42	2,258,039.58
720	720	IT FUND	720-10-000-00-0000-00000-74355-	COMPUTER EQUIPMENT-CI	9,850.75	2,258,039.58
720	720	IT FUND	720-10-000-00-0000-00000-74357-	COMPUTER EQUIPMENT-UT	12,446.05	2,258,039.58
				FUND TOTAL	**185,752.92**	

CASH ACCOUNT 999 11010 BALANCE .00

WARRANT SUMMARY TOTAL	**864,458.19**
GRAND TOTAL	**864,458.19**

CITY OF HASTINGS

ACCOUNTS PAYABLE CHECK RUN REPORT

Detail Invoice List

CHECK RUN: 250404 04/04/2025
DUE DATE: 04/04/2025

CASH ACCOUNT: 999 11010 CASH IN BANK - CITY

VENDOR		REMIT	PO	TYPE	DUE DATE	INVOICE	AMOUNT	VOUCHER	CHECK
673	CHARTER COMMUNICATION	0001		INV	05/01/2025	138408401040125			

ACCOUNT DETAIL				LINE AMOUNT
1	10009000 72015	OTHER-GOVT CONT		9,595.73
				9,595.73
			CHECK TOTAL	**9,595.73**

1	**INVOICES**	**WARRANT TOTAL**	**9,595.73**	**9,595.73**
		CASH ACCOUNT BALANCE		**0.00**

CITY OF HASTINGS

ACCOUNTS PAYABLE CHECK RUN REPORT

Check Run Summary

CHECK RUN: 250404 04/04/2025
DUE DATE: 04/04/2025

FUND	ORG		ACCOUNT		AMOUNT	AVLB BUDGET
100	10009000	OTHER GOV'T ACCOUNTS	100-10-090-00-0000-00000-72015-	CONTINGENCY	9,595.73	
				FUND TOTAL	**9,595.73**	

CASH ACCOUNT 999 11010 BALANCE .00

WARRANT SUMMARY TOTAL	**9,595.73**	
GRAND TOTAL	**9,595.73**	

Distribution Register by Check

From CK# 517333-517509 and ACH# 6053697-6053699
From Ck Date: 03/18/25-4/7/25

Check#	Vendor	Vendor Name	Invoice #	Invoice Description	ORG	OBJECT	Payment Amt
517333	850	1ST CHOICE LAWN & PEST SOLUTIO	32125	2024 WEED CONTROL APPLICATIONS	51000404	57000	$1,004.50
					52063402	55200	$1,232.05
					52063402	55700	$410.00
					52064402	57011	$6,121.30
					53000401	57002	$1,681.00
					53000403	57010	$51.25
					54068401	57029	$6,252.50
					56000405	90400	$1,617.45
					56000405	92280	$1,396.05
					56000405	92281	$5,733.90
			32764	PIGEON CONTROL	52062402	51100	$290.13
			32941	PIGEON CONTROL	52062402	51100	$290.13
				Total Vendor:			**$26,080.26**
517334	716	AIRGAS USA, LLC	9159471186	MISC 999 - TYVEK SUITS	80700402	51200	$892.95
				Total Vendor:			**$892.95**
517335	1567	ALVINE & ASSOCIATES INC	63398	CONTROL ROOM HVAC	52000100	54040	$2,659.50
			63734	CONTROL ROOM HVAC	52000100	54040	$2,659.50
				Total Vendor:			**$5,319.00**
517336	402	AMAZON CAPITAL SERVICES	13XD-4961-HFCK	MISC 999 - BLACK TONER CARTD	80900402	50600	$101.42
			141H-MQYD-	BATTERY, SOLAR CHARGE	56000100	54040	$180.91
			1497-D9HF-	PACKING HOOK, HANGING CLIP	52062401	50640	$50.95
					80700402	50600	$7.23
			16DQ-69V4-	MOUNT PANEL	56000405	92280	$70.97
			17D6-RFQK-	MISC 999 - MULTI-LAYER FILTER	80700402	50600	$263.12
			17W1-6NFF-	ALARM BATTERY	56000405	92280	$50.10
			19W9-7FDY-	EXIT SIGN CREDIT	56000405	92700	($123.40)
			1C7H-FVTF-	HEADLIGHTS, FOG LIGHTS	52000405	93927	$269.96
			1C9L-34RT-	FOG LIGHT, LIGHT BULBS	52000405	93927	$115.98
			1CRH-WMM6-	MISC 999 - FUEL WATER	80900402	51460	$132.86
			1DDW-XYN3-	CIRCUIT BREAKER	52064402	57011	$441.00
			1FMM-FNW9-	CABINET FAN CREDIT	54068401	57024	($320.05)
			1G1K-3H3C-	MISC 999 - SAFETY EAR PLUG	80700402	92700	$510.44
			1GCC-49DX-	STARTER MOTOR	54068401	57031	$154.89
			1HCP-9FDQ-	RUBBER FLOOR MAT CREDIT	54068401	58000	($61.75)
			1J9C-WTJF-	MISC 999 - TRI-POWER BELT	80800402	51270	$58.84
			1JVD-M6T1-	DEGREASING SOLUTION	52061402	51206	$410.19
			1KLT-XCG9-	PRINTER PAPER, BINDER CLIPS	56100405	92100	$40.35
			1KM6-MGQ6-	MISC 999 - SEAT BOTTOM, BUS	80700402	50600	$14.74
					80900402	50600	$197.29
			1LDM-NJGN-	MISC 999 - NEEDLER SCALER	52062401	50640	$195.16
			1MJT-JYGP-	WATERPROOF CON, JUNCTION	56000100	54040	$68.98
			1NMF-X7GF-	MISC 999 - PLASTIC STORAGE	80700402	50600	$136.65
			1NWX-PYKN-	EYEWASH STATION	52000405	92700	$71.09
			1PH7-HYWM-	LABLE, HEAT SHRINK	56100405	92100	$98.66
			1QN3-36X4-	COOLING FAN	54068401	57024	$119.75
			1RPX-FMDV-	MISC 999 - DRIVE CLUTCH PULLER	52062401	50640	$67.76
			1RVH-P6YW-	MISC 999 - SWIVEL FIXTURE	80700402	51100	$112.98
			1WV9-4L3C-	RAIL DUPLEX RECEPTACLE	52000100	54040	$40.80
			1XNF-9K3T-	ABSORBENT MAT	54068401	58000	$75.99

Distribution Register by Check

			1Y3V-W6HG-	MISC 999 - HEAD BOLT, WATER	80900402	50600	$97.97
				Total Vendor:			**$3,651.83**
517337	402	AMAZON CAPITAL SERVICES	17JP-DR31-HK77	MISC 999 - BROOM HOLDER	80700402	50600	$12.12
			1RPJ-HMFP-	MISC 999 - LEGAL SIZE	80700402	50600	$16.86
			1W14-K9Y3-	RUG CONERS LAY FLAT	54068401	58000	$9.99
			1XRX-39TJ-	MISC 999 - MAGNETIC CLIP DISP	80900402	50600	$3.25
			1XRX-39TJ-	MISC 999 - BATTERY ADAPTER	52062401	50640	$17.81
			1XYX-HNMQ-	MISC 999 - LATCH CLAMP	80900402	50600	$14.66
				Total Vendor:			**$74.69**
517338	875	ANIXTER INC.	523341532	SM DUPLEX	56000405	92280	$364.80
				Total Vendor:			**$364.80**
517339	879	APPLIED INDUSTRIAL TECH.	7031784177	GEAR REDUCER	52000416	41670	$1,023.23
			7031818498	FLEX LTD	52062402	51200	$66.67
				Total Vendor:			**$1,089.90**
517340	2242	ARVOS LJUNGSTROM LLC	49456	ORIFICE	52061402	51205	$3,312.08
				Total Vendor:			**$3,312.08**
517341	707	AUTO VALUE-HASTINGS	70NV139866	AIR ELEM	53000405	92275	$32.42
			70NV139935	LUBE SPIN-ON	56000405	92275	$9.99
			70NV140409	DEFLECTION	56000405	92275	$48.14
			70NV140668	ENG SPARK, PREMIXED	51000405	92275	$38.61
			70NV140671	LAWN MOWER BATTERY, CORE	56000405	92275	$74.03
				Total Vendor:			**$203.19**
517342	891	BABCOCK & WILCOX CO.	641307	FOR NDS UNIT #4	52061402	51204	$9,687.01
			641525	FOR NDS UNIT #4 REBUILD	52061402	51204	$14,770.00
			641639	REPLACEMENT PARTS FOR NDS	52061402	51205	$6,714.63
				Total Vendor:			**$31,171.64**
517343	896	BARCO MUNICIPAL PRODUCTS INC.	IN-251506	TRAFFIC CONES	56000156	15610	$2,929.01
				Total Vendor:			**$2,929.01**
517344	1380	BASLER ELECTRIC	2797382	GEN PROTECTION SYSTEM	52062401	50500	$3,520.30
				Total Vendor:			**$3,520.30**
517345	899	BEARING DISTRIBUTORS	9504224988	FLAT CARRIER IDLER	52062402	51260	$455.49
			9504232786	CONVEYOR ASSEMBLY	52062402	51260	$1,818.83
				Total Vendor:			**$2,274.32**
517346	709	BIG G ACE	751195/1	EX CORD	51000404	58000	$102.71
			751235/1	ADHSC CAULK, BRUSH FLAT,	52061402	51106	$40.76
			751282/1	PAINT	52061402	51106	$58.84
			751387/1	TAPE MEASURE	52062401	50640	$24.12
			751454/1	CUP BRUSH, RUST TREATMENT	54068401	57010	$86.37
			751455/1	BOLT, SHEET	56000405	92280	$130.53
			751461/1	MISC 999 - BOTTLED WATER	80700402	50600	$489.30
			751475/1	MISC FASTENERS	51000404	58000	$4.54
			751499/1	MISC 999 - ANCHR WEDGE,	52062401	50640	$139.09
					80700402	50600	$91.14
					80700402	51100	$48.17
			751503/1	MISC FASTENERS	51000404	58000	$1.01
			751555/1	MISC 999 - GARBAGE CAN	80700402	50600	$34.23
			751565/1	SHEET, SCREW	56000405	92280	$157.59
			751651/1	MISC 999 - PUSH BRSS	80700402	51200	$63.54
			751780/1	MISC FASTENERS, KNEE PAD	51000404	58000	$61.36
			751837/1	WIRE HOOK, WIRE HOOKS SMAL	52062401	50600	$48.90
			751979/1	SHOP SUPPLIES	56000405	93110	$1,131.41
			751980/1	DW GRINDER	56000156	15610	$427.96
			751986/1	MISC 999 - TRASH CAN	80700402	50600	$130.73

Distribution Register by Check

			752039/1	SLIPT JOINT PLIERS	52062401	50640	$16.05
			752101/1	MISC 999 - GRINDER, EX CORD,	52062401	50640	$96.29
					80700402	50600	$59.16
					80900402	50600	$38.00
			752162/1	MISC 999 - BOLT, MISC	80700402	51200	$10.45
				Total Vendor:			**$3,492.25**
517347	1108	BORDER STATES	929782675	SQUARE WASHER, FEMALE	52000156	15610	$671.46
			929897504	PLC software support.	80700402	51200	$7,880.85
			930011746	LED GREEN PILOT	54000100	54040	$349.66
			930029216	BKR ACC	54000100	54040	$235.81
			930063797	TRANSFORMERS FOR INVENTORY	52000156	15621	$3,959.00
			930096350	MISC 999 - RECEPTACLE	80900402	50150	$571.89
				Total Vendor:			**$13,668.67**
517348	615	BUSINESS WORLD PRODUCTS	684438	CHAIR	51000404	56201	$721.41
			684528	MISC 999 - COPY PAPER	80700402	50600	$62.05
			684686	MISC 999 - CLAMP, LETTER TRAY	80700402	50600	$51.90
				Total Vendor:			**$835.36**
517349	2476	CAMPBELL, TALYN	032025	MEALS REIMB - OUTAGE	52000405	92250	$15.93
				Total Vendor:			**$15.93**
517350	631	CENTRAL COMMUNITY COLLEGE	002050237 HU	HAZMAT TRAINING	51000405	92700	$400.00
					53000405	92700	$100.00
					56000405	91872	$400.00
					80700402	92700	$200.00
				Total Vendor:			**$1,100.00**
517351	605	CENTRAL NE BOBCAT	HQ1327	FILTER	52000405	93927	$79.66
					53000405	92275	$79.66
				Total Vendor:			**$159.32**
517352	930	CENTRAL STATES GROUP	1501071-00	PIPE	52061402	51204	$826.41
			8284263-01	SEAL KIT	52061402	51206	$1,402.61
				Total Vendor:			**$2,229.02**
517353	1866	CENTRAL STATES SAFETY & DRIVER TRAINING LLC	7194	CDL TRAINING	51000405	92200	$1,500.00
				Total Vendor:			**$1,500.00**
517354	934	CINTAS CORPORATION	4223910539	MISC 999 - UNIFORM SERVICE	80700402	92700	$356.94
			4223910792	UNIFORM SERVICE	52000405	92700	$456.22
					54000405	92700	$83.33
					56000405	92700	$9.23
			4224650027	MISC 999 - UNIFORM SERVICE	80700402	92700	$356.94
			4224650320	UNIFORM SERVICE	52000405	92700	$456.21
					54000405	92700	$83.33
					56000405	92700	$9.23
			4225387819	MISC 999 - UNIFORM SERV	80700402	92700	$356.94
			4225388283	UNIFORM SERVICE	52000405	92700	$456.22
					54000405	92700	$83.33
					56000405	92700	$9.23
				Total Vendor:			**$2,717.15**
517355	581	CITY OF HASTINGS	032225 01	HR EXPENSE	51000405	92030	$28.71
					51000405	92030	$153.22
					52000405	92030	$116.23
					52000405	92030	$620.40
					53000405	92030	$33.41
					53000405	92030	$178.30
					54000405	92030	$32.41

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				54000405	92030	$173.02
		032225 02	IT EXPENSE	51000405	91900	$281.83
				51000405	91900	$8,470.72
				52000405	91900	$445.13
				52000405	91900	$13,379.08
				52062401	91900	$801.03
				52062401	91900	$24,076.27
				53000405	91900	$237.38
				53000405	91900	$7,134.84
				54000405	91900	$222.57
				54000405	91900	$6,689.54
				56000405	91870	$59.26
				56000405	91870	$1,781.18
				56000405	91900	$889.92
				56000405	91900	$26,748.04
				56100405	91900	$355.91
				56100405	91900	$10,697.19
				56200405	91900	$74.08
				56200405	91900	$2,226.47
		045-504120	TYLER TECHNOLOGIES - K.	56000100	54040	$8,858.85
		2503 PPE	FINANCE WAGES & BENEFITS	51000405	92800	$7,373.13
				52000405	92800	$29,855.21
				53000405	92800	$8,580.33
				54000405	92800	$8,325.90
		2503 PPE	HUMAN RESOURCES WAGES &	51000405	92030	$2,677.18
				52000405	92030	$10,840.43
				53000405	92030	$3,115.53
				54000405	92030	$3,023.13
		2503 PPE	PUBLIC INFORMATION WAGES &	56000405	92300	$3,290.58
		2503 PPE	IT WAGES & BENEFITS	51000405	91900	$4,569.07
				52000405	91900	$7,216.62
				52062401	91900	$12,986.63
				53000405	91900	$3,848.50
				54000405	91900	$3,608.30
				56000405	91870	$960.76
				56000405	91900	$14,427.77
				56100405	91900	$5,770.02
				56200405	91900	$1,200.95
		5488	CITY ATTORNEY, CITY	56000405	92300	$10,903.75
		5490	POSTAGE	56000405	91655	$194.42
			Total Vendor:			***$257,533.20***
517356	581 CITY OF HASTINGS	2503 PPE	PPGA WAGES	80800405	91820	$13,049.88
			Total Vendor:			***$13,049.88***
517357	581 CITY OF HASTINGS	033025 IN LIEU	2025 IN LIEU OF TAX ADJUSTMENT	51000408	90800	$79,769.90
				53000408	90800	$91,733.78
		040125 IN LIEU	2025 IN LIEU OF TAX - APRIL	51000408	90800	$54,748.00
				52000408	40800	$186,285.34
				53000408	90800	$47,741.93
			Total Vendor:			***$460,278.95***
517358	581 CITY OF HASTINGS	482449	CONSAND/SOILIN	52065402	59300	$142.65
			Total Vendor:			***$142.65***
517359	2525 PRB COAL USERS' GROUP	200000223	MISC 999 - CONFERENCE PASS	80700402	92200	$900.00
			Total Vendor:			***$900.00***
517360	1870 COMPLETE FUSION	1088	PIPE FUSION CERT	51000405	92200	$275.00

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				Total Vendor:			***$275.00***
517361	645	CONSOLIDATED CONCRETE CO.	305157	CRUSHED CONCRETE	54068401	56002	*$738.00*
			305191	CONCRETE	52000100	54040	*$483.31*
					52065402	59400	*$307.56*
			305348	CONCRETE	52000100	54040	*$85.74*
					52065402	59400	*$643.00*
				Total Vendor:			***$2,257.61***
517362	630	COOPERATIVE PRODUCERS	040125 CPI	EASEMENT	52000100	54040	*$1,485.00*
				Total Vendor:			***$1,485.00***
517363	1607	COPERION K-TRON SALINA INC	407453	BELT	52062402	51240	*$592.00*
				Total Vendor:			***$592.00***
517364	949	CREDIT MANAGEMENT	033125 CREDIT	COLLECTION AGENCY FEES	56000405	90300	*$105.13*
				Total Vendor:			***$105.13***
517365	951	CRESCENT ELECTRIC SUPPLY CO.	S513088920.002	COPPERHEAD	56000156	15610	*$544.23*
				Total Vendor:			***$544.23***
517366	951	CRESCENT ELECTRIC SUPPLY CO.	S513088920.001	CONDUIT, STRAP TWO HOLE	52000156	15610	*$2,747.42*
				Total Vendor:			***$2,747.42***
517367	1547	DAKOTA FLUID POWER, INC	7313013	HEXAGON NIPPLE	51000405	92275	*$3.75*
			7313014	WIPER SEAL	53000405	92275	*$27.17*
				Total Vendor:			***$30.92***
517368	961	DEAN, JACOB	032025 DEAN	MEALS REIMB - OUTAGE	52000405	92250	*$44.54*
				Total Vendor:			***$44.54***
517369	966	DEWINE MECHANICAL INC	2025122	WELD REPAIR	52062402	51200	*$575.00*
			2025131	WELD REPAIR BURNER UNIT #5	52061402	51205	*$2,332.70*
				Total Vendor:			***$2,907.70***
517370	648	DUTTON-LAINSON CO.	910224-1	TEE, REDUCER, MALE ADAPTER	53000100	54040	*$136.40*
			910504-1	CONDUIT REDUCER	52000156	15610	*$47.67*
			910615-1	MISC 999 - BOLT ON BRK	80700402	51100	*$311.86*
			910638-1	MISC 999 - PLUG, POLE BREAKER	80700402	51100	*$359.36*
			910647-1	TIME FUSE	54068401	57020	*$19.45*
			S38878-7	TUNET METERS	52000425	90012	*$13,148.16*
			S38878-8	TUNET METERS	52000425	90012	*$1,181.28*
			S38879-6	TUNET METERS	52000425	90012	*$11,103.01*
			S38879-7	TUNET METERS	52000425	90012	*$925.25*
			S40790-1	40 PVC	52000100	54040	*$32.71*
			S40960-1	LOCKING BALL VALVE	53000425	90012	*$2,044.79*
				Total Vendor:			***$29,309.94***
517371	978	EAKES OFFICE EQUIPMENT	9106923-0	CRTDG	56100405	92100	*$90.99*
			9108959-0	NOTES, PEN, CLIP, TISSUE	56000405	90300	*$109.78*
			9108959-1	FACIAL TISSUE	56000405	90300	*$97.45*
			9111193-0	PAPER, JNR PAD, PEN	53000405	92100	*$176.27*
			9115073-0	PAPER	56100405	92100	*$57.96*
				Total Vendor:			***$532.45***
517372	979	ECHO ELECTRIC SUPPLY	S011083905.00	UNION	54000100	54040	*$128.23*
			S011105211.00	MISC 999 - SIE BREAKER	80700402	51100	*$184.93*
			S011113104.00	O/SHEILD	54000100	54040	*$1,325.00*
			S011116727.00	MALE TWIST, FEMALE TWIST	52062402	51200	*$300.67*
				Total Vendor:			***$1,938.83***
517373	981	ELECTRICAL ENGINEERING & EQUIP	8780541-00	PVC CAP	52000156	15610	*$163.34*
				Total Vendor:			***$163.34***
517374	675	ELECTRONIC SYSTEMS, INC.	61440	REPLACE DLC CARD W/XDLC	56000405	92280	*$10,099.00*

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				Total Vendor:			***$10,099.00***
517375	982	EMERSON PROCESS MANAGEMENT	9107196	ELC SOFTWARE & HARDWARE - EIC24-8	52062401	50200	*$33,006.12*
				Total Vendor:			***$33,006.12***
517376	578	ESSENTIAL SCREENS	2023064797 HU	EMPLOYEE BACKGROUND CHECK	51000405	93000	*$38.53*
					56000405	92700	*$2,248.75*
				Total Vendor:			***$2,287.28***
517377	1399	EUROFINS ENVIRONMENT TESTING NORTH CENTRAL, LLC	3100151746	WATER TESTING	53000403	59100	*$81.00*
			3100152689	WATER TESTING	53000403	59100	*$21.00*
			3100152938	WATER TESTING	52062401	50500	*$21.00*
			3100152955	WATER TESTING	52062401	50500	*$36.00*
			3100153468	WATER TESTING	54068401	56002	*$150.00*
			8100125690	WATER TESTING	53000403	59100	*$1,540.00*
				Total Vendor:			***$1,849.00***
517378	986	EXPERITEC, INC.	CD99170468	DRIVE SHAFT, VEE BALL,	52061402	51204	*$3,718.07*
			CD99170510	STEM PLUG	52061402	51205	*$1,552.06*
			CD99170524	SHAFT, PACKING, KEY, BOX RING	52061402	51204	*$786.37*
			CD99170605	RING, SEAL RING, GASKET,	52061402	51205	*$765.97*
			CD99170683	BEARING RACE, THRUST,	52061402	51205	*$2,235.06*
			CD99170718	SEAT RING, CAGE	52061402	51205	*$2,182.06*
			CD99170862	NDS 5WSA-5043 LUBE OIL	52061402	51205	*$1,965.12*
			CD99170864	DIAPHRAGM, REPAIR KIT	52061402	51205	*$609.23*
			CD99171094	PLUG	52061402	51205	*$1,158.06*
				Total Vendor:			***$14,972.00***
517379	2443	EXPRO CONTROLS LLC	INV102948	MISC 999 - TRACE CABLE	80900402	51100	*$4,072.30*
				Total Vendor:			***$4,072.30***
517380	987	F C X PERFORMANCE	5400496	SERIES BIMETEL THERM DIAL	52061402	51305	*$206.21*
				Total Vendor:			***$206.21***
517381	676	FAMILY MEDICAL CENTER OF HASTINGS PC	1124130132	MEDICAL	53000405	92700	*$290.00*
			1124131032	MEDICAL	53000405	92700	*$240.00*
				Total Vendor:			***$530.00***
517382	678	FASTENAL COMPANY	NEHAS189977	MISC 999 - USS F/W, FHNZ 5, USS	80700402	51200	*$123.84*
				Total Vendor:			***$123.84***
517383	174	FLEET PRIDE, INC.	124334886	DOOR HINGE	52000405	93927	*$59.91*
				Total Vendor:			***$59.91***
517384	988	FNIC	UB-1P236315-	WC AUDIT	52000165	16510	*$44,294.00*
				Total Vendor:			***$44,294.00***
517385	1006	FRASER, KELLEN	031825	REIMB. FUEL	53000405	92200	*$45.50*
				Total Vendor:			***$45.50***
517386	1008	G D S ASSOCIATES, INC	0238163	NERC TRANSMISSON PLANNER	52000405	92300	*$990.00*
				Total Vendor:			***$990.00***
517387	1009	GE POWER SERVICES	91311381	DISCHARGE ELECTRODE ANVIL	52062402	51240	*$6,481.50*
				Total Vendor:			***$6,481.50***
517388	2005	GENPRO ENERGY SOLUTIONS LLC	61922	HASTINGS SOLAR FARM PHASE 2	52000100	54040	*$420,662.95*
				Total Vendor:			***$420,662.95***
517389	603	GRACE'S LOCKSMITH SERVICE	69254	MISC 999 - REPAIR LOCK, SERVICE CALL	80900402	51100	*$105.00*
				Total Vendor:			***$105.00***
517390	681	GRAINGER	9436474390	SPILL PALLET	54068401	57021	*$715.52*
			9447085441	FUSE, COATED GLOVE	54068401	57025	*$352.73*
			9447224578	FUSE	54068401	58000	*$400.50*
			9447523631	DOCUMENT FRAME	56000405	92700	*$80.76*
			9447794760	ALLIGATOR CLIP	54068401	58000	*$41.10*

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			9450346011	FIBERGLASS HANDLE	56000405	93110	*$149.01*
				Total Vendor:			***$1,739.62***
517391	682	HANSEN INTERNATIONAL TRUCK, INC.	01P27288	CABLE BATT INTERCONN, CABLE	52000405	93927	*$401.58*
			01W9030	REPAIR TRUCK 43 TO START AND RUN	54067404	56005	*$10,862.43*
				Total Vendor:			***$11,264.01***
517392	2510	HARTFIEL AUTOMATION INC	342993100	SPARTAN/CANFIELD	52062402	51280	*$1,725.10*
				Total Vendor:			***$1,725.10***
517393	634	HASTINGS ECONOMIC DEVELOPMENT CORP	61441	HEDC UTILITY SERVICE	56000405	92300	*$14,580.00*
				Total Vendor:			***$14,580.00***
517394	1048	HASTINGS EQUITY MANUFACTURING	I19026	RING LEG	52061402	51106	*$350.96*
				Total Vendor:			***$350.96***
517395	597	HASTINGS FORD LINCOLN	138860	CLAMP	53000405	92275	*$22.74*
			98046	PROGRAMED TRAILER BRAKE MODULE	56200405	95629	*$156.88*
				Total Vendor:			***$179.62***
517396	652	HASTINGS TRIBUNE	300154657	EMPLOYMENT AD	53000405	93000	*$208.05*
			300154707	ADVERTISING	56000405	92100	*$7.36*
				Total Vendor:			***$215.41***
517397	720	HASTINGS UTILITIES	022025	DEPOSIT SLIPS	56000405	90300	*$251.89*
				Total Vendor:			***$251.89***
517398	2447	HMT LLC	JTC7584-1	NDS TANK D REPAIR	52061402	51106	*$19,112.17*
				Total Vendor:			***$19,112.17***
517399	1058	ETHAN HOINS	032025 HOINS	MEAL REIMB - OUTAGE	52000405	92250	*$30.15*
				Total Vendor:			***$30.15***
517400	2507	HU CUSTOMER REFUNDS	14550500-05	CUSTOMER REFUND	56000184	18410	*$100.00*
				Total Vendor:			***$100.00***
517401	2507	HU CUSTOMER REFUNDS	18700100-08	CUSTOMER REFUND	56000184	18410	*$600.00*
				Total Vendor:			***$600.00***
517402	2507	HU CUSTOMER REFUNDS	04161710-07	CUSTOMER REFUND	56000184	18410	*$200.00*
				Total Vendor:			***$200.00***
517403	2507	HU CUSTOMER REFUNDS	07260820-03	CUSTOMER REFUND	56000184	18410	*$200.00*
				Total Vendor:			***$200.00***
517404	2507	HU CUSTOMER REFUNDS	07260940-19	CUSTOMER REFUND	56000184	18410	*$200.00*
				Total Vendor:			***$200.00***
517405	2507	HU CUSTOMER REFUNDS	09351100-12	CUSTOMER REFUND	56000184	18410	*$200.00*
				Total Vendor:			***$200.00***
517406	2507	HU CUSTOMER REFUNDS	12460120-04	CUSTOMER REFUND	56000184	18410	*$200.00*
				Total Vendor:			***$200.00***
517407	2507	HU CUSTOMER REFUNDS	18701354-03	CUSTOMER REFUND	56000184	18410	*$285.00*
				Total Vendor:			***$285.00***
517408	2507	HU CUSTOMER REFUNDS	04161800-05	CUSTOMER REFUND	56000184	18410	*$100.00*
				Total Vendor:			***$100.00***
517409	2507	HU CUSTOMER REFUNDS	10371630-05	CUSTOMER REFUND	56000184	18410	*$400.00*
				Total Vendor:			***$400.00***
517410	2507	HU CUSTOMER REFUNDS	20753707-01	CUSTOMER REFUND	56000184	18410	*$197.62*
				Total Vendor:			***$197.62***
517411	2507	HU CUSTOMER REFUNDS	2075082-17	CUSTOMER REFUND	56000184	18410	*$100.00*
				Total Vendor:			***$100.00***
517412	2507	HU CUSTOMER REFUNDS	08300450-09	CUSTOMER REFUND	56000184	18410	*$200.00*
				Total Vendor:			***$200.00***
517413	2507	HU CUSTOMER REFUNDS	06220930-01	CUSTOMER REFUND	56000184	18410	*$200.00*
				Total Vendor:			***$200.00***
517414	2507	HU CUSTOMER REFUNDS	20755566-01	CUSTOMER REFUND	56000184	18410	*$500.00*

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			Total Vendor:			***$500.00***
517415	2507 HU CUSTOMER REFUNDS	02070150-01	CUSTOMER REFUND	56000184	18410	*$200.00*
			Total Vendor:			***$200.00***
517416	2507 HU CUSTOMER REFUNDS	06241745-01	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517417	2507 HU CUSTOMER REFUNDS	06241120-00	CUSTOMER REFUND	56000184	18410	*$70.00*
			Total Vendor:			***$70.00***
517418	2507 HU CUSTOMER REFUNDS	20755984-01	CUSTOMER REFUND	56000184	18410	*$224.44*
			Total Vendor:			***$224.44***
517419	2507 HU CUSTOMER REFUNDS	10400310-05	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517420	2507 HU CUSTOMER REFUNDS	10400437-10	CUSTOMER REFUND	56000184	18410	*$100.00*
			Total Vendor:			***$100.00***
517421	2507 HU CUSTOMER REFUNDS	12461010-15	CUSTOMER REFUND	56000184	18410	*$200.00*
			Total Vendor:			***$200.00***
517422	2507 HU CUSTOMER REFUNDS	13500100-00	CUSTOMER REFUND	56000184	18410	*$200.00*
			Total Vendor:			***$200.00***
517423	2507 HU CUSTOMER REFUNDS	12460624-05	CUSTOMER REFUND	56000184	18410	*$100.00*
			Total Vendor:			***$100.00***
517424	2507 HU CUSTOMER REFUNDS	06221100-11	CUSTOMER REFUND	56000184	18410	*$300.00*
			Total Vendor:			***$300.00***
517425	2507 HU CUSTOMER REFUNDS	05200560-00	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517426	2507 HU CUSTOMER REFUNDS	11440170-02	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517427	2507 HU CUSTOMER REFUNDS	15591640-12	CUSTOMER REFUND	56000184	18410	*$600.00*
			Total Vendor:			***$600.00***
517428	2507 HU CUSTOMER REFUNDS	10371020-05	CUSTOMER REFUND	56000184	18410	*$200.00*
			Total Vendor:			***$200.00***
517429	2507 HU CUSTOMER REFUNDS	09361110-09	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517430	2507 HU CUSTOMER REFUNDS	02070325-12	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517431	2507 HU CUSTOMER REFUNDS	06211110-01	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517432	2507 HU CUSTOMER REFUNDS	20771020-02	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517433	2507 HU CUSTOMER REFUNDS	15592130-05	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517434	2507 HU CUSTOMER REFUNDS	13492910-13	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517435	2507 HU CUSTOMER REFUNDS	22831717-01	CUSTOMER REFUND	56000184	18410	*$200.00*
			Total Vendor:			***$200.00***
517436	2507 HU CUSTOMER REFUNDS	20761888-03	CUSTOMER REFUND	56000184	18410	*$35.00*
			Total Vendor:			***$35.00***
517437	2507 HU CUSTOMER REFUNDS	01041712-07	CUSTOMER REFUND	56000184	18410	*$70.00*
			Total Vendor:			***$70.00***
517438	2507 HU CUSTOMER REFUNDS	20753171-02	CUSTOMER REFUND	56000184	18410	*$500.00*
			Total Vendor:			***$500.00***
517439	2507 HU CUSTOMER REFUNDS	07260260-13	CUSTOMER REFUND	56000184	18410	*$100.00*
			Total Vendor:			***$100.00***
517440	2507 HU CUSTOMER REFUNDS	20753633-02	CUSTOMER REFUND	56000184	18410	*$500.00*
			Total Vendor:			***$500.00***
517441	2507 HU CUSTOMER REFUNDS	06241590-10	CUSTOMER REFUND	56000184	18410	*$35.00*

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				Total Vendor:			***$35.00***
517442	2507	HU CUSTOMER REFUNDS	05181720-09	CUSTOMER REFUND	56000184	18410	*$100.00*
				Total Vendor:			***$100.00***
517443	2507	HU CUSTOMER REFUNDS	13511040-05	CUSTOMER REFUND	56000184	18410	*$35.00*
				Total Vendor:			***$35.00***
517444	2507	HU CUSTOMER REFUNDS	22822330-02	CUSTOMER REFUND	56000184	18410	*$663.62*
				Total Vendor:			***$663.62***
517445	2507	HU CUSTOMER REFUNDS	05202480-01	CUSTOMER REFUND	56000184	18410	*$35.00*
				Total Vendor:			***$35.00***
517446	2507	HU CUSTOMER REFUNDS	18691931-06	CUSTOMER REFUND	56000184	18410	*$154.14*
				Total Vendor:			***$154.14***
517447	2507	HU CUSTOMER REFUNDS	14553000-00	CUSTOMER REFUND	56000184	18410	*$50.00*
				Total Vendor:			***$50.00***
517448	2507	HU CUSTOMER REFUNDS	05181470-02	CUSTOMER REFUND	56000184	18410	*$945.00*
				Total Vendor:			***$945.00***
517449	2508	HU ONE TIME PAY	032025	SOIL SAMPLE REIMB	53000404	58995	*$630.00*
				Total Vendor:			***$630.00***
517450	2508	HU ONE TIME PAY	032025	SOIL SAMPLE REIMB	53000404	58995	*$855.00*
				Total Vendor:			***$855.00***
517451	1070	I E S COMMERCIAL, INC.	61925	SUBSTATION CONSTRUCTION AT 3	52000100	54040	*$0.06*
					52000100	54040	*$5,570.20*
					52000100	54040	*$15,770.63*
				Total Vendor:			***$21,340.89***
517452	576	INTEGRATED SECURITY SOLUTIONS	20250104	FIRE EXTINGUISHER VEHICLE BRACKET	51000405	92700	*$18.34*
			20250310	FIRE EXTINGUISHERS	56000405	92700	*$678.38*
				Total Vendor:			***$696.72***
517453	1080	IRBY ELECTRICAL DISTRIBUTOR	S014161141.001	NO BIO VALVE TEE	56000156	15610	*$1,737.13*
				Total Vendor:			***$1,737.13***
517454	11	ISLAND SUPPLY WELDING CO.	340067	MISC 999 - TWELINE HOSE	80900402	50600	*$76.04*
				Total Vendor:			***$76.04***
517455	2061	ISSP SERVICES LLC	11-03-2025-01	UNIT 5 WINTERIZATION	52000100	54040	*$9,588.00*
				Total Vendor:			***$9,588.00***
517456	671	J E O CONSULTING GROUP, INC.	159271 HU	PROFESSIONAL SERVICES	51000100	54040	*$260.00*
					53000100	54040	*$260.00*
			159916	PROFESSIONAL SERVICES	52061402	51205	*$4,000.00*
				Total Vendor:			***$4,520.00***
517457	684	KELLY SUPPLY COMPANY	S15119562-0	MISC 999 - TOP VENT FITTING	80900402	50600	*$138.91*
			S15119611-0	TAP MATE, MATIC ARBOR	53000404	58000	*$436.51*
			S15119632-0	MISC 999 - FIRE HOSE, FEMALE	80900402	50600	*$967.03*
			S15119708-0	SUMP PUMP, NIPPLES, CLAMP	53000404	58000	*$364.41*
			S15119751-0	DIAGONLA-CUT PLIERS	52062401	50640	*$42.94*
			S15119800-0	DISCHARGE HOSE, CLAMP	54067404	56005	*$331.43*
			S15119852-0	MISC 999 - BALL VALVE, GKST	52062402	51280	*$10.89*
					80700402	51200	*$43.58*
				Total Vendor:			***$2,335.70***
517458	1100	KIMBALL MIDWEST	103192824	BRASS FIT	56000405	92275	*$339.06*
				Total Vendor:			***$339.06***
517459	658	KULLY PIPE & STEEL CORP.	825621	REDUCER	54067404	56005	*$12.14*
			825655	WELD REDUCER	56000156	15610	*$86.41*
			825704	CLAMP	53000100	54040	*$35.80*
			825888	PVC FLANGE SLIP, BRUSH CAP,	53000403	57003	*$233.37*
			825926	PLATE, GA SHEET	80700402	50600	*$421.05*

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			826085	CHANNEL, HOT ROLLED AROUND	51000404	58000	$59.88
			826183	FLANGE SLIP, ELL	53000403	57003	$803.72
			826195	IMPACT WRENCH, SHOCKWAVE	54067404	56005	$515.09
			826286	BLACK PIPE	54067404	56005	$39.21
			826388	ALUM PIPE WRENCH	52062401	50640	$231.92
			826435	BLACK NIPPLE, ELBOW, MI CAP	56000156	15610	$1,477.11
			826461	MISC 999 - BALL VALVE	80700402	51200	$57.98
			826527	FLAT	52062402	51200	$361.99
			826537	BLACK NIPPLE, ELBOW,	56000156	15610	$616.46
			826554	ANGLE, FLAT, FLAT EXP METAL	51000404	58000	$281.89
				Total Vendor:			***$5,234.02***
517460	2198	LARSON DATA COMMUNICATIONS	LD-IV-25055	DIN RAIL CLIP	56000405	92280	$71.58
				Total Vendor:			***$71.58***
517461	573	LEAGUE OF NE MUNICIPALITIES	9399	2025 ELECT METER SCHOOL	52000405	92200	$500.00
				Total Vendor:			***$500.00***
517462	566	MACQUEEN EQUIPMENT,	P14883	RODDER LINE, LEADER HOSE	54067404	56005	$4,282.06
				Total Vendor:			***$4,282.06***
517463	1126	MARTIN ENGINEERING	0000707718	COVER DOOR	52062402	51260	$109.93
			0000709215	REPLACEMENT BLADE	52062402	51260	$458.89
				Total Vendor:			***$568.82***
517464	15	MATHESON TRIGAS-LINWELD	0031183411	CLAMP STEEL, LUG CABLE, CABLE WELD	51000404	58000	$79.96
			0031183432	ACETYLENE	51000404	58000	$535.29
			0031189373	MS HOSE TWIN	56000156	15610	$57.10
			0031189374	MS HOSE TWIN	56000156	15610	$57.10
			0031198945	MAGSQUARE	51000404	58000	$70.61
			0031204441	MISC 999 - LX CLASSIC	80900402	50600	$166.68
			0031214179	MISC 999 - HYDROGEN GASEOUS	80700402	50500	$1,640.29
			0031217729	MAGSQUARE	51000404	58000	$70.61
			0031220125	HOSE TWIN, RECVO COAT, HOSE	51000404	58000	$405.42
			0031220461	ARRESTOR REG	51000404	58000	$67.20
			0031220824	SMITH REG OXYGEN	51000404	58000	$144.70
			0031255937	WIRELESS REMOTE	51000404	58000	$1,778.34
			0031260452	MISC 999 - TILLMAN GLOVES	80700402	92700	$324.03
			0031264882	MISC 999 - ALR245005533	80700402	50600	$717.50
			0031275713	MISC 999 - MS CONTACT TIP	80700402	50600	$19.69
				Total Vendor:			***$6,134.52***
517465	1132	MDM PEST & TERMITE CONTROL LLC	33640	PEST CONTROL - NDS	56000405	92280	$496.55
			33640A	PEST CONTROL - WAREHOUSE	56000405	90400	$198.62
			33640B	PEST CONTROL - WASTE WATER	54068401	57029	$464.07
			33640C	PEST CONTROL - YOST	56000405	92281	$117.70
			33640D	PEST CONTROL - PEAK SHAVERS	51000404	56200	$19.86
					51000404	56201	$19.87
			33640E	PEST CONTROL - ASR	53000403	57010	$100.05
			33640F	PEST CONTROL - DON HENRY	52063402	55200	$26.48
			33640G	MISC 999 - PEST CONTROL - WEC	80700402	57050	$65.28
				Total Vendor:			***$1,508.48***
517466	1144	MID-AMERICA VULCANIZING, INC.	027364	BLADE	52062402	51260	$1,620.28
				Total Vendor:			***$1,620.28***
517467	642	MID-NEBRASKA LUBRICANTS	187185	MISC 999 - DIESEL	80900402	50150	$2,807.58
			187186	MISC 999 - DIESEL	80900402	50150	$37.08
			187227	DIESEL	56000151	15110	$4,579.27

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			187342	MISC 999 - DIESEL	80900402	50150	$765.33
			187376	MISC 999 - DIESEL	80900402	50150	$1,081.28
			187387	MISC 999 - DIESEL/UNLEADED	80700402	50600	$1,088.11
					80900402	50150	$1,467.01
			187388	MISC 999 - DIESEL	80900402	50150	$67.45
			187419	UNLEADED	56000151	15110	$4,191.98
			187428	MISC 999 - DIESEL	80900402	50150	$471.00
			258571	DIESEL	56000151	15110	$4,730.67
				Total Vendor:			***$21,286.76***
517468	1158	MOTUS GROUP INC.	3623	BELT	52062402	51240	$1,154.00
				Total Vendor:			***$1,154.00***
517469	640	MUNICIPAL SUPPLY, INC. OF NE	0936892-IN	LID COMPLETE	53000404	57500	$84.31
			0936893-IN	BUSHING, NIPPLE, BALL VALVE	53000100	54040	$201.83
			0937388-IN	FLARE TAPPER, PILOT BIT	53000404	57500	$179.81
				Total Vendor:			***$465.95***
517470	688	NAPA AUTO PARTS	318706	BATTERY	52000405	93927	$532.82
					56000405	92275	$196.25
			319102	BATTERY CABLE	56000405	92275	$77.72
			322483	U-BOLT	51000405	92275	$1.74
			322745	BAT CABL	56000405	92275	$77.72
			322823	BULK TRAILER WIRE	56000405	92275	$71.41
			322827	BULK TRAILER WIRE	56000405	92275	$71.41
			323439	MOUNT, LAMP	52000405	93927	$25.36
			323463	BATTERY	52000405	93927	$532.82
			323818	TRI-POWER BELT	51000405	92275	$19.11
			323880	EXACTFITBLADE	52062401	93927	$31.30
			324083	TRAILER CONN PLUG	52000405	93927	$13.26
			324741	SQUEEGEE	52062401	50640	$107.83
			324900	V-BELT	56000405	92281	$10.45
			325551	MISC 999 - SYNTHETIC MOTOR,	80900402	50600	$73.48
			325702	TRAILER CONN PLUG	56000405	92275	$53.06
			325724	HINGE	52000405	93927	$30.68
			325725	HINGE	52000405	93927	$61.37
			326116	FLUD FILTER	52062401	93927	$19.00
			326363	BRAKE PARTS CLEANER	80700402	50600	$87.05
			326626	MISC 999 - BRAKE PARTS	80700402	50600	$174.10
			326838	BLADE	52000405	93927	$45.57
			326940	7 BLADE CONNECTOR, IMPACT	52062401	50640	$195.12
			327181	MISC 999 - BATTERY	80700402	50600	$218.42
			327442	BUTT CONNECT, POWERATED	52062402	51200	$27.26
					80700402	51100	$4.38
				Total Vendor:			***$2,758.69***
517471	662	NDEE - FISCAL SERVICES	030325 NDEE	WATER OPT LICENSE APP	53000405	92300	$115.00
				Total Vendor:			***$115.00***
517472	1180	NEBRASKA PUBLIC HEALTH ENVIRONMENTAL LABORATORY	588313	WATER TESTING	53000404	59100	$337.00
				Total Vendor:			***$337.00***
517473	656	NEBRASKA MACHINERY CO.	CUI1467128	MOTOR GP ELEC, CORE	54068401	57020	$1,638.98
			SCN108309	CORE CREDIT	54068401	57020	($819.48)
				Total Vendor:			***$819.50***
517474	637	NEBRASKA TRUCK CENTER, INC.	HASIN470463	TOW CHARGERS	54000405	92275	$618.75
			NTCIN475109	SELF-ALIGNING CENTER BEARING	52000405	93927	$58.50
				Total Vendor:			***$677.25***

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517475	1189	DALLAS NICHOLS	032825	HYDRANT PAINTING	53000404	57755	$228.00
				Total Vendor:			**$228.00**
517476	689	NUTRIEN AG SOLUTIONS INC	5636495	MISC 999 - PROPANE	80700402	50600	$46.21
			56449077	MISC 999 - PROPANE	80700402	50600	$20.89
			56487153	MISC 999 - PROPANE	80700402	50600	$41.78
				Total Vendor:			**$108.88**
517477	690	OLSSON ASSOCIATES	531841	FLY ASH SILO SYSTEM PROF	52000100	54070	$36,654.35
			532233	UNIT 5 ATTEMPERATOR	52061402	51205	$2,603.75
				Total Vendor:			**$39,258.10**
517478	1209	ONKEN FARMS TRUCKING	1826	POND ASH TRUCKING	52062401	50150	$1,828.96
			1827	POND ASH LOADING	52062401	50150	$1,371.72
				Total Vendor:			**$3,200.68**
517479	2517	PARKSON CORPORATION	AR1/51042983	BEARING 4 BOLT	54068401	57020	$962.15
				Total Vendor:			**$962.15**
517480	569	PAVELKA TRUCK & TRAILER REPAIR	001-1004675	DOOR HINGE	52000405	93927	$291.75
				Total Vendor:			**$291.75**
517481	1227	PIPING RESOURCES, INC.	0724715-IN	SMLS PIPE, 90 ELL, UNION	52062402	51200	$916.68
			0724930-IN	OS&Y GLOBE SWE	52062402	51200	$529.31
				Total Vendor:			**$1,445.99**
517482	1231	FERGUSON ENTERPRISES LLC	1422894	GXT IPS DIELEC	52062402	51300	$133.42
				Total Vendor:			**$133.42**
517483	1746	PRAIRIE LAKE SALES	1384	TOTE TOP	54068401	56002	$255.00
				Total Vendor:			**$255.00**
517484	1916	S.A.L.C.O.M, INC	87971	BLANKET TESTS, CONDUCTOR	52000405	92700	$1,372.56
			87972	RUBBER GLOVE TESTING	52000405	92700	$712.75
			87995	BLANKET TESTING	52000405	92700	$3,727.71
				Total Vendor:			**$5,813.02**
517485	638	PROTEX CENTRAL, INC.	160363	REMOTE FIRE ALARM	54068401	57020	$384.00
				Total Vendor:			**$384.00**
517486	2121	CONSOLIDATED ELECTRICAL DISTRIBUTORS INC	931049-00	HINGE	54069404	57001	$69.20
				Total Vendor:			**$69.20**
517487	1253	RESCO	3066773	STANDOFF BRACKET	52000156	15610	$1,372.74
				Total Vendor:			**$1,372.74**
517488	1256	ROAD BUILDERS MACHINERY&SUPPLY	P68459	MISC 999 - BREATHER	80900402	51460	$76.65
				Total Vendor:			**$76.65**
517489	1261	ROTRONIC INSTRUMENT CORP	182935	RECAL DEW POINT SENSOR	52062402	51400	$761.30
				Total Vendor:			**$761.30**
517490	564	RUTT'S HEATING & AC	57110	SERVICE CALL	51000404	56750	$299.25
				Total Vendor:			**$299.25**
517491	1281	SCHIMBERG CO.	20005030-00	MISC 999 - FLEX GASKET	80700402	51200	$215.85
				Total Vendor:			**$215.85**
517492	1286	SERVI-TECH, INC.	H-992478	WATER TESTING	53000100	54040	$57.00
			H-992479	WATER TESTING	53000401	57002	$114.00
			H-992498	WATER TESTING	54068401	58001	$178.60
			H-992518	WATER TESTING	54068401	58001	$178.60
			H-992541	WATER TESTING	54068401	56002	$130.15
			H-992542	WATER TESTING	53000100	54040	$57.00
			H-992548	WATER TESTING	54068401	58001	$178.60
			H-992553	WATER TESTING	53000404	59100	$69.60
			H-992554	WATER TESTING	53000100	54040	$57.00
			H-992556	WATER TESTING	54068401	58001	$178.60

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			H-992570	WATER TESTING	54068401	58001	($39.90)
			H-992580	WATER TESTING	53000100	54040	$57.00
			H-992591	WATER TESTING	53000100	54040	$57.00
			H-992612	WATER TESTING	53000403	59100	$652.80
			H-992615	WATER TESTING	54068401	58001	$178.60
				Total Vendor:			**$2,104.65**
517493	21	SHERWIN-WILLIAMS	0136-5	PAINT	52061402	51306	$83.11
				Total Vendor:			**$83.11**
517494	1293	SIEMENS INDUSTRY, INC	040325	Contract Withholding: hu2022-12	520	21105	$2,408.55
					520	21105	$4,326.51
					520	21105	$4,507.36
					520	21105	$6,188.37
					520	21105	$9,437.34
					520	21105	$9,750.15
					520	21105	$22,990.04
					520	21105	$37,749.37
					520	21105	$39,000.60
				Total Vendor:			**$136,358.29**
517495	616	SMITTY'S ELECTRIC, INC.	56761	12' OF DITCH	52000100	54040	$7,625.00
				Total Vendor:			**$7,625.00**
517496	625	SOS PORTABLE TOILETS, INC.	55717	PORTABLE TOILET RENTAL	51000404	58000	$232.19
				Total Vendor:			**$232.19**
517497	22	SPADY CHEVROLET	160658	SENSOR	56000405	92275	$67.04
				Total Vendor:			**$67.04**
517498	574	SPRING FRESH CLEANING SVCS LLC	4198	JANITORIAL SERVICES - MARCH	56000405	92280	$5,564.00
					56000405	92281	$856.00
				Total Vendor:			**$6,420.00**
517499	1465	THE BIG RACK SHACK	INV3954	SHELVING	56000405	92280	$2,199.45
				Total Vendor:			**$2,199.45**
517500	1465	THE BIG RACK SHACK	INV3941	MISC 999 - UPRIGHT CABINETS	80700402	50600	$2,052.00
				Total Vendor:			**$2,052.00**
517501	17	TK ELEVATOR CORPORATION	1000683684	ELEVATOR MAINT	52062402	51100	$241.21
			1000683933	ELEVATOR MAINT	52061402	51106	$282.22
				Total Vendor:			**$523.43**
517502	2080	CARLOS TELLEZ	3-21-25-1	CONCRETE	53000404	57550	$850.00
			3-21-25-2	CONCRETE	53000404	57550	$520.00
			3-21-25-3	CONCRETE REPLACE @ 12TH AND	51000404	57000	$1,180.00
					51000408	90830	$1,180.00
				Total Vendor:			**$3,730.00**
517503	698	ULINE	190270158	CUBE BOX, UNLINE AIR PLUS	53000404	59100	$176.63
			190521101	DELUXE RAINWEAR OVERALLS,	56000405	90400	$1,641.45
				Total Vendor:			**$1,818.08**
517504	699	VERMEER HIGH PLAINS	P0498305	SONDE KEY, TIMING KEY,	53000100	54040	$271.83
				Total Vendor:			**$271.83**
517505	2304	VESTIS GROUP INC	6280481838	RUGS & LAUNDRY SERVICE - PCF	54068401	57010	$36.90
			6280482124	RUGS & LAUNDRY SERVICE - NDS	56000405	92280	$206.42
			6280482125	RUGS & LUANDRY SERVICE -	56000405	90400	$41.36
			6280482128	RUGS & LAUNDRY SERVICE -	56000405	92275	$22.87
					56000405	92281	$33.33
			6280482714	RUGS & LAUNDRY SERVICE - WEC	52062401	50600	$214.71
			6280485487	RUGS & LAUNDRY SERVICE - PCF	54068401	57010	$36.90
			6280485798	RUGS & LAUNDRY SERVICE - NDS	56000405	92280	$206.42

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		6280485799	RUGS & LAUNDRY SERVICE -	56000405	90400	$41.36
		6280485802	RUGS & LAUNDRY SERVICE -	56000405	92275	$22.87
				56000405	92281	$33.33
		6280486983	RUGS & LAUNDRY SERVICE - WEC	52062401	50600	$214.71
		6280489116	RUGS & LAUNDRY SERVICE	54068401	57010	$36.90
		6280489765	RUGS & LAUNDRY SERVICE - NDS	56000405	92280	$206.42
		6280489766	RUGS & LAUNDRY SERVICE -	56000405	90400	$41.36
		6280489769	RUGS & LAUNDRY SERVICE -	56000405	92275	$22.87
				56000405	92281	$33.33
		6280490600	RUGS & LAUNDRY SERVICE - WEC	52062401	50600	$214.71
			Total Vendor:			***$1,666.77***
517506	1364 VOLKMANN CONSULTING, INC.	VC-044	PROFESSINAL SERVICES	52000405	92300	$5,875.00
			Total Vendor:			***$5,875.00***
517507	1755 WAL-MART VISION CENTER	232858781	RX SAFETY GLASSES - HARDY	53000405	92700	$458.00
		233318279	RX SAFETY GLASSES - PFEIFER	80700402	92700	$472.35
		233517792	RX SAFETY GLASSES - HOFMANN	54000405	92700	$392.10
			Total Vendor:			***$1,322.45***
517508	1374 WESCO RECEIVABLES CORP	532070	MACH BOLT	52000156	15610	$55.64
		534942	END SEAL CAP	52000156	15610	$128.19
		536958	WIRE	52000156	15610	$10,442.13
			Total Vendor:			***$10,625.96***
517509	726 WOODWARD'S DISPOSAL SERVICE	9254-268	GARBAGE DISPOSAL	52063401	54900	$20.00
				56000405	90300	$25.00
				56000405	91870	$25.00
				56000405	92100	$25.00
				56000405	92280	$335.00
				56000405	92281	$105.00
		9254-269	GARBAGE DISPOSAL	54068401	56001	$1,527.50
		9254-270	MISC 999 - GARBAGE DISPOSAL	80700402	50600	$986.95
		9254-271	GARBAGE DISPOSAL	56000405	90400	$388.40
			Total Vendor:			***$3,437.85***
6053677	1348 US BANK - UTILITIES	00198444	PELCO COMPONENT TECH	53000401	57002	$396.16
			MENARDS HANGERS CHAIN	56000405	92280	$67.63
		00199153	MENARDS - REDUCER BUSHINGS	52000100	54040	$15.22
			SIGNATURE SOLAR - CHARGE	56000100	54040	$81.08
		00202134	HURCO - PIPING MANIFOLD FOR	53000404	58000	$110.00
		00203174	MENARDS - PIPING FOR WELLS	53000401	57002	$63.79
			HARBOR FREIGHT - TORQUE	53000404	58000	$23.64
			MENARDS - HOLE SAW FOR	53000404	58000	$30.43
			BIG G ACE - TORQUE WRENCH	53000404	58000	$40.64
			POLLARDWATER - FIRE HOSE	53000404	58000	$282.70
			POLLARDWATER - CHLORINE	53000404	58000	$427.57
			BOMGAARS - REPAIRS TO GATE	54067404	57000	$18.60
		00204405	MENARDS - FLEX SEAL	52064401	56710	$36.10
			BOMGAARS - UTILITY CHEST	52064401	56710	$318.31
		00205411	MENARDS - 4 CASTERS 2 + PLUMB	52064401	56710	$35.25
		00207750	COACH'S CORNER - 2 MEALS	52000405	92250	$21.38
		00208874	MENARDS-STRAPS FOR METER	51000404	58000	$51.21
			MENARDS-NEW SHELVING FOR	51000404	58000	$567.08
			BORDER STATES-LABEL MACHINE	51000405	92100	$85.67
			RUNZA-LUNCH RUNNING	51000405	92250	$56.11
			PIZZA HUT-DINNER RUNNING	51000405	92250	$66.86
		00220783	AMERICAN AIRLINES - FLIGHT	56000405	92200	$724.97

Distribution Register by Check

		56000405	92200	$724.97
	TYLER USER CONFERENCE -	56000405	92200	$1,199.00
	TYLER USER CONFERENCE -	56000405	92200	$1,199.00
02575052	MISC 999 - EBAY - TOOL	52062401	50640	$94.95
	MISC 999 - ZORO - LIFTING EYES	52062401	50640	$132.67
	MISC 999 - ALDON - BRAKE STICKS	52062401	50640	$1,042.49
	MISC 999 - CLEAVER BROOKS -	52061402	51206	$343.40
	MISC 999 - MENARDS - LUMBER	52000100	54040	$650.47
	MISC 999 - MENARDS - CABLE	80700402	50600	($59.32)
	MISC 999 - MENARDS - PAPER	80700402	50600	$16.59
	MISC 999 - MENARDS - SOAP	80700402	50600	$31.91
	MISC 999 - LINWELD - PAINT	80700402	50600	$33.29
	MISC 999 - MENARDS - PAINT	80700402	50600	$38.39
	MISC 999 - FASTENAL - DRILL BIT	80700402	50600	$48.82
	MISC 999 - MENARDS - CLOROX	80700402	50600	$53.39
	MISC 999 - MCMASTER CARR -	80700402	50600	$57.89
	MISC 999 - MENARDS - CABLE	80700402	50600	$59.32
	MISC 999 - LANDMARK IMPLEMENT	80700402	50600	$73.84
	MISC 999 - ULINE - CORD COVERS	80700402	50600	$86.39
	MISC 999 - LINWELD - WEDING	80700402	50600	$282.48
	MISC 999 - MENARDS - HEATERS	80700402	50600	$641.98
	MISC 999 - MENARDS -	80700402	51100	$56.04
		80700402	51100	$83.15
	MISC 999 - DUNHAMS - MUCK	80700402	92700	$74.89
	MISC 999 - MYSAFETYSIGN.COM -	80700402	92700	$117.47
	MISC 999 - LINWELD - GLOVES	80700402	92700	$157.29
	MISC 999 - ZORO -	80800402	51100	$198.70
	MISC 999 - MENARDS - STORAGE	80900402	50600	$13.13
		80900402	50600	$64.18
	MISC 999 - LINWELD - GLOVES &	80900402	50600	$143.05
	MISC 999 - ZORO - HOSE REEL	80900402	50600	$344.53
	MISC 999 - GOVETS - CHAIRS	80900402	50600	$393.47
	MISC 999 - ZORO - HOSE REELS	80900402	50600	$689.06
	MISC 999 - INDUSTRIAL SAFETY	80900402	50600	$1,299.01
	MISC 999 - EBAY - POLARIS	80900402	50600	$1,773.74
02941411	MENARDS - DRYWALL AND	56000405	92280	$15.89
	MENARDS - PAINTABLE CALULK	56000405	92280	$25.43
	MENARDS - CONCRETE BIT AND	56000405	92280	$28.28
	MENARDS - STAIN AND SUPPLIES	56000405	92280	$28.39
	MENARDS - PAINT BRUSH AND	56000405	92280	$32.68
	MENARDS LUMBER- FOR DOOR	56000405	92280	$36.74
	MENARDS - TRIM FOR DOOR AT	56000405	92280	$85.58
03060492	MAIN25-1 - WESTECH - GREASE	52062401	50640	$114.85
	MISC 999 - ZORO - HOUR METER	52062402	51100	$105.68
	MISC 999 - COMPLIANCE SIGNS -	80700402	50600	$27.93
	MISC 999 - MCMASTER - BAR	80700402	51200	$61.87
	MISC 999 - ZORO - GLOVES	80700402	92700	$274.09
	MISC 999 - ZORO - ELECTRICAL	80800402	50500	$77.81
	MISC 999 - SUPPLY HOUSE - FAN	80800402	51100	$129.26
	MISC 999 - ZORO - SWITCH	80800402	51200	$213.09
	MISC 999 - ZORO - CONTACTOR	80800402	51300	$122.91
	MISC 999 - MCMASTER - SPRING	80900402	51260	$23.81
03309345	PAYPORT - METERS FOR FIRE	51000405	93000	$4,485.37
	LCL TRUCK EQUIPMENT - TOOLS	53000404	58000	$25.68

Distribution Register by Check

	RUNZA - LUNCH	53000405	92250	$60.19
	BUFFALO WILD WINGS - WATER	53000405	92250	$86.80
	MCDONALDS - SNOW REMOVAL	56000405	92250	$26.28
05700345	AMERICAN AIRLINES - CREDIT	56000405	92200	($1,681.62)
	OMAHA AIRPORT PARKING	56000405	92200	$30.00
	MEAN NMPP ANNUAL MEMBER	56000405	92200	$200.00
05742479	SPRINGHILL SUITES -	56100405	92200	$846.09
05742503	BIG DALLYS DELI - USED 5	52061402	51104	$26.75
	MENARDS - CASTORS	52061402	51104	$48.08
	NAPA - PENATRATING OIL	52061402	51104	$57.22
	ULINE - CLEANING SYSTEM	52061402	51104	$165.26
	KULLY PIPE AND STEEL - METAL	52061402	51106	$33.76
	MENARDS - TARP AND STRAPS	52061402	51106	$42.78
	MENARDS - INSULATION	52061402	51306	$45.96
	ARNOLD MOTOR SUPPLY - FUEL	52000100	54040	$77.01
	OREILLY - CHAINS	52061402	93927	$131.44
05742511	MENARDS - HOOK BOLT	51000405	92275	$13.89
	COACHES CORNER - FUEL	56000405	92275	$73.75
05746298	SUPPLY HOUSE - WELL 29	53000401	57002	$392.78
	GRAINGER-ASR PARTS	53000403	57003	$2,793.82
	AURORA COOPPERATIVE-TRUCK	54068401	56002	$26.00
	AURORA COOPPERATIVE-TRUCK	54068401	56002	$338.00
	CONTROL TEMP INC	54068401	57026	$320.00
	MENARDS-RANDOM STOCK ITEMS	54068401	58000	$144.33
	TRICK TOOLS-SWAG METAL	54068401	58000	$1,358.09
	CASEY'S - LUNCH FOR INFLUENT	54000405	92250	$97.53
05746314	CPI - FUEL - 480	54068401	56002	$271.03
	AURORA COOPPERATIVE-TRUCK	54068401	56002	$271.10
	MENARDS- CLEANING SUPPLIES	54068401	58000	$107.75
05920398	MISC 999 - OMNI DALLAS	80700402	92200	$29.85
	MISC 999 - AMERICAN AIRLINES	80700402	92200	$35.06
	MISC 999 - AMERICAN AIRLINES	80700402	92200	$40.00
	MISC 999 - EB GADS	80700402	92200	$75.00
	MISC 999 - AMERICAN AIRLINES	80700402	92200	$328.67
	MISC 999 - ALOFT MOTEL GADS25-	80700402	92200	$683.44
05920430	CNRA PARKING	56000405	92200	$28.00
	MARRIOT HOTEL- HOTEL FOR	56000405	92200	$807.20
		56000405	92200	$807.20
	MISC 999 - NMPP ANNUAL	80700402	92200	$200.00
06678292	MENARDS - POWER CORDS	54000100	54040	$4.27
	MENARDS - WASHERS AND	56000405	92280	$1,840.29
06678342	MENARDS -	52000100	54040	$241.66
	KELLY SUPPLY CO - FITTING FOR	52064402	57011	$2.18
	WA HAMMOND DRIERITE CO -	52064402	57011	$174.54
06701565	RUNZA - MAIN BREAK	53000405	92250	$48.74
06871335	MENARDS - CHARGERS	52064401	56710	$21.38
	GRAINGER - WRENCH	52064401	56710	$49.92
	LOWES - WRENCH SET	52064401	56710	$85.56
	J HARLEN - CANISTER	52064401	56710	$344.56
07633031	MUELLER(RETIREMENT CAPS FOR	51000404	57500	$902.30
	NAPA(WHEEL NUTS)	51000404	58000	$2.05
	LCL TRUCK EQUIPMENT(AIR COMP	51000404	58000	$53.50
	WELDING MAGICIAN(WELDING	51000404	58000	$81.99
	MENARDS(SUPPLIES FOR	51000404	58000	$92.49

Distribution Register by Check

				PHILLIPS66-USTOP(FUEL FOR #17)	51000405	92200	$43.00
				ELF ENTERPRISES(RACKS FOR	51000405	92700	$2,530.55
				MCDONALDS(BREAKFAST FOR	56000405	92250	$20.19
			07809714	MENARDS - LUMBER FOR DOOR	56000405	92280	$2.27
				MENARDS - CO ALARMS FOR	56000405	92280	$42.78
				MENARDS - HEADPHONES	56200405	95622	$26.74
				MENARDS - 4 INCH RAZOR BLADE	56200405	95628	$15.24
				MENARDS - TUBE CUTTER AND	56200405	95628	$36.35
				MENARDS - HOLE SAW AND	56200405	95628	$54.56
				MENARDS - SCREWDRIVER AND	56200405	95628	$95.86
				MENARDS - CHAIN BINDERS FOR	56200405	95628	$117.67
				Total Vendor:			***$37,964.50***
6053678	856	A K J CHEMICALS LLC	0003410-in	COAL CHEMICAL RELEASE	52000232	23224	$2,671.99
				Total Vendor:			***$2,671.99***
6053679	889	B P ENERGY	21399710	GAS PURCHASES	51000232	23210	$625,062.14
				Total Vendor:			***$625,062.14***
6053680	644	BURLINGTON NORTHERN/SANTA FE	271783179	COAL FREIGHT CHARGE	52000232	23224	$178,253.84
				Total Vendor:			***$178,253.84***
6053681	919	C C C-HASTINGS RENEWABLE ENERG	98	POWER PURCHASED	52000232	23220	$50,806.67
				Total Vendor:			***$50,806.67***
6053682	929	CENTRAL PLAINS ENERGY PROJECT	022514A697	GAS PURCHASES	51000232	23210	$223,020.00
				Total Vendor:			***$223,020.00***
6053683	929	CENTRAL PLAINS ENERGY PROJECT	022518A885	GAS PURCHASES	51000232	23210	$148,785.00
				Total Vendor:			***$148,785.00***
6053684	929	CENTRAL PLAINS ENERGY PROJECT	022522A982	GAS PURCHASES	51000232	23210	$56,617.68
				Total Vendor:			***$56,617.68***
6053685	1053	HERITAGE BANK	033125	MONTHLY INTERNET FEES	56000405	92100	$15.00
				Total Vendor:			***$15.00***
6053686	2010	NEXTERA ENERGY POWER MARKETING LLC	20250201	MONTHLY ADMIN FEE, AAR, OPTIMIZATION SHARE	52000232	23220	$33,269.66
				Total Vendor:			***$33,269.66***
6053687	1217	PAYMENTUS CORP	INV-15-160493	CREDIT CARD PMT TRANSACTION	56000405	90301	$9,112.71
				Total Vendor:			***$9,112.71***
6053688	1218	PEABODY ENERGY	5000074904	COAL	52000232	23224	$177,578.41
			5000074995	COAL	52000232	23224	$177,708.06
			91017279	COAL	52000232	23224	($118.99)
			91017631	COAL	52000232	23224	$1,633.50
			91017854	COAL	52000232	23224	$993.17
			91018866	COAL	52000232	23224	$1,645.60
				Total Vendor:			***$359,439.75***
6053689	1188	QUADIENT FINANCE USA INC	032825	POSTAGE	56000405	91655	$1,000.00
				Total Vendor:			***$1,000.00***
6053690	1302	SOUTHWEST POWER POOL	IM-20250313-	MARKET PARTICIPANT	52000232	23220	$2,074.25
				Total Vendor:			***$2,074.25***
6053691	1302	SOUTHWEST POWER POOL	TRN-20250228-	TRANSMISSION CUSTOMER	52000232	23220	$92,521.22
				Total Vendor:			***$92,521.22***
6053692	1322	TALLGRASS INTERSTATE GT, LLC	TIG022025549549	GAS PIPELINE TRANSPORTATION	51000232	23210	$123,683.88
				Total Vendor:			***$123,683.88***
6053693	1340	TRAILBLAZER PIPELINE COMPANY	TPC022025325850	GAS PIPELINE TRANSPORTATION	51000232	23210	$16,234.64
				Total Vendor:			***$16,234.64***
6053694	1351	UNITED PARCEL SERVICE	00006838E9115	DELIVERY SERVICE	53000404	58000	$23.99

Distribution Register by Check

					53000403	59100	$34.93
					56000405	90400	$36.00
					80700402	51400	$20.93
				Total Vendor:			**$115.85**
6053695	1351	UNITED PARCEL SERVICE	00006838E9125	DELIVERY SERVICE	53000403	59100	$330.82
					56000405	90400	$36.00
				Total Vendor:			**$366.82**
6053696	1375	WESTERN AREA POWER ADMIN.	BFPB000950225	POWER PURCHASES	52000232	23220	$92,403.75
				Total Vendor:			**$92,403.75**
6053697	8	FIVE POINTS BANK-GRAND ISLAND	040425 FIVE POINTS	COMBINED UTILITY REV BOND SERIES 21 INTEREST	54000237	23710	$40,430.00
				Total Vendor:			**$40,430.00**
6053698	1203	OMAHA PUBLIC POWER DISTRICT	CSB00902	TRANSMISSION AGREEMENT	52000405	92300	$23,544.00
				Total Vendor:			**$23,544.00**
6053699	1351	UNITED PARCEL SERVICE	00006838e9135	DELIVERY SERIVCE	53000404	58000	$32.66
					53000404	59100	$66.88
					54068401	56002	$213.82
					56000405	90400	$36.00
				Total Vendor:			**$349.36**
							3,929,008.06
							$3,929,008.06

FUND	PAYMENT AMOUNT	VOID CHECKS	
Total Gas:	***1,371,382.85***		1,371,382.85
Total Water:	***182,916.14***		182,916.14
Total Sewer:	***99,327.65***		99,327.65
Total Admin:	***169,551.93***	60	169,491.93
Total Maint & Building:	***4,004.80***		4,004.80
Total Engineering:	***17,957.17***		17,957.17
Total Electric:	***2,083,867.52***	169.86	2,083,697.66
Total:	***$3,929,008.06***		3,928,778.20

Nebraska Liquor Control

301 Centennial Mall
South - 1st Floor PO
Box 95046 Lincoln
NE 68508

Application Copy

File Number: 84949

AMENDMENT TYPE

Reconstruction to Licensed Area

APPLICATION DATE RECEIVED

2025-03-17

PREMISES TYPE

Bar/Lounge (on prem)

PREMISES NAME

BARREL BAR

OPERATOR

BARREL BAR II LLC

CORPORATE LIMIT DESIGNATION

Inside

LEASE OR OWN

Lease

EXPIRATION DATE

2026-12-31

PHYSICAL ADDRESS

1200 E SOUTH ST
HASTINGS, NE 68901-6424

MAILING ADDRESS

520 N JEFFERS ST
NORTH PLATTE, NE 69101-3940

CONTACT NAME

Rex W Hansen

PREFERRED CONTACT METHOD

Email

CONTACT PHONE

(402) 463-9158

ALTERNATE PHONE

(308) 312-3331

FAX

EMAIL

REXH@NORTH40.BAR

PREMISES MANAGER

MARK W HAMMOND

PREMISES MANAGER EMAIL

MARKH@NORTH40.BAR

QUESTIONS

Class C Beer, Wine, Spirits On a

1. Current Building Dimensions: Enter length and width in feet separated by a comma (i.e. L20, W15) *Not square feet*

   L56'7", W60

2. New Building Dimensions: Enter length and width in feet separated by a comma (i.e. L20, W15) *Not square feet*

   L56'7, W60

3. What is being added, deleted or changed? Explain the type of addition/deletion/reconstruction, i.e. beer garden, adding to the building, storage area being removed. Fencing is required for outdoor areas.

   We have added a fenced in beer garden to the building. We remodeled the entire interior of the the establishment. New seating area, kitchen, mechanical, and storage areas. Beer garden is not being added to the licensed area at this time.

4. Is there an outdoor area?
   *Must have permanent fencing securing the outdoor area. Please contact the local governing body for other requirements regarding fencing.

   Yes
   L20, W18

5. Will a basement be used for alcoholic storage or sale?

   No

6. How many floors of the building? (excluding basement) Please indicate which floors will be included in the liquor license.

   One floor

DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Premises Description & Diagram	2309-Barrel Bar-Plans-New-3.pdf	Remodel Plans

Lease / Deed / Purchase Agreement	MRBB lease to BB 10-1-24 to 12-31-26.pdf

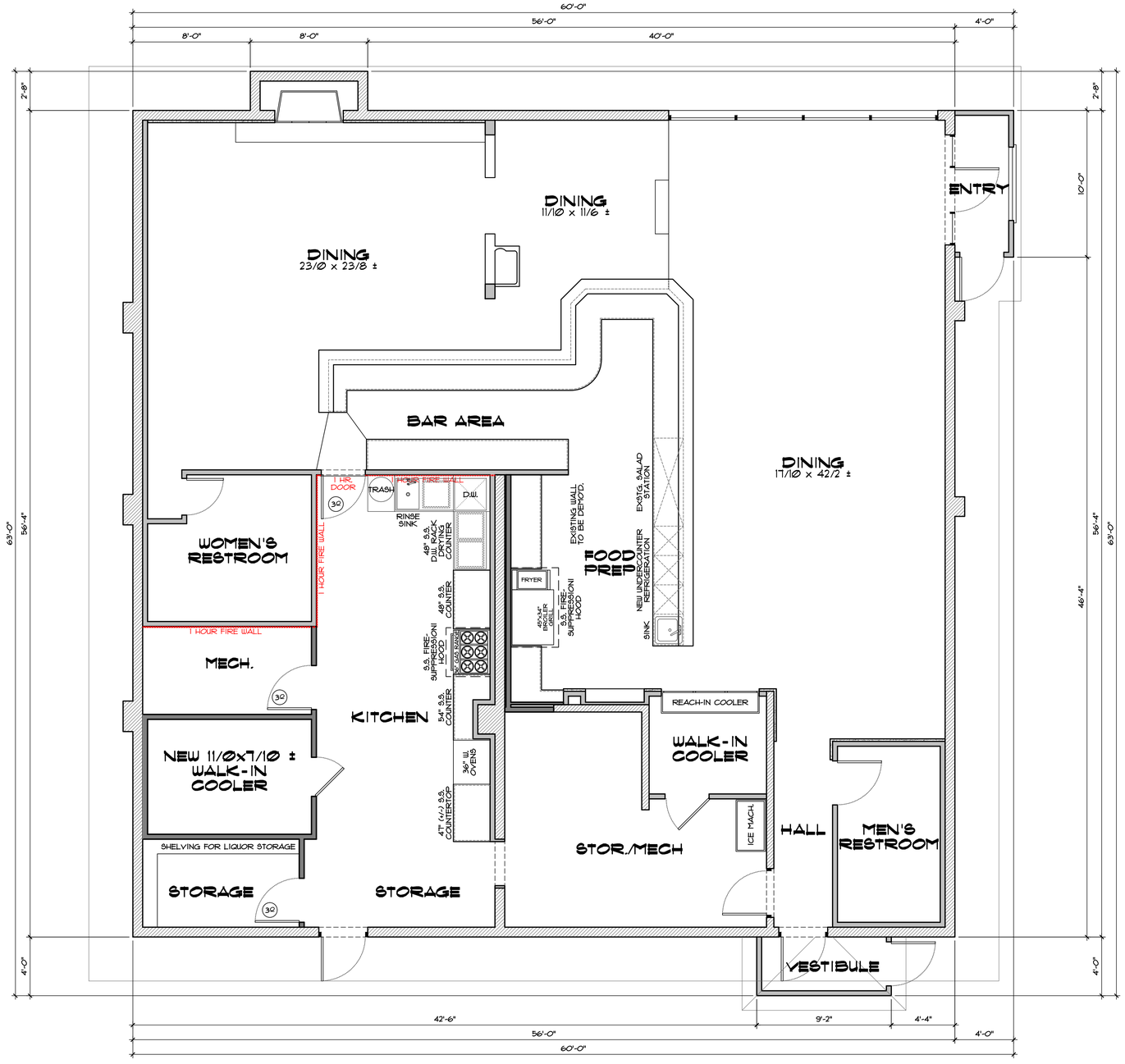
APPLICANT

Nick Brown

DECLARATION

☑ I (We) the applicant(s) agree and consent

I declare under penalty of perjury that I have read the contents of this amendment application and, to the best of my knowledge, believe all statements made in this application are true, correct, and complete.



NEW MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0" 3,231 SQ. FT.

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Clackamas, OR 97015
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tallen@AllenAndNoneDesigns.com
www.AllenAndNoneDesigns.com

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WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY, AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB SITE, AND MUST NOTIFY THIS OFFICE OF ANY DISCREPANCIES, ALLOWING A REASONABLE AMOUNT OF TIME TO CORRECT ANY ERRORS.

CLIENT: Barrel Bar
PHONE: 402-463-9158
PROJECT LOCATION: 1200 E South St, Hastings, NE 68901
JURISDICTION: City of Hastings, Nebraska

PLAN: Prelim

JOB NO. :	2309
FILE: 2309-Plans-New-3.DWG	
DRAWN BY:	TMA
CHECKED BY:	AND
DATE:	10-31-2023

REVISIONS

NO.	DATE:	BY:

SHEET: A 1
OF: 1

Section B: Event Agreement

This application must be filed with the Hastings City Clerk
at least 60 days prior to the date of the event.
Fees may be applicable.

Date(s) of Event: 06/07/25 Event Name: Mary Lanning Fun Wun
Contact Person: Becky Sullivan Phone: 402-460-5852
Address: 715 N. St. Joseph Ave
Email: bsullivan@marylanning.org Daytime Phone: 402-460-5852
Name of Organization Hosting Event: Mary Lanning Healthcare
Type of Organization: __ Corporation __ LLC __ Other If Other, provide name: _____
Type of Event: Running/Walking
Example: Running, Biking, Parade, etc. (Held on City Property or Public Right-of-Way)

Will alcohol be served at this event? ___ Yes ● No

- If yes, license agreement is required.
- SDL-Local Recommendation may be attached when submitting this application.
- Please review City Code Section 8-107 for alcohol consumption restrictions on property owned by city.
- City fee for fencing is $300 per event. Fencing fee payable to the City of Hastings Engineering Department, **prior** to event. Refer to Nebraska Liquor Control Rules and Regulations for fencing requirements.

Will electrical power be needed? ___ Yes ● No (Only permitted where currently available.)

Will tents over 400 sq. ft. and/or mobile food vendors be set up at this event? ___ Yes ● No

- If yes, please contact Hastings Fire & Rescue (402) 462-7157 for spacing and permitting requirements.
- For events with over 1,000 in attendance: One trained crowd manager to be provided for every 250 persons or fraction thereof. Contact Hastings Fire & Rescue (402) 462-7157 with questions.

Please describe activities included in this event:
Run/Walk for employees and families that begins and ends at the Medical Office Building (715 Kansas). Will utilize a few streets and mostly trail around Heartwell Park and Hastings College. We request to close off Kansas from 9th St to the North driveway of the MOB from 8:00 am. to 11:00 a.m.

Event Location: Mary Lanning and around the college and Heartwell areas.

- Before an event is scheduled on City owned property, it must receive prior City approval.
- The event should not be held on a public street or roadway. Consider use of off-street trails such as the Pioneer Spirit Trail.
- Please attach map of route of any such event.
- Review City Code Section 13-508 for prohibited acts: discharge of fireworks

Event Start Time: 9:00 a.m. *** Start Time Needed to Set Up & Access Area (if applies):** 7:00 a.m.
Event End Time: 11:00 a.m. *** Ending Time Needed to Clean up Area (if applies):** 11:00 a.m.
***If alcohol is being served, please make sure state alcohol permit times are consistent with actual event times.**

I represent that I am authorized to sign the agreement on behalf of the organization hosting this event and, if the event is approved by the City of Hastings, my organization agrees to defend, indemnify and hold the City of Hastings harmless for any loss or claim of loss related to this event.

eSigned via SeamlessDocs.com
Rebecca A Sullivan
Key: da16dad2-fe93-4831-b039-94fd9dce1735

03-07-2025

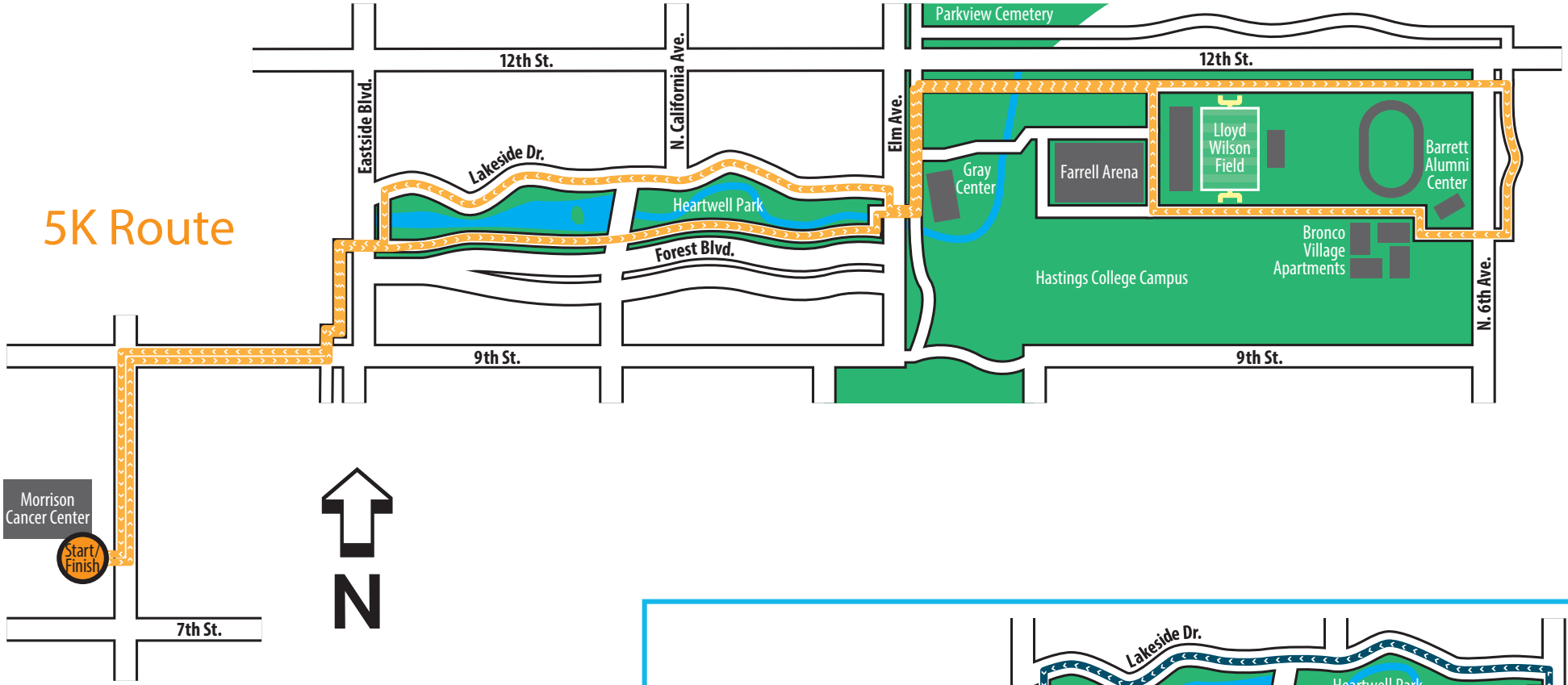
Authorized Signature for Host Organization — Date

****

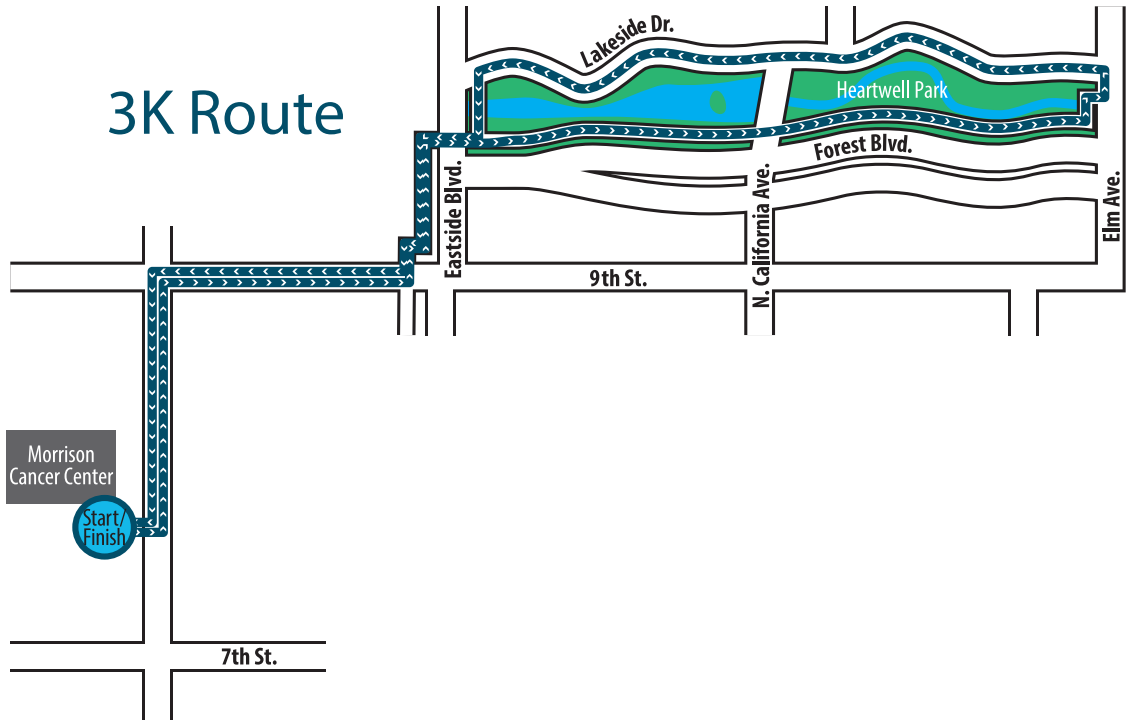
Official Office Use Only

Authorized Signature – City of Hastings — Date of Council Approval

5K Route



3K Route



Mary Lanning Healthcare

FUN WUN

3K/5K – Walk/Run

MARYLAN-02 SBATES

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 2/26/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Stacy L. Bates, CISR Elite	
Ellerbrock-Norris Agency, Inc. P.O. Box 816 Hastings, NE 68902-0816	PHONE (A/C, No, Ext): (402) 519-4891	FAX (A/C, No):
	E-MAIL ADDRESS: sbates@ellerbrock-norris.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : The MMIC Group	16942
INSURED	INSURER B :	
The Mary Lanning Memorial Hospital Association 715 North St Joseph Avenue Hastings, NE 68901	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	[ ] CLAIMS-MADE [X] OCCUR	X	X	MHF008128	3/1/2025	3/1/2026	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 3,000,000
	X POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$ 1,000,000
	[ ] OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	[ ] ANY AUTO						BODILY INJURY (Per person)	$
	[ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	[ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	[ ] UMBRELLA LIAB [X] OCCUR						EACH OCCURRENCE	$ 5,000,000
	X EXCESS LIAB [ ] CLAIMS-MADE			MHF008128	3/1/2025	3/1/2026	AGGREGATE	$ 5,000,000
	DED [X] RETENTION $ 0							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						[ ] PER STATUTE [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH)	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The General Liability policy includes an automatic additional insured endorsement that provides additional insured status only when there is a written contract between the named insured and the certificate holder/entities that require such status prior to a loss. Coverage is provided on a Primary and noncontributory basis and only applies to the extent permitted by law. Waiver of Subrogation for the General Liability policy applies only if there is a written contract between the named insured and the certificate holder/entity(ies) that require such form language prior to a loss, and only to the extent permitted by law.

CERTIFICATE HOLDER

City of Hastings
P. O. Box 1085
Hastings, NE 68902-1085

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Brian K. Bassett

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Section B: Event Agreement

This application must be filed with the Hastings City Clerk
at least 60 days prior to the date of the event.
Fees may be applicable.

Date(s) of Event: 05/31/2025 Event Name: Half Hastings
Contact Person: Becky Sullivan/Mike Florek Phone: 402-460-5852 ; 402-519-0812
Address: 715 N. St. Joseph Ave
Email: bsullivan@marylanning.org Daytime Phone: 402-460-5852
Name of Organization Hosting Event: Mary Lanning Healthcare
Type of Organization: ● Corporation __ LLC __ Other If Other, provide name: _____
Type of Event: Running/Walking
Example: Running, Biking, Parade, etc. (Held on City Property or Public Right-of-Way)

Will alcohol be served at this event? ___ Yes ● No

- If yes, license agreement is required.
- SDL-Local Recommendation may be attached when submitting this application.
- Please review City Code Section 8-107 for alcohol consumption restrictions on property owned by city.
- City fee for fencing is $300 per event. Fencing fee payable to the City of Hastings Engineering Department, **prior** to event. Refer to Nebraska Liquor Control Rules and Regulations for fencing requirements.

Will electrical power be needed? ___ Yes ● No (Only permitted where currently available.)

Will tents over 400 sq. ft. and/or mobile food vendors be set up at this event? ___ Yes ● No

- If yes, please contact Hastings Fire & Rescue (402) 462-7157 for spacing and permitting requirements.
- For events with over 1,000 in attendance: One trained crowd manager to be provided for every 250 persons or fraction thereof. Contact Hastings Fire & Rescue (402) 462-7157 with questions.

Please describe activities included in this event:
This is a repeat of past events. There is a half marathon and half marathon relay starting at the Hastings Middle School and ending at Hastings College, passing through most of the city's parks and utilizing roads and trails. There is also a 5k and 1 mile run starting and ending at Hastings College utilizing streets as well as some trails. There are volunteer monitors at most intersections. The police have helped direct traffic at 3rd, 12th and 281 and Kansas.

Event Location: throughout City

- Before an event is scheduled on City owned property, it must receive prior City approval.
- The event should not be held on a public street or roadway. Consider use of off-street trails such as the Pioneer Spirit Trail.
- Please attach map of route of any such event.
- Review City Code Section 13-508 for prohibited acts: discharge of fireworks

Event Start Time: 7:30 a.m. *** Start Time Needed to Set Up & Access Area (if applies):** 4:00 a.m.
Event End Time: 12:00 p.m. *** Ending Time Needed to Clean up Area (if applies):** 12:00 p.m.
***If alcohol is being served, please make sure state alcohol permit times are consistent with actual event times.**

I represent that I am authorized to sign the agreement on behalf of the organization hosting this event and, if the event is approved by the City of Hastings, my organization agrees to defend, indemnify and hold the City of Hastings harmless for any loss or claim of loss related to this event.

eSigned via SeamlessDocs.com
Rebecca A Sullivan
Key: da16dad2-fe93-4831-b039-94fd9dce1735

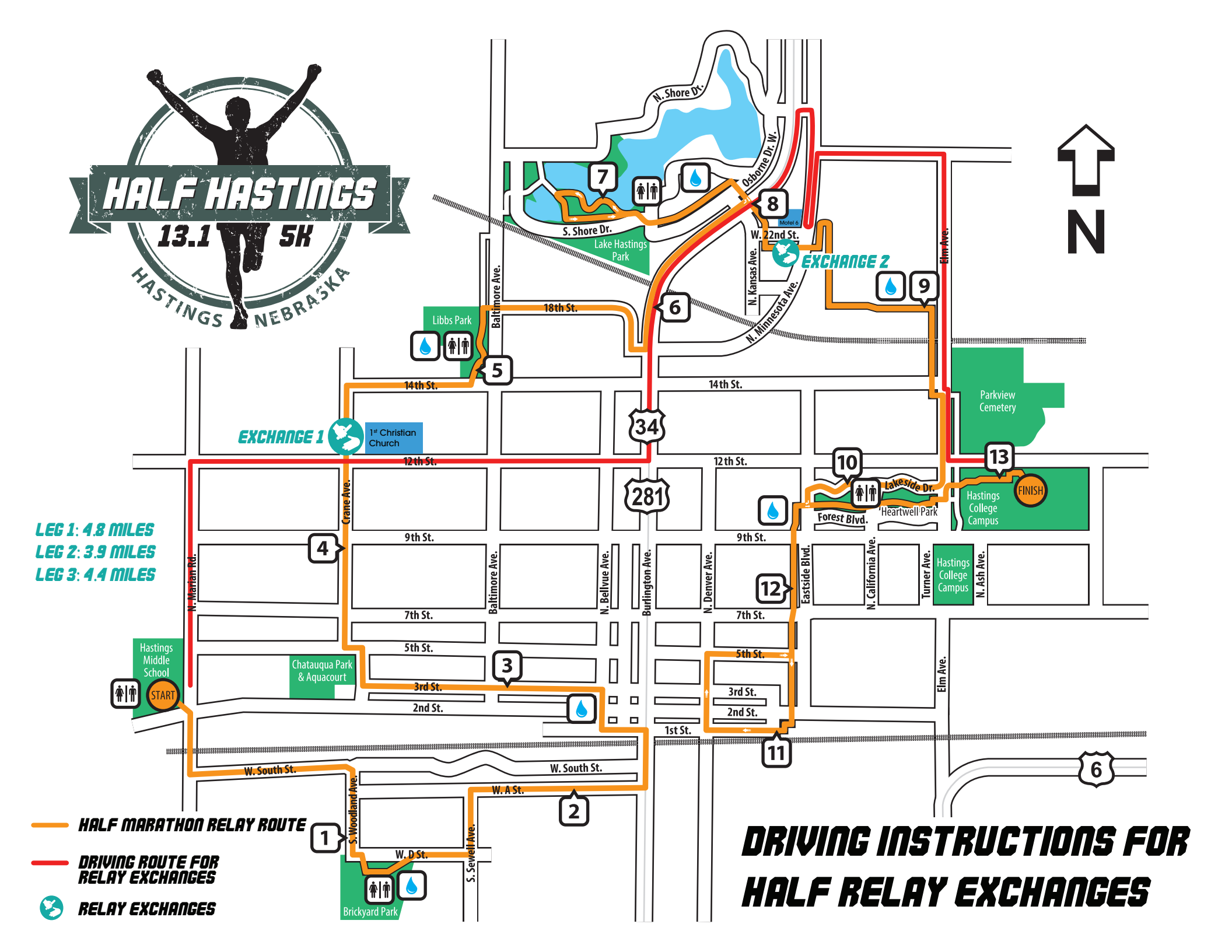
Authorized Signature for Host Organization — Date: 03-07-2025

****

Official Office Use Only

Authorized Signature – City of Hastings

Date of Council Approval


HALF HASTINGS
13.1 5K
HASTINGS NEBRASKA
N
LEG 1: 4.8 MILES
LEG 2: 3.9 MILES
LEG 3: 4.4 MILES
HALF MARATHON RELAY ROUTE
DRIVING ROUTE FOR RELAY EXCHANGES
RELAY EXCHANGES
DRIVING INSTRUCTIONS FOR HALF RELAY EXCHANGES
EXCHANGE 1
EXCHANGE 2
START
FINISH
N. Shore Dr.
Osborne Dr. W.
S. Shore Dr.
Lake Hastings Park
Motel 6
W. 22nd St.
N. Kansas Ave.
N. Minnesota Ave.
Elm Ave.
Libbs Park
Baltimore Ave.
18th St.
14th St.
1st Christian Church
Parkview Cemetery
12th St.
Crane Ave.
Lakeside Dr.
Forest Blvd.
Heartwell Park
Hastings College Campus
9th St.
N. Marian Rd.
N. Bellvue Ave.
Burlington Ave.
N. Denver Ave.
Eastside Blvd.
N. California Ave.
Turner Ave.
N. Ash Ave.
7th St.
5th St.
Hastings Middle School
Chatauqua Park & Aquacourt
3rd St.
2nd St.
1st St.
W. South St.
W. A St.
S. Woodland Ave.
S. Sewell Ave.
W. D St.
Brickyard Park
34
281
6

MARYLAN-02 SBATES

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 2/26/2025

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Ellerbrock-Norris Agency, Inc. P.O. Box 816 Hastings, NE 68902-0816	PHONE (A/C, No, Ext): (402) 519-4891	FAX (A/C, No):
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AUTHORIZED REPRESENTATIVE

Brian K. Bassett

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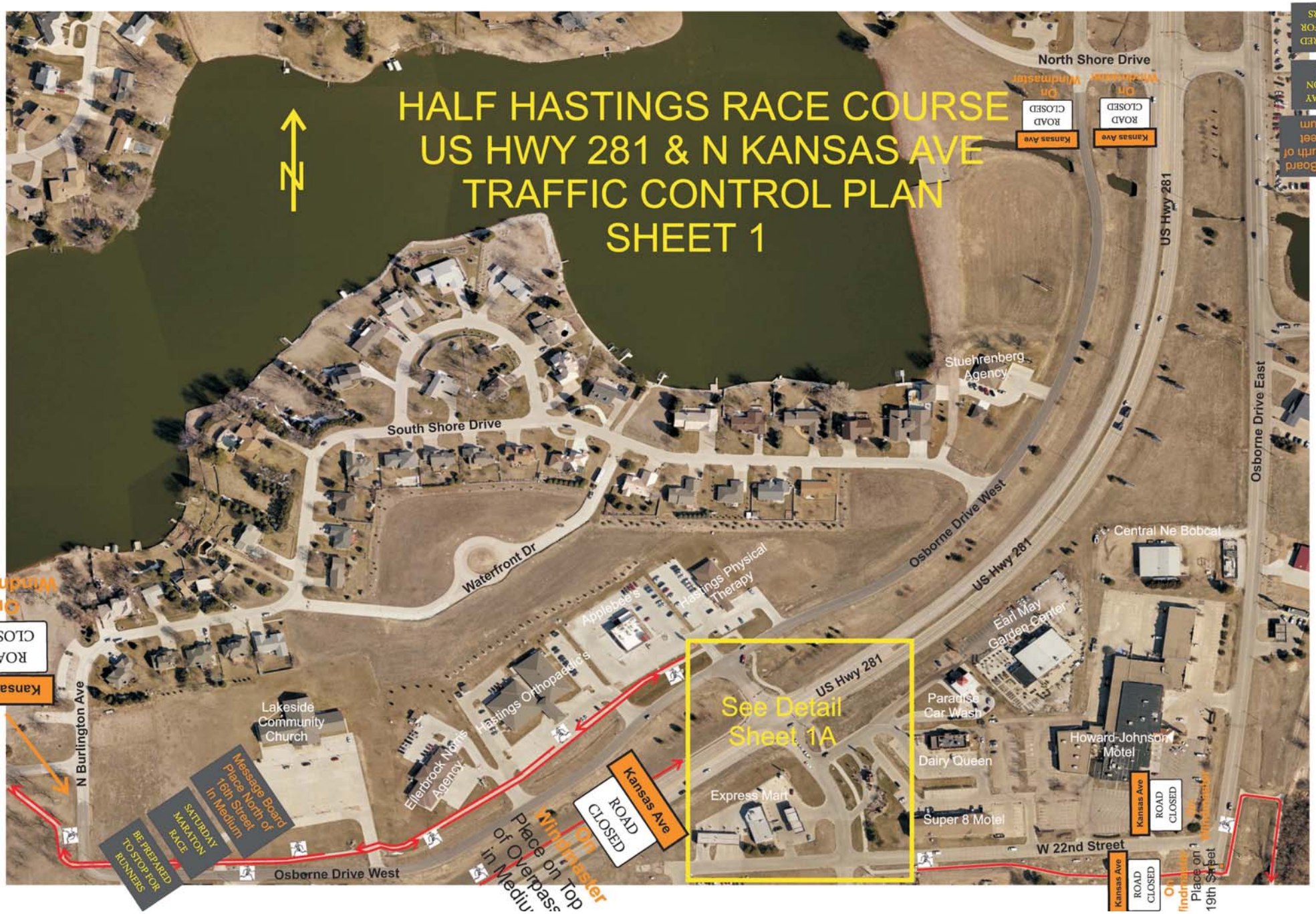
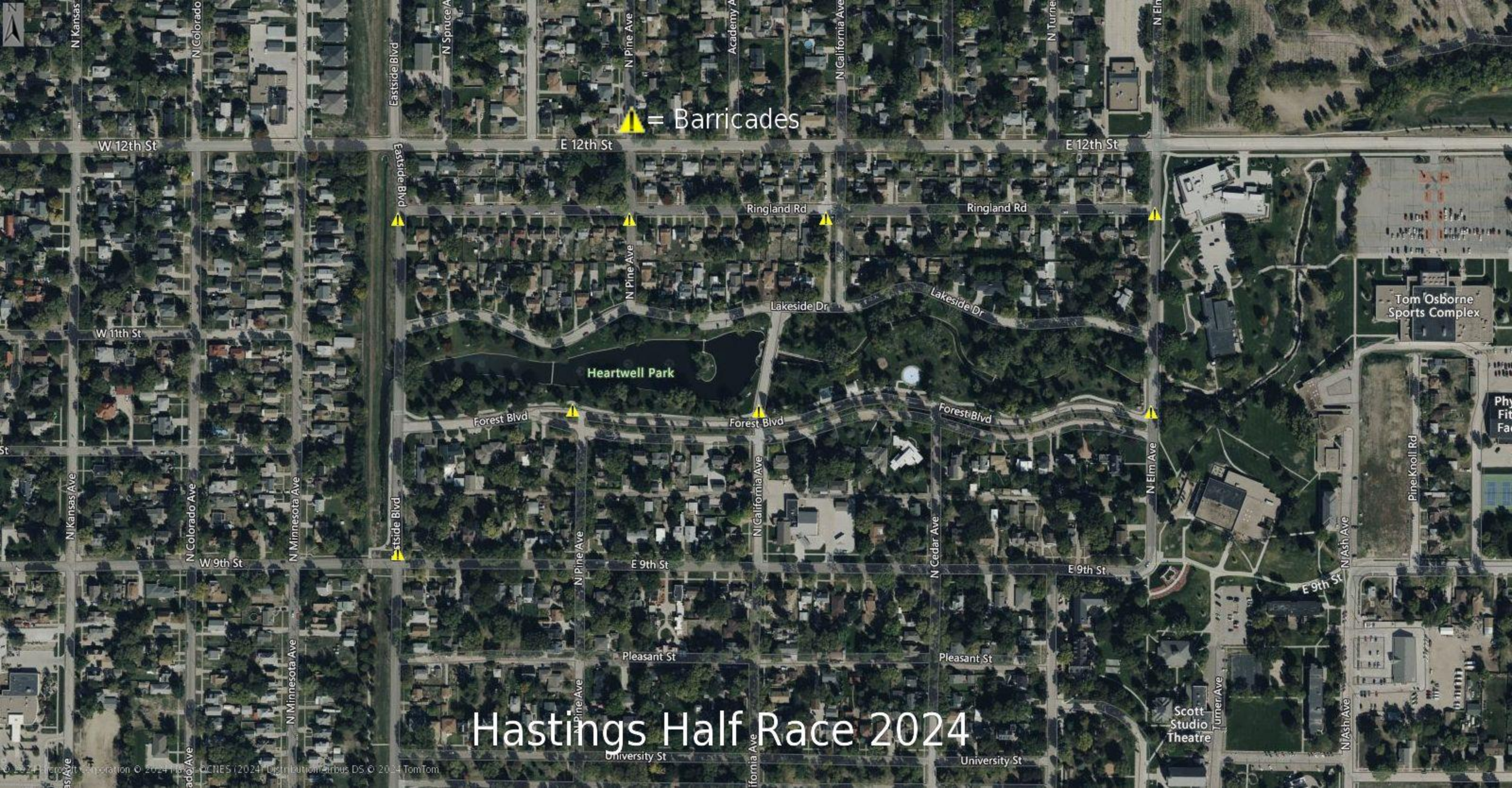

HALF HASTINGS RACE COURSE
US HWY 281 & N KANSAS AVE
TRAFFIC CONTROL PLAN
SHEET 1
N
North Shore Drive
ROAD CLOSED
Kansas Ave
On Windmaster
US Hwy 281
Osborne Drive East
Osborne Drive West
South Shore Drive
Waterfront Dr
Stuehrenberg Agency
Central Ne Bobcat
Earl May Garden Center
Paradise Car Wash
Howard Johnson Motel
Dairy Queen
Super 8 Motel
Express Mart
Applebee's
Hastings Physical Therapy
Hastings Orthopaedics
Ellerbrock Norris Agency
Lakeside Community Church
N Burlington Ave
See Detail Sheet 1A
W 22nd Street
Message Board Place North of 16th Street In Medium
SATURDAY MARATON RACE
BE PREPARED TO STOP FOR RUNNERS
Place on Top of Overpass in Medium
Place on 19th Street

HALF HASTINGS RACE COURSE
US HWY 281 & N KANSAS AVE
TRAFFIC CONTROL PLAN
DETAIL SHEET 1A
Volunteer
Volunteer
Volunteer
Volunteer
Volunteer
Osborne Drive West
N Kansas Ave
US Hwy 281
US Hwy 281
Earl May Garden Center
Access Road
Dairy Queen
Barista's Daily Grind
Express Mart
N Kansas Ave
Kansas Ave
On WindMaster
Place 200' Ahead of Cones
Kansas Ave
On WindMaster
Place 200' Ahead of Cones
Kansas Ave
On WindMaster
Place 200' Ahead of Cones
ROAD CLOSED
ROAD CLOSED
ROAD CLOSED
ROAD CLOSED
West Side - 4 Type 3's, 2 Type 1's and 6 cones
East Side -4 Type 3's, 2 Type 1's and 6 cones
281 - 15 to 20 cones each turn lane, 2 No Left Turns

NOTE: 100 Total Traffic Cones Needed Downtown


= Barricades
Hastings Half Race 2024
W 12th St
E 12th St
E 12th St
Eastside Blvd
N Pine Ave
Academy Ave
N California Ave
N Spruce Ave
N Kansas Ave
N Colorado Ave
Ringland Rd
Ringland Rd
Lakeside Dr
Lakeside Dr
W 11th St
Heartwell Park
Forest Blvd
Forest Blvd
Forest Blvd
Tom Osborne Sports Complex
N Elm Ave
Pine Knoll Rd
N Minnesota Ave
W 9th St
E 9th St
E 9th St
E 9th St
N Cedar Ave
N Ash Ave
Pleasant St
Pleasant St
Scott Studio Theatre
Turner Ave
University St
University St
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HASTINGS HALF RACES – ROAD PLAN FOR 2025

This is a guide as to where the race will plan to station live volunteers to assist at crossings and to give direction at corners.

START	We will assemble at the Hastings Middle School
POLICE	Crossing 2nd Street and Marian Road at the start
	One (1) officer will be on site until the race passes thru
	Intersection (7:15 am – 7:40 am) (Leave to go to 281 and Kansas)
VOLUNTEER	At train crossing on Marian Road
VOLUNTEER	At gravel/paved point on South Street and Laird
VOLUNTEER	At Woodland – "D" Street corner
VOLUNTEER	At South Baltimore – "D" Street corner
VOLUNTEER	At Baltimore – "A" Street corner
VOLUNTEER	At "A" Street – Burlington corner
VOLUNTEER	At Burlington underpass and 1st Street gate
VOLUNTEER	At Bellevue– 1st Street corner
POLICE	Crossing 2nd Street and Bellevue
	Police – 7:40am to 8:15 am
	Bellevue will be closed between 1st Street and 2nd Avenue
	Allen's will allow us to close their East exit
	One (1) officer to assist volunteers at the streetlight
	Approx. 2.5-mile point last runners will be by
	Around 8:20 am – 8:30 am
	Police – 7:40 am to 8:05 am (Leave to 281 & Kansas)
VOLUNTEER	At Bellevue – 3rd Street corner (several volunteers)
VOLUNTEER	Crossing Baltimore on 3rd
VOLUNTEER	At Chautauqua Park to Crane
POLICE AND	
VOLUNTEER	Crossing 12th Street on Crane – Relay Exchange #1 (1st Christian Church)
	Officer from start line could cover this
	Approx. 7:30 am to 9:00 am
	First runner approx. 7:55 am, last 8:45 am
VOLUNTEER	At Crane and 14th Street corner
VOLUNTEER	Crossing Baltimore on 14th Street
VOLUNTEER	At 14th Street and Burlington corner
VOLUNTEER	At Burlington and Kansas corner to trail
	Extra volunteers to watch Medical traffic
VOLUNTEER	At South Shore Trail Crossing
VOLUNTEER	At furthest point on Trail

POLICE AND
VOLUNTEER At Kansas and HWY 281 – **Protected until 9:30 am**
Access to and from HWY 281 on Kansas will be closed
City will bring barricades
First officer will arrive on own by 8:00 am
Officer from Bellevue arrives as soon as they can
Runners will arrive approx. 8:20 am
Last runner at approx. 9:15 am
Walker/Runners may go as late as 10:00 am

VOLUNTEER At old 281 and 22nd direct to Trail
Relay Exchange #2 at American Legion Park
SEVERAL VOLUNTEERS DUE TO SPEED OF TRAFFIC

VOLUNTEER At Elm and Trail
Discuss route and time with Butler Volland

VOLUNTEER Crossing 12th on Elm
At least two (2) volunteers to monitor traffic – (NEW 2016)

VOLUNTEER At Heartwell Park and Elm
Two (2) Volunteers – (NEW 2016)

VOLUNTEER At Heartwell Park and East Side

VOLUNTEER At 9th Street Trail Crossing
Two (2) Volunteers Minimum – (NEW 2016)

VOLUNTEER At 7th Street Trail Crossing
Two (2) Volunteers Minimum – (NEW 2016)

VOLUNTEER At 2nd Street Trail Crossing

VOLUNTEER At 1st Street and Minnesota
Cone off one lane of 1st Street
We borrow cones from city, must set up in the morning
Barricade St Joseph at 1st Street

VOLUNTEER At 1st Street and Denver

VOLUNTEER At 2nd Street crossing on Denver

VOLUNTEER At 3rd Street crossing on Denver

VOLUNTEER At 5th Street and Denver corner

VOLUNTEER At 5th Street and Kansas

VOLUNTEER At 5th Street and Trail

Half Hastings 5K Route

Start on 12th Street – Running East
West of entrance to arena parking

Volunteers at 6th Avenue and 12th Street to stop all traffic for first rush of runners
Volunteers at 9th and 6th Avenue
Volunteers at corner of University and 6th Avenue
Volunteers at corner of Ash Avenue and University
Volunteers at 9th and Ash Avenue
Volunteers at 9th and Elm Avenue
Volunteers at corner of 9th and Turner
Volunteers at Turner and University
Volunteers at University and California
Volunteers at University and East Side Blvd

Volunteers already in place after this due to the Half Marathon route.

Cone spacing will be approximately 20 feet between cones
Volunteers directing, stopping, and monitoring traffic will have safety vests and hand gear (Stop Signs)

HALF HASTINGS RACES REQUIREMENTS

- Race organizer has provided City of Hastings with a certificate of liability insurance naming City of Hastings as an additional named insured
- Reader Board signage be deployed no later than Thursday, May 29, 2025, notifying public of the Marathon on Saturday, May 31, 2025. Copy on Reader Board to be determined at Pre-race meeting provided for later. Signage to be arranged by City and organizer to pick up and pay for
- Reader Board to be located at 33rd Street and 281 for southbound traffic and just north of 16th Street on Burlington for north bound traffic
- Police to be located on both directions (north and south) at intersection of Kansas and 281 starting at 7:45 a.m. on Saturday, May 31, 2025
- Police cruisers to be located in left turn lanes, 300 feet north and south of intersection of Kansas and 281 with light bar on starting at 7:45 a.m. on Saturday, May 31, 2025
- Police shall activate the traffic signals to flashing red at intersection of Kansas and 281 starting at 7:45 a.m. on Saturday, May 31, 2025
- Race cut-off time is 9:30 a.m. on Saturday, May 31, 2025, which means if runners have not passed the intersection of Kansas and 281 by 9:30 a.m., they become pedestrians and are no longer in the Marathon. Police to return traffic signals to normal function at 9:30 a.m.
- Barricade installation/responsibilities as follows:

  Police will remain until 10:00 a.m. to direct traffic for runners on an occasional basis.

  281 and Kansas Avenue intersection – City will be responsible for furnishing and placement of all barricades/cones as outlined in plans.

  Downtown Area: West 1st Street, North Denver Avenue – City to furnish barricades and cones; Organizers to place cones/barricades in accordance with Downtown Segment Plan.

  Organizers will be responsible for furnishing all other barricades/cones and placement along route as outlined in plans dated March 26, 2025.

- Organizer to recruit and train all volunteers with safety vests and hand gear to be used for Half Hastings Race. Training to occur May 28, 2025, at the Middle School

- Police Officers and cruisers are to be placed at the following locations:
  - 2nd Street and Marian Road
  - 2nd Street and Bellevue
  - 12th Street and Crane Avenue
  - Kansas and US 281

- Organizer to provide advance notice to all residents along the Half Hastings Race route – notice by public service announcements, etc
- Organizer and City to have a pre-Race meeting to review and follow-up on details necessary on or about May 15, 2025 @ 9:00 a.m.
- Organizer will be responsible for coning off the east-bound lane on 12th Street from Elm Avenue East to 6th Avenue for Race start
- Organizer to secure permission from Hastings College to utilize College property for the Half Hastings Races
- City and organizer reserve the right to amend or modify these requirements as needed to ensure the safety of participants and reduce the liability exposure of both the City and the organizer
- Follow adopted Half Hastings Races Road Plan dated March 26, 2025 and Route Map dated March 26, 2025.

Section B: Event Agreement

This application must be filed with the Hastings City Clerk
at least 60 days prior to the date of the event.
Fees may be applicable.

Date(s) of Event: 05/31/2025, 07/31/2025 Event Name: Summer Sounds Outdoor Concert Series
Contact Person: Joe Kindig Phone: 4024696772
Address: 647 W 2nd Street, Hastings, NE 68901
Email: baristasofhastings@gmail.com Daytime Phone: 4024696772
Name of Organization Hosting Event: Barista's Downtown, Barista's of Hastings LLC
Type of Organization: __ Corporation ● LLC __ Other If Other, provide name: _____
Type of Event: Outdoor Concert Series
Example: Running, Biking, Parade, etc. (Held on City Property or Public Right-of-Way)

Will alcohol be served at this event? ● Yes ___ No

- If yes, license agreement is required.
- SDL-Local Recommendation may be attached when submitting this application.
- Please review City Code Section 8-107 for alcohol consumption restrictions on property owned by city.
- City fee for fencing is $300 per event. Fencing fee payable to the City of Hastings Engineering Department, **prior** to event. Refer to Nebraska Liquor Control Rules and Regulations for fencing requirements.

Will electrical power be needed? ___ Yes ● No (Only permitted where currently available.)

Will tents over 400 sq. ft. and/or mobile food vendors be set up at this event? ● Yes ___ No

- If yes, please contact Hastings Fire & Rescue (402) 462-7157 for spacing and permitting requirements.
- For events with over 1,000 in attendance: One trained crowd manager to be provided for every 250 persons or fraction thereof. Contact Hastings Fire & Rescue (402) 462-7157 with questions.

Please describe activities included in this event:
This concert series will be open to the public to purchase tickets and attend the outdoor concerts. Attendees will have the opportunity to purchase drinks, and food if we can find food trucks with availability, and enjoy the concert outside.

Event Location: Barista's Downtown, 647 W 2nd Street.

- Before an event is scheduled on City owned property, it must receive prior City approval.
- The event should not be held on a public street or roadway. Consider use of off-street trails such as the Pioneer Spirit Trail.
- Please attach map of route of any such event.
- Review City Code Section 13-508 for prohibited acts: discharge of fireworks

Event Start Time: 5:00pm *** Start Time Needed to Set Up & Access Area (if applies):** 4:00pm
Event End Time: 7:00pm *** Ending Time Needed to Clean up Area (if applies):** 11:00pm
***If alcohol is being served, please make sure state alcohol permit times are consistent with actual event times.**

I represent that I am authorized to sign the agreement on behalf of the organization hosting this event and, if the event is approved by the City of Hastings, my organization agrees to defend, indemnify and hold the City of Hastings harmless for any loss or claim of loss related to this event.

eSigned via SeamlessDocs.com
Joseph R Kindig
Key: da16dad2-fe93-4831-b039-94fd9dce1735
Authorized Signature for Host Organization

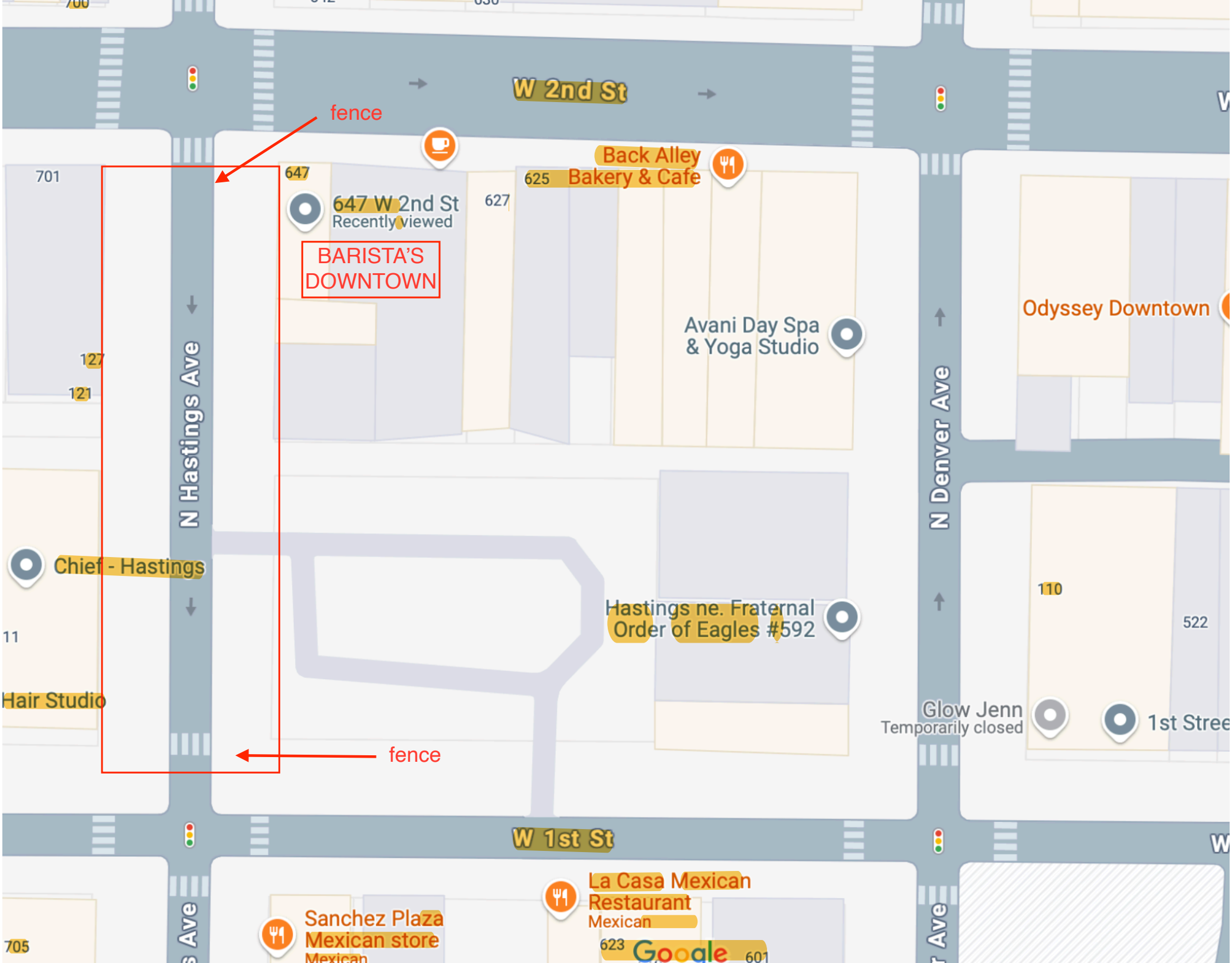
03-26-2025
Date

****

Official Office Use Only

Authorized Signature – City of Hastings

Date of Council Approval


W 2nd St
fence
701
647
647 W 2nd St
Recently viewed
BARISTA'S
DOWNTOWN
627
625
Back Alley
Bakery & Cafe
Avani Day Spa
& Yoga Studio
Odyssey Downtown
N Hastings Ave
N Denver Ave
127
121
Chief - Hastings
11
Hair Studio
Hastings ne. Fraternal
Order of Eagles #592
110
522
Glow Jenn
Temporarily closed
1st Stree
fence
W 1st St
La Casa Mexican
Restaurant
Mexican
Sanchez Plaza
Mexican store
Mexican
705
623
Google
601

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/28/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: JEB BRANT	
BRANT INSURANCE AGENCY, LLC 725 W 2ND ST HASTINGS, NE 68901	PHONE (A/C. No. Ext): 402-463-3003	FAX (A/C. No): 1-888-334-3003
	E-MAIL ADDRESS: JBRANT@SHELTERINSURANCE.COM	
	INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED JOE KINDIG DBA BARISTAS DOWNTOWN 647 W 2ND ST. HASTINGS, NE 68901	INSURER A: SHELTER INSURANCE COMPANIES	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PROJECT / LOC	X		26-31-8816622-3	01/01/2025	01/01/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS-COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY ANY AUTO X ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTIONS OF OPERATIONS below	N/A					WC STATU-TORY LIMITS / OTH-ER E.L. EACH ACCIDENT E.L. DISEASE-EA EMPLOYEE E.L. DISEASE-POLICY LIMIT	$ $ $
A	LIQUOR LIABILITY	X		26-31-8816622-3	01/01/2025	01/01/2026	LIMIT $1,000,000	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

SUMMER SOUNDS COVERAGE DATES 5/32/25 AND 7/31/25
CERTIFICATE HOLDER IS ADDITIONAL INSURED FOR GENERAL LIABILITY AND LIQUOR LIABILITY IF REQUIRED BY WRITTEN CONTRACT EXECUTED PRIOR TO LOSS. PRIMARY AND NONCONTRIBUTORY STATUS IS GOVERNED BY THE TERMS AND CONDITIONS OF THE INSURANCE POLICIES OF ALL PARTIES TO CONTRACT. WAIVER OF SUBROGATION APPLIES FOR GENERAL LIABILITY, AUTO LIABILITY, UMBRELLA LIABILITY, AND WORKERS COMPENSATION IF REQUIRED BY WRITTEN CONTRACT EXECUTED PRIOR TO LOSS.

CERTIFICATE HOLDER	CANCELLATION
CITY OF HASTINGS	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE

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SDL – LOCAL RECOMMENDATION

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL:
WEBSITE:

154901 — License #

Barista's of Hastings LLC — Licensee Name/Non-Profit Organization

Event location name: Barista's Downtown

Event address/location: 647 W 2nd Street, Hastings, NE 68901

Event Type: Summer Sounds, Outdoor Concert Series

Event date(s):	May 31, 2025	July 31, 2025			
Event start time(s):	4:00pm	4:00pm			
Event end time(s):	11:00pm	11:00pm			

Indoor area to be licensed in length & width: 49' x 21'

Outdoor area to be licensed in length & width: 300' x 100' (Must submit a diagram)

Estimated number of attendees: 300

Alternate dates/times: N/A

Alternate location name/location: N/A

Type of alcohol to be served: Beer X Wine X Distilled Spirits X

Event contact name: Joe Kindig Event contact phone number: 402-469-6772

Event contact Email: baristasofhastingse@gmail.com

*Signature Authorized Representative: Joe Kindig

Local Governing Body completes below:

The local governing body for the City of _____ OR
County of _____ approves the issuance of a Special Designated License as requested above.

_____ Local Governing Body Authorized Signature

_____ Date

LICENSE AGREEMENT FOR USE OF A PORTION OF PUBLIC STREET

THIS AGREEMENT, made and entered into this _____ day of _____, 2025, by and between the City of Hastings, Nebraska, a municipal corporation, hereinafter referred to as "City", and Barista's of Hastings, L.L.C., a Nebraska Limited Liability Company, d/b/a "Barista's Downtown", hereinafter referred to as "Barista's", WITNESSETH:

WHEREAS, Barista's has applied for a Special Designated Liquor License with the Nebraska Liquor Control Commission to be able to serve alcohol, beer and wine between the hours of 4:00 p.m. to 11:00 p.m. within the public street right-of-way of North Hastings Avenue between 1st Street and 2nd Street, located within the City of Hastings, Nebraska, on Saturday, May 31, 2025, in conjunction with an event to be known as "Summer Sounds Outdoor Concert Series"; and

WHEREAS, Section 8-107 of the Hastings City Code provides that alcoholic beverages may be served during community sponsored events on a portion of public streets within the downtown area subject to this issuance of a Special Designated License therefore issued by the Nebraska Liquor Control Commission and with a license agreement to do so with the City; and

WHEREAS, "Summer Sounds Outdoor Concert Series" is an event sponsored by Barista's; and

WHEREAS, Barista's is currently the holder of a Class "C" liquor license, License #C-154901, within the City of Hastings, Nebraska, and desires to serve alcohol, wine and beer during the "Summer Sounds Outdoor Concert Series" event as set forth above;

NOW, THEREFORE, in consideration of the foregoing recitals and the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. City hereby grants Barista's a license to occupy that portion of the public street on North Hastings Avenue between 1st Street and 2nd Street, located within the City of Hastings, Nebraska, as shown on the attached Exhibit "A" for the purpose of having a concert, food and to serve alcohol, wine and beer between the hours of 4:00 p.m. and 11:00 p.m. on Saturday, May 31, 2025, subject to the following conditions:

A. Barista's obtains a Special Designated License from the Nebraska Liquor Control Commission for the portions of North Hastings Avenue for the times set forth above prior to May 31, 2025.

B. Barista's provides and erects double fencing or other acceptable barriers as required by the Nebraska Liquor Control Commission for the "Summer Sounds Outdoor Concert Series" event.

C. Barista's shall be responsible for the removal of said fencing or barriers at the conclusion of the time set forth in the Special Designated License and repairing any damage as a result of the erection of the fencing or barriers.

D. Barista's at the conclusion of the "Summer Sounds Outdoor Concert Series" event shall be responsible for the removal of all tables and chairs or benches used in conjunction with the event, and for the removal of all litter, waste and garbage from the area of the event.

2. In consideration of City granting the aforementioned license, Barista's agrees to provide City with a certificate of liability insurance in the minimum amount of a combined single limit of Two Million Dollars ($2,000,000.00) with City named as an additional named insured at the time Barista's obtains its Special Designated Permit prior to May 31, 2025. General liability insurance shall be primary and noncontributing and include a waiver of subrogation. The policy issued shall cover all activities sponsored by Barista's for the event and shall include liquor liability coverage. In the event said certificate of insurance is not received by

City prior to May 31, 2025, the license granted hereunder shall be null and void and without force or effect. In addition, Barista's agrees to indemnify and hold City harmless for any and all liability associated with or arising out of Barista's conduct and operation of the "Summer Sounds Outdoor Concert Series" event and alcohol services as provided for herein and the related closure of the street, including set up and removal activities related to the event.

3. Barista's agrees and understands that the license granted by this Agreement is only for May 31, 2025, between the hours of 4:00 p.m. and 11:00 p.m., and shall immediately expire and be no longer valid as of 11:01 p.m. on May 31, 2025.

4. Barista's further agrees and understands that the license granted by City hereunder is purely a personal right granted to Barista's and to Barista's alone and may not be assigned or transferred to any third party.

IN WITNESS WHEREOF, the parties hereto have executed the foregoing License Agreement in duplicate the day and year first above written.

City of Hastings, Nebraska, a municipal corporation

By _____
George J.J. Beckby, Mayor

ATTEST:

_____
Tyler Ficken, City Clerk

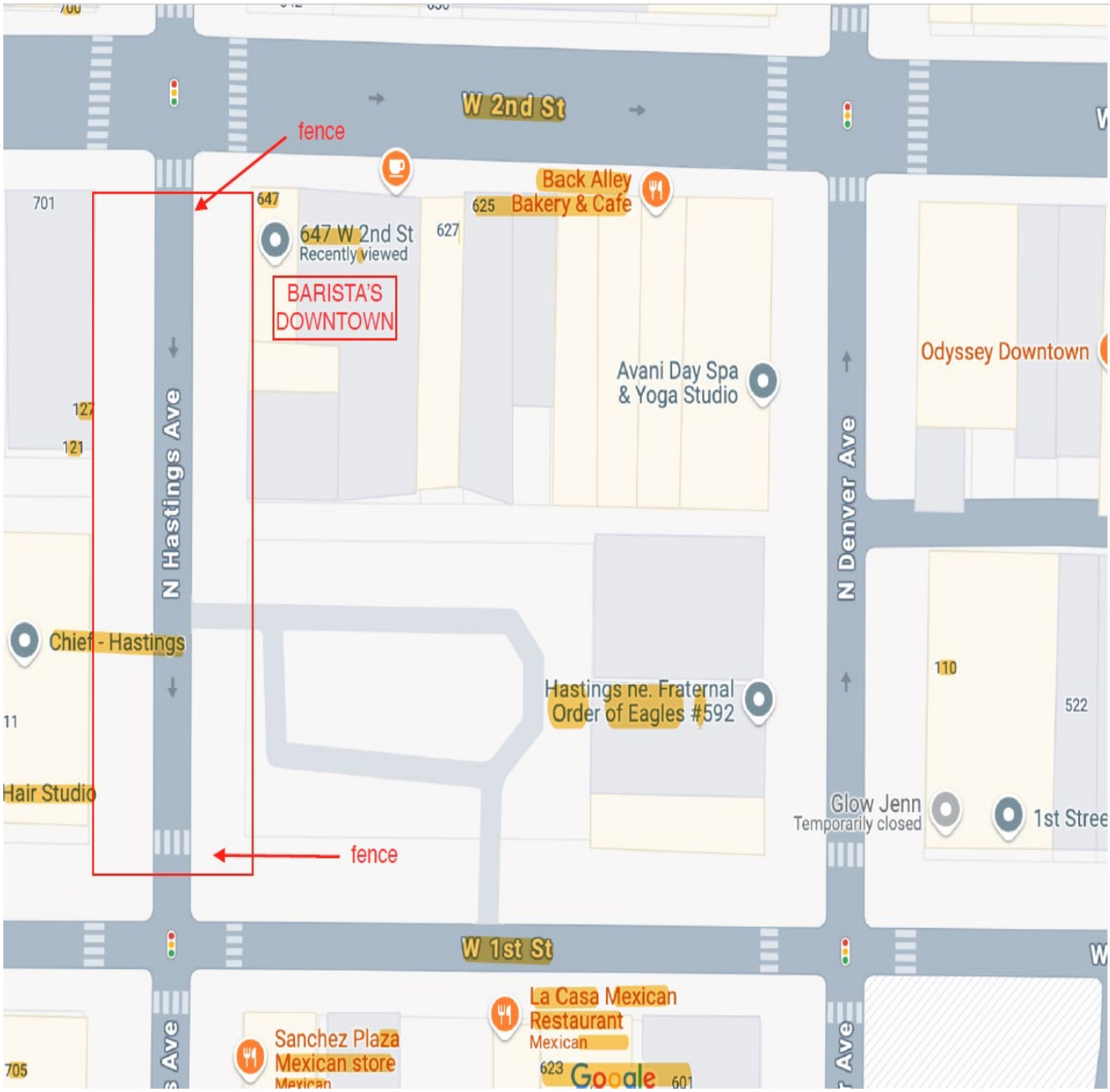
(S E A L)

Approved as to form: _____
Jesse Oswald, City Attorney

Barista's of Hastings, L.L.C, a Nebraska Limited Liability Company, d/b/a "Barista's Downtown"

By_____
Managing Member

Exhibit “A”


W 2nd St
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647 W 2nd St
Recently viewed
BARISTA'S
DOWNTOWN
627
Back Alley
625 Bakery & Cafe
Avani Day Spa
& Yoga Studio
Odyssey Downtown
N Hastings Ave
N Denver Ave
127
121
Chief - Hastings
11
Hastings ne. Fraternal
Order of Eagles #592
110
522
Hair Studio
Glow Jenn
Temporarily closed
1st Stree
fence
W 1st St
La Casa Mexican
Restaurant
Mexican
623
Google
601
Sanchez Plaza
Mexican store
Mexican
705

LICENSE AGREEMENT FOR USE OF A PORTION OF PUBLIC STREET

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City of Hastings, Nebraska, a municipal corporation

By _____
George J.J. Beckby, Mayor

ATTEST:

_____
Tyler Ficken, City Clerk

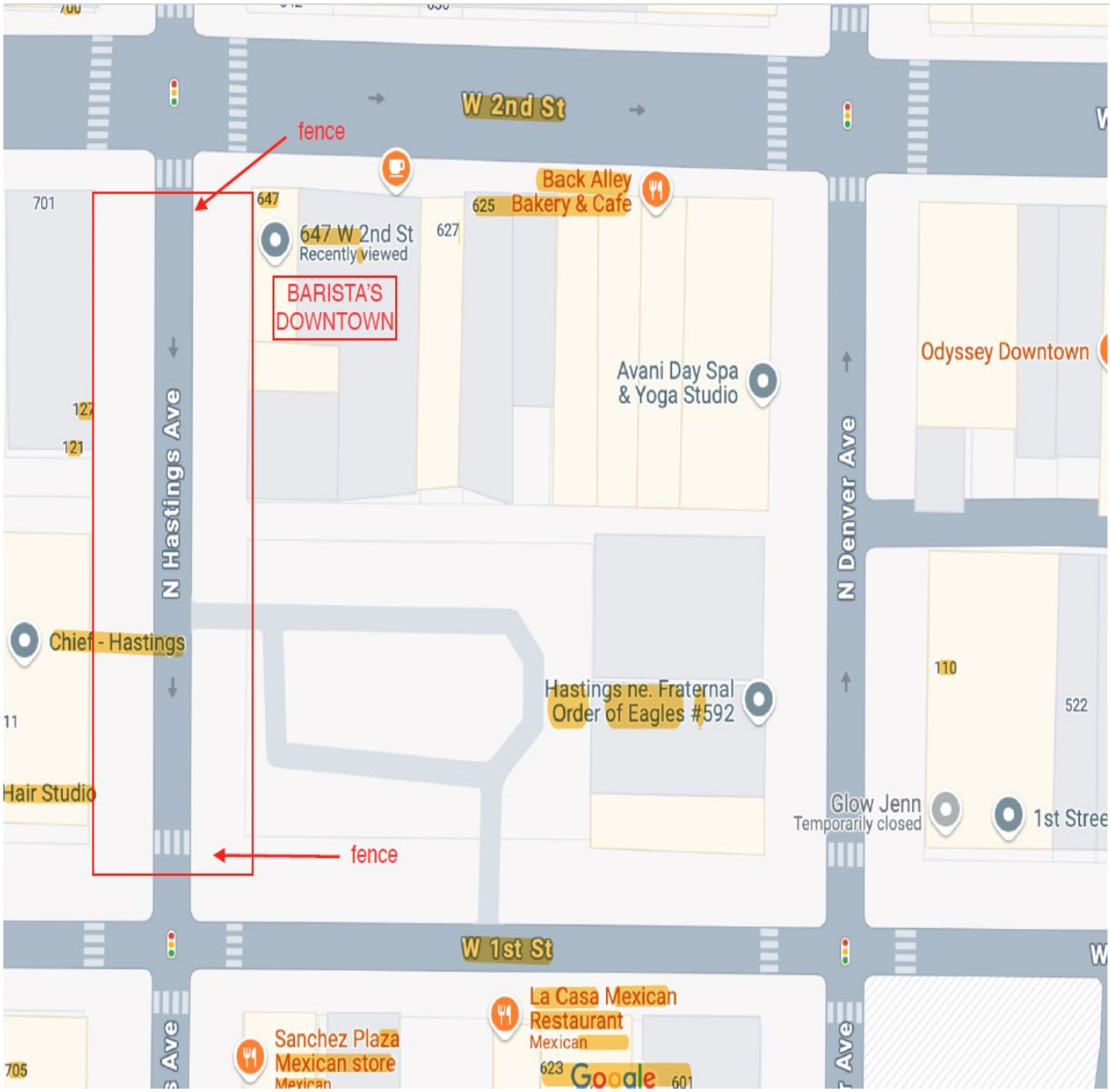
(S E A L)

Approved as to form: _____
Jesse Oswald, City Attorney

Barista's of Hastings, L.L.C, a Nebraska Limited Liability Company, d/b/a "Barista's Downtown"

By_____
Managing Member

Exhibit “A”


W 2nd St
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fence
W 1st St
La Casa Mexican
Restaurant
Mexican
623
Google
601
Sanchez Plaza
Mexican store
Mexican
705

HU Form No. 34

Date: 1/22/25
BK

WORK ORDER ENGINEERING ESTIMATE
HASTINGS UTILITIES
HASTINGS, NEBRASKA

Name of Department: GAS
Subaccount(s): 359,360,361,362,364

Work Order No.: GA-375
Budget Item No.: 1.09 2024/2025
Budget Item Amt: $850,000

DESCRIPTION AND LOCATION:
Replacement and Relocation of Existing Gas Main and Services that are in conflict with NDOR Hastings Southeast Project No. S-6-4(1022): J Street/ U.S. Highway #6 from Elm Avenue to South Street; and South Street from Elm Avenue to Showboat Boulevard.

PURPOSE OF WORK IMPROVEMENT:

NDOR Hastings Southeast Project No. S-6-4(1022), CN 41086

CONTRIBUTIONS/REMARKS:

Estimated Cost	Amount	Attached Map or DWG No.: G-678
1. Material to be Purchased	$0.00	Sheet No.: 1 of 8
2. Material from Stock	89,154.56	Date Work to be Started:
3. Labor	420,200.00	Date Work to be Finished:
4. Truck Usage	0.00	Checked By: Date
5. Equipment Usage	26,849.85	Ed Fleharty (Mar 18, 2025 09:12 CDT)
6. Third Party Testing for Beltline	25,000.00	Checked By: Date
7.		Tyler Waite
8.		Approved By: Date
SUBTOTAL	$561,204.41	Lee Vrooman (Mar 20, 2025 13:14 CDT)
Administrative @ 8%	44,896.35	Director of Engineering
Contingency @ 20%	112,240.88	Approved By: Date
SUBTOTAL	$718,341.64	
Less Developer Contribution	(574,673.31)	Hastings City Council
		Authorized By: Date
		Derek Zeis (Mar 20, 2025 13:34 CDT)
TOTAL ESTIMATED COST OF WORK ORDER	$143,668.33	Manager

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: GA-375
B.I. No.: 1.09
B.I. Yr.: 2024/2025

LABOR AND EQUIPMENT ESTIMATE

Classification of Labor or Equipment to be Used		No of Hr/Mi/Ft	Cost Per Unit	Subtotal	Total Cost
LABOR:	Engineering Department ($75)	600	75.00	45,000.00	
	Gas Department	5600	67.00	375,200.00	
			TOTAL - LABOR		$420,200.00
TRUCKS:				0.00	
				0.00	
				0.00	
				0.00	
				0.00	
				0.00	
			TOTAL - TRUCKS USAGE		$0.00
EQUIPMENT					
	Air Compressor (Hours)	100	6.45	645.00	
	Backhoe (Hours)	100	60.50	6,050.00	
	Boring Machine or Bore (Feet)	6672	1.55	10,341.60	
	Trench (Feet)	641	5.15	3,301.15	
	Hydra Tamp (Hours)	20	154.50	3,090.00	
	Spoil Vac (Hours)	34	100.65	3,422.10	
			TOTAL - EQUIPMENT USAGE		$26,849.85
Less Developer Contribution					$447,049.85

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
974	FT	023-07-04	Yellow 6" Warning Tape-Gas	0.03	29.22	
6039	FT	072-05-12	12 SOL 600V THNN Yellow Cable	0.19	1,147.41	
6	EA	089-07-09	TC Omniprime Coat	71.03	426.18	
10	EA	097-09-03	3" Tapecoat 20	27.71	277.10	
31	EA	097-09-06	6" Tapecoat 20	95.99	2,975.69	
6	EA	097-09-22	T-Tape Gray-PE-2"	16.46	98.76	
4	EA	097-09-24	T-Tape Gray-PE-4"	38.96	155.84	
2	FT	113-05-03	PVC White Pipe 1 DMV	0.32	0.64	
6	FT	113-05-05	PVC White Pipe 1.5 DMV	1.27	7.62	
26	FT	113-05-06	PVC White Pipe 2 DMV	1.76	45.76	
4	FT	113-05-09	PVC White Pipe 4 DMV	1.77	7.08	
6039	FT	601-00-01	1/2" CTS PE Pipe	0.47	2,838.33	
555	FT	601-00-02	3/4" IPS PE Pipe	0.60	333.00	
170	FT	601-00-03	1" IPS PE Pipe	0.42	71.40	
			TOTAL		$8,414.03	$ -

Estimated By: Keever Date: 1/22/25

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: GA-375

B.I. No.: 1.09

B.I. Yr.: 2024/2025

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
1205	FT	601-00-04	1 1/4" IPS PE Pipe	0.89	1,072.45	
1451	FT	601-00-06	2" IPS PE Pipe	1.35	1,958.85	
2658	FT	601-00-10	4" IPS Poly Length Pipe-40	4.62	12,279.96	
100	FT	601-02-04	1.25" STD. Wrppd. Pipe	5.81	581.00	
50	FT	601-02-10	4" STD. Wrppd. Pipe	6.55	327.50	
1758	FT	601-02-12	8" Steel Wrppd. Pipe	18.06	31,749.48	
8	FT	601-10-03	Poly Ball Valve-BFE 3/4	20.84	166.72	
7	EA	601-10-05	Poly Ball Valve-BFE 1 1/4	51.31	359.17	
4	EA	601-10-07	Poly Ball Valve-BFE 2	77.23	308.92	
4	EA	601-10-11	Poly Ball Valve-BFE 4	187.23	748.92	
8	EA	619-01-10	Gas Service Stop Locking 1¼	33.10	264.80	
1	EA	619-01-12	Gas Service Stop W/DB lock 2"	107.84	107.84	
3	EA	619-07-03	1 1/4" No Blo Valve Tee	86.10	258.30	
14	EA	620-05-05	Meter Post 5'	64.01	896.14	
4	EA	621-02-35	1.25 S to PE Transition	32.13	128.52	
1	EA	621-02-38	Transition 2 S to PE	52.55	52.55	
6	EA	621-02-42	Transition 4 S to PE	193.15	1,158.90	
1	EA	621-11-04	1 1/4 IPS EF Coupling	9.15	9.15	
9	EA	621-11-06	2 IPS EF Coupling	13.38	120.42	
15	EA	621-11-10	EF Coupling 4 IPS	26.93	403.95	
8	EA	622-00-03	Excess Flow Device 3/4" MED Cap	17.02	136.16	
1	EA	622-01-05	3/4 IPS BF CAP	5.67	5.67	
1	EA	622-01-07	BF Pipe CAP 1.25 IPS	3.82	3.82	
1	EA	622-01-10	BF Pipe CAP 2 IPS	2.81	2.81	
1	EA	622-01-12	BF Pipe CAP 4 IPS	11.43	11.43	
4	EA	622-02-06	BF Ellbow 1 1/4 90 IPS	6.26	25.04	
11	EA	622-02-08	BF Ellbow 2 90 IPS	7.37	81.07	
31	EA	622-02-12	BF Ellbow 4 90 IPS	19.40	601.40	
2	EA	622-03-10	2x1 1/4 BF Reducer	5.84	11.68	
2	EA	622-03-19	BF Reducer 4x2 IPS	14.71	29.42	
1	EA	622-04-03	Molded BF ¾ IPS Tee	5.92	5.92	
1	EA	622-04-08	Molded BF 2 IPS Tee	6.97	6.97	
4	EA	622-04-12	Molded BF 4 IPS Tee	30.88	123.52	
1	EA	622-09-03	1 1/4x3/4 IPS BF Tap Tee	10.43	10.43	
5	EA	622-10-03	2 x3/4 IPS BF Tap Tee	7.84	39.20	
5	EA	622-10-05	2x1 1/4 BF Tap Tee	13.37	66.85	
					-	
			Total Page 3		$54,114.93	$ -
			Total Page 2 Brt Fwd		$ 8,414.03	$ -
					-	
			TOTAL (Pages 2 & 3)		$62,528.96	$ -

Estimated By: Keever Date: 1/22/25 Page 3

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: GA-375

B.I. No.: 1.09

B.I. Yr.: 2024/2025

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
2	EA	622-20-03	BF Tap Tee 4x ¾ IPS	9.06	18.12	
2	EA	622-20-05	BF Tap Tee 4x1¼ IPS	13.89	27.78	
4	EA	625-04-04	4" 90 EH Weld Ell	24.06	96.24	
12	EA	625-04-28	8" 90 EH-LR Weld Ell	473.95	5,687.40	
2	EA	625-09-01	1.25" Weld Cap	15.47	30.94	
2	EA	625-09-06	4" Weld Cap	20.71	41.42	
1	EA	625-20-22	2x1.25 Welding Reducer	19.33	19.33	
4	EA	629-02-04	4" Gas Box Lid	4.77	19.08	
17	EA	629-03-07	Curb Service Box 34-54 2½	68.71	1,168.07	
8	EA	629-04-05	5.25 Curb Service Box 39-51	53.30	426.40	
8	EA	629-10-01	3/4 Valve Support	7.93	63.44	
9	EA	629-10-03	1 1/4 Valve Support	12.88	115.92	
4	EA	629-10-04	Valve Support 2-3	10.76	43.04	
4	EA	629-10-05	Valve Support 4	21.13	84.52	
2	EA	647-02-10	Shortstop Weld Fitting 4	437.96	875.92	
1	EA	647-03-06	2"-3 way Shortstop Weld Fitting	267.74	267.74	
7	EA	648-01-01	3/4x1 B42R Regulator	34.17	239.19	
8	EA	648-02-02	1 1/4 B42R Regulator	25.20	201.60	
18	EA	650-10-01	Foam	36.63	659.34	
3	EA	650-25-03	3# Anode	39.51	118.53	
1	EA	650-25-17	17# Anode	150.67	150.67	
6	EA	650-25-32	32# Anode	109.86	659.16	
8	EA	650-25-48	48# Anode	173.56	1,388.48	
41	EA	660-01-10	5 Gallon Jug E Z Mud	163.20	6,691.20	
182	EA	660-01-12	Bore Gel 50# bag	10.12	1,841.84	
21	EA	660-01-20	Soda Ash	27.26	572.46	
37	EA	660-02-01	5 Gal Con Det	80.80	2,989.60	
25	EA	919-03-01	STEEL PLATE ¼x12x12	8.13	203.25	
7	EA	619-01-03	3/4" Gas Service Stop	33.95	237.65	
6	EA	620-34-34	Meter Riser PE3408 36x36x3/4x3/4	35.01	210.06	
6	EA	620-34-14	34x34x1 1/4 Riser PE3408	64.57	387.42	
12	EA	620-24-01	1" Anodeless Riser	31.53	378.36	
1	EA	620-34-20	35x13x2 Riser PE3408	178.78	178.78	
3	EA	619-01-00	1/4" Gas Service Stop	13.64	40.92	
3	EA	425-02-05	Standard Black Nipple 1/4"x3" Threaded	0.98	2.94	
3	EA	625-05-00	Welding Tee 1"	18.17	54.51	
					-	
			Total Page 4		$ 26,191.32	$ -
			Total Page 2 and 3 Brt Fwd		$ 62,528.96	$ -
					-	
			TOTAL (Pages 2, 3, 4)		$ 88,720.28	$ -

Estimated By: Keever Date: 1/22/25 Page 4

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: GA-375

B.I. No.: 1.09

B.I. Yr.: 2024/2025

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
6	FT		1" Black Pipe	6.50	39.00	
6	EA	625-02-00	Welding Elbow 1"-90	9.44	56.64	
6	EA	425-06-03	Standard Black Nipple 1"x2-1/2" Threaded	1.09	6.54	
6	EA	620-03-22	1x1x1A Vert Bar w/valve	47.19	283.14	
3	EA	425-06-08	Standard Black Nipple 1"x5" Threaded	2.15	6.45	
3	EA	620-01-02	INSULATED UNION END 49914 1"	4.17	12.51	
1	EA		BF Tap Tee 4x2 IPS	30.00	30.00	
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			Total Page 5		$ 434.28	$ -
			Total Page 4 Brt Fwd		$ 88,720.28	$ -
			TOTAL (Page 2, 3, 4, 5)		$ 89,154.56	$ -

Estimated By: Keever Date: 1/22/25 Page 5

Work Order GA-375

Final Audit Report 2025-03-20

Created:	2025-03-17
By:	Renae Griess (rgriess@cityofhastings.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAADZcuGWcyaNTrQcCrUnIwaYb8PDQusxVo

"Work Order GA-375" History

Document created by Renae Griess (rgriess@cityofhastings.org)
2025-03-17 - 9:04:19 PM GMT

Document emailed to efleharty@cityofhastings.org for signature
2025-03-17 - 9:05:28 PM GMT

Email viewed by efleharty@cityofhastings.org
2025-03-17 - 9:06:28 PM GMT

Signer efleharty@cityofhastings.org entered name at signing as Ed Fleharty
2025-03-18 - 2:12:43 PM GMT

Document e-signed by Ed Fleharty (efleharty@cityofhastings.org)
Signature Date: 2025-03-18 - 2:12:45 PM GMT - Time Source: server

Document emailed to Tyler Waite (twaite@cityofhastings.org) for signature
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Email viewed by Tyler Waite (twaite@cityofhastings.org)
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Document e-signed by Tyler Waite (twaite@cityofhastings.org)
Signature Date: 2025-03-18 - 6:07:13 PM GMT - Time Source: server

Document emailed to lvrooman@cityofhastings.org for signature
2025-03-18 - 6:07:14 PM GMT

Email viewed by lvrooman@cityofhastings.org
2025-03-18 - 6:09:12 PM GMT

Signer lvrooman@cityofhastings.org entered name at signing as Lee Vrooman
2025-03-20 - 6:14:55 PM GMT

Document e-signed by Lee Vrooman (lvrooman@cityofhastings.org)
Signature Date: 2025-03-20 - 6:14:57 PM GMT - Time Source: server

Document emailed to Derek Zeisler (dzeisler@cityofhastings.org) for signature
2025-03-20 - 6:14:59 PM GMT

Email viewed by Derek Zeisler (dzeisler@cityofhastings.org)
2025-03-20 - 6:15:40 PM GMT

Document e-signed by Derek Zeisler (dzeisler@cityofhastings.org)
Signature Date: 2025-03-20 - 6:34:33 PM GMT - Time Source: server

Agreement completed.
2025-03-20 - 6:34:33 PM GMT

Adobe Acrobat Sign

Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE
HASTINGS UTILITIES
HASTINGS, NEBRASKA

Name of Department: Electric

Subaccount(s): 364, 365, 366, 367, 368, 369, 370, 397

Prepared by: T. Waite

Work Order No.: EL-385

Budget Item No.: 2.51 2024/2025

Budget Item Amt.: 3,100,000

DESCRIPTION AND LOCATION:

NDOT Hastings Southeast Project 6-4(1022) Electric Line Relocation

PURPOSE OF WORK IMPROVEMENT:

State Highway Project along Elm from J Street to 2nd Street and along South Street from Delaware Avenue to the Union Pacific Railroad

CONTRIBUTIONS/REMARKS:

State project forcing relocations of power lines. Will have to coordinate with Allo, OPTK, Spectrum, and Windstream.

Estimated Cost	Amount		
1. Material to be Purchased	$0.00	Attached Map or DWG No.: / Sheet No.:	E-UD-673 / 1-41
2. Material from Stock	2,412,540.91	Date Work to be Started:	3/17/25
3. Labor	980,920.00	Date Work to be Finished:	4/30/2026
4. Truck Usage	356,274.00	Checked By:	
5. Equipment Usage	197,791.40	Jeff Campbell (Mar 17, 2025 14:39 CDT)	
6. Contract Amount		Checked By:	
7. Easement Acquisition	3,000.00	Tyler Waite	
8.		Approved By:	
SUBTOTAL	$3,950,526.31	Lee Vrooman (Mar 17, 2025 15:09 CDT)	
20% Contingency	790,105.26	Director of Engineering	
8% Admin/Indirect Charges (Salarie Labor/Office Supp	316,042.10	Approved By:	
SUBTOTAL	$5,056,673.68		
Less 80% Reimbursement from NDOT	(4,045,338.94)	Hastings City Council	
		Authorized By:	
		Derek Zeisler (Mar 18, 2025 08:54 CDT)	
TOTAL ESTIMATED COST OF WORK ORDER	$1,011,334.74	Manager	

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51

B.I. Yr.: 24/25

LABOR AND EQUIPMENT ESTIMATE

Classification of Labor or Equipment to be Used		No of Hr/Mi/Ft	Cost Per Unit	Subtotal	Total Cost
LABOR:	Engineering Department ($50)	520	75.00	39,000.00	
	Electric Department	9280	68.00	631,040.00	
	Gas Department	4640	67.00	310,880.00	
			TOTAL - LABOR		$980,920.00
TRUCKS:	Trucks 22 & 23 (Hours)	720	281.65	202,788.00	
	Trucks 24 & 28 (Hours)	720	177.15	127,548.00	
	Trucks 25 & 26 (Hours)	360	72.05	25,938.00	
	Truck (Hours)			0.00	
				0.00	
				0.00	
			TOTAL - TRUCKS USAGE		$356,274.00
EQUIPMENT	Air Compressor (Hours)	140	40.85	5,719.00	
	Backhoe (Hours)	1250	75.65	94,562.50	
	Boring Machine or Bore (Feet)	17051	1.90	32,396.90	
	Packer (Hours)	0	12.50	0.00	
	Trench (Feet)	0	5.00	0.00	
	Skid Steer	0	125.00	0.00	
	Hydra Tamp (Hours)	220	193.00	42,460.00	
	Spoil Vac (Hours)	180	125.85	22,653.00	
			TOTAL - EQUIPMENT USAGE		$197,791.40
TOTAL COST ALL LABOR AND EQUIPMENT ESTIMATE					$1,534,985.40

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
11	ea.	001-02-13	1/2" x 14" Galvanized Machine Bolts	1.12	12.32	
97	ea.	001-03-11	5/8" x 10" Galvanized Machine Bolts	1.29	125.13	
346	ea.	001-03-12	5/8" x 12" Galvanized Machine Bolts	1.85	640.10	
72	ea.	001-03-13	5/8" x 14" Galvanized Machine Bolts	2.07	149.04	
24	ea.	001-03-14	5/8" x 16" Galvanized Machine Bolts	2.71	65.04	
5	ea.	001-03-18	5/8" x 24" Galvanized Machine Bolts	2.96	14.80	
4	ea.	001-04-10	3/4" x 10" Galvanized Machine Bolts	3.87	15.48	
89	ea.	001-04-12	3/4" x 12" Galvanized Machine Bolts	3.37	299.93	
14	ea.	001-04-13	3/4" x 14" Galvanized Machine Bolts	2.52	35.28	
3	ea.	001-04-15	3/4" x 18" Galvanized Machine Bolts	2.02	6.06	
3	ea.	001-06-06	5/8" x 24" Galvanized D.A. Bolts	7.78	23.34	
1	ea.	001-19-02	5/8" x 10" Angled Thimble Eyebolt	3.71	3.71	
7	ea.	001-22-03	5/8" x 12" Galvanized D.U.	6.39	44.73	
161	ea.	002-02-02	1/2" x 4" Lag Bolts	0.64	103.04	
1	ea.	004-02-00	Lift Plate	1.02	1.02	
51	ea.	004-11-01	Guy Rollers	3.08	157.08	
			TOTAL		$ 1,696.10	$ -

Estimated By: T. Waite Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
843	ea.	005-01-03	2 1/4" Square Washers	0.51	429.93	
122	ea.	005-02-05	4" x 4" Curved Washers	2.33	284.26	
139	ea.	006-04-02	5/8" Galvanzed Eyenuts	1.75	243.25	
15	ea.	006-04-04	3/4" Galvanized Eyenuts	2.00	30.00	
11	ea.	007-03-02	1/2" Square Locknuts	0.25	2.75	
464	ea.	007-03-03	5/8" Square Locknuts	0.31	143.84	
105	ea.	007-03-04	3/4" Square Locknuts	0.62	65.10	
17	ea.	008-02-03	Double Downguy Clamp	2.35	39.95	
9	ea.	008-03-06	3/8" Guy Grips	2.56	23.04	
34	ea.	008-03-07	7/16" Guy Grips	4.62	157.08	
5	ea.	008-04-06	3/8" Guy Strandvise	18.49	92.45	
34	ea.	008-04-07	7/16" Guy Strandvise	40.73	1,384.82	
40	ea.	011-05-36	Fiberglass Strain Insulators	38.24	1,529.60	
27	ea.	012-01-11	TS-1 Stirrups	8.69	234.63	
5	ea.	012-01-14	BA3-15 Spacer Angle Brackets	249.03	1,245.15	
6	ea.	012-01-20	21P Double Insulator Plates	16.90	101.40	
3	ea.	012-01-35	BD-35 Spacer Deadend Brackets	290.67	872.01	
51	ea.	012-02-01	Deadend Thimble Clevices	9.97	508.47	
34	ea.	012-02-09	BM-24 Messenger Brackets	131.49	4,470.66	
15	ea.	012-02-12	BAS-24 Anti-Sway Brackets	24.61	369.15	
1	ea.	012-03-12	BV-35 Vertical Tap Bracket	110.24	110.24	
9	ea.	014-02-01	Guying Plates	71.21	640.89	
3	ea.	018-04-02	3/4" x 10" Single Helix Anchor	43.87	131.61	
30	ea.	018-06-02	3/4" x 10" Twin Helix Anchors	100.16	3,004.80	
4	ea.	018-08-11	3/4" Twin Eyenuts	6.96	27.84	
29	ea.	018-08-21	3/4" Triple Eyenut	6.28	182.12	
12	ea.	018-10-02	3/4" x 7' Anchor Rods	28.22	338.64	
21	ea.	018-11-02	1" x 7' Anchor Rods	34.11	716.31	
119	ea.	019-09-06	5/8" x 10' Ground Rods	18.26	2,172.94	
119	ea.	020-02-03	5/8" Ground Clamps	2.02	240.38	
44	ea.	021-01-04	Ground Wire Moldings	17.12	753.28	
33	ea.	022-01-02	Guy Guards	5.61	185.13	
129	ea.	022-02-01	Wildlife Guards	6.59	850.11	
176	ea.	023-03-04	Molding Staples	1.36	239.36	
1000	ea.	023-07-03	Red Warning Tape	0.04	40.00	
46	ea.	024-01-02	Insulator Pins	5.60	257.60	
			Total Page 3		$ 22,118.79	$ -
			Total Page 2 Brt Fwd		$ 1,696.10	$ -
					-	
			TOTAL (Pages 2 & 3)		$ 23,814.89	$ -

Estimated By: T. Waite Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
29	ea.	024-02-01	Short-Shank Insulator Pins	7.82	226.78	
6	ea.	025-02-02	Pole Top Pin	6.76	40.56	
6	ea.	032-02-02	Neutral Spool Insulator	1.09	6.54	
32	ea.	033-04-05	#6 Service Brackets	5.42	173.44	
67	ea.	033-04-06	#2 Service Brackets	10.91	730.97	
18	ea.	033-04-08	2/0 Service Brackets	9.44	169.92	
1	ea.	039-02-03	Neutral Pin Insulator	0.13	0.13	
80	ea.	039-03-01	15KV Polymer Insulators	4.77	381.60	
144	ea.	039-17-02	RTL-15 Cable Spacer Brackets	20.55	2,959.20	
97	ea.	040-02-01	15KV Deadend Insulators	16.68	1,617.96	
56	ea.	041-06-01	Deadend Clamps	5.80	324.80	
15	ea.	041-06-52	052 Preformed Deadends	20.28	304.20	
33	ea.	041-06-56	556.5 Plastic-Coated Preformed Deadends	31.76	1,048.08	
28	ea.	041-09-03	Deadend Clamps	7.54	211.12	
3	ea.	042-14-02	WR-9 Compression Connectors	0.30	0.90	
6	ea.	042-14-03	WR-159 Compression Connectors	0.35	2.10	
24	ea.	042-22-61	477/477 Wedge Connectors	25.25	606.00	
9	ea.	042-22-62	266.8 to 477 Wedge Connectors	11.87	106.83	
30	ea.	042-27-07	#2 Stirrups	20.21	606.30	
3	ea.	042-27-09	266.8 Stirrups	23.40	70.20	
11	ea.	042-27-13	477 Stirrup	40.08	440.88	
66	ea.	043-08-03	#2 Loadbreak Elbows	34.22	2,258.52	
33	ea.	043-08-10	4/0 15KV Loadbreak Elbows	44.21	1,458.93	
9	ea.	043-10-01	10KV Ground Plugs	28.54	256.86	
3	ea.	043-11-02	3-Unit Module	189.60	568.80	
33	ea.	043-20-15	10KV MOV Surge Arresters	274.40	9,055.20	
8	ea.	043-21-10	10KV Elbow Lightning Arresters	105.39	843.12	
437	ea.	044-01-04	Split-Bolt Ground Connectors	2.83	1,236.71	
32	ea.	044-01-12	Two-Bolt Ground Connectors	39.66	1,269.12	
80	ea.	044-13-01	Hot Line Clamps	12.43	994.40	
10	ea.	044-13-02	Hot Line Clamps	6.80	68.00	
92	ea.	046-01-11	500MCM 600V Two-Bolt Terminal Lugs	10.32	949.44	
18	ea.	046-07-04	Insulated Secondary Connectors	25.64	461.52	
9	ea.	046-07-05	ZQ Series Secondary Connectors	48.20	433.80	
12	ea.	046-07-40	Insulated Secondary Terminal Block	32.93	395.16	
178	ea.	046-08-01	Transformer Ground Connectors	5.25	934.50	
71	ea.	046-10-02	Terminal Lugs	21.75	1,544.25	
1	ea.	049-01-01	1Amp Fuse Link	9.83	9.83	
3	ea.	049-01-03	3Amp Fuse Links	15.33	45.99	
21	ea.	049-01-04	5Amp Fuse Links	4.47	93.87	
			Total Page 4		$ 32,906.53	$ -
			Total Page 2 and 3 Brt Fwd		$ 23,814.89	$ -
					-	
			TOTAL (Pages 2, 3, 4)		$ 56,721.42	$ -

Estimated By: T. Waite Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
23	ea.	049-01-06	10Amp Fuse Links	3.86	88.78	
9	ea.	049-01-08	20Amp Fuse Links	4.27	38.43	
3	ea.	049-01-13	60Amp Fuse Link	11.43	34.29	
3	ea.	049-01-16	100Amp Fuse Links	9.76	29.28	
3	ea.	049-01-18	150Amp Fuse Links	47.79	143.37	
6	ea.	049-01-19	200Amp Fuse Links	62.05	372.30	
7	ea.	049-12-04	8Amp 15KV NX Current Limiting Fuses	167.92	1,175.44	
6	ea.	049-12-05	12Amp 15KV NX Current Limiting Fuses	168.00	1,008.00	
3	ea.	049-12-06	18Amp 15KV NX Current Limiting Fuses	195.78	587.34	
56	ea.	049-18-00	15KV SMU-20 Fuseholders	456.03	25,537.68	
7	ea.	049-18-05	5Amp 15KV SMU-20 Fuse Units	164.48	1,151.36	
10	ea.	049-18-06	10Amp 15KV SMU-20 Fuse Units	216.56	2,165.60	
12	ea.	049-18-08	30Amp 15KV SMU-20 Fuse Units	190.57	2,286.84	
6	ea.	049-18-??	40Amp 15KV SMU-20 Fuse Units	195.00	1,170.00	
3	ea.	049-18-12	80Amp 15KV SMU-20 Fuse Units	196.29	588.87	
15	ea.	049-18-18	200Amp 15KV SMU-20 Fuse Units	189.13	2,836.95	
56	ea.	055-01-01	100Amp 15KV Cutouts	78.13	4,375.28	
3	ea.	055-01-02	200Amp 15kv Cutouts	205.71	617.13	
9	ea.	055-02-02	300Amp 15KV Solid Disconnects	193.20	1,738.80	
24	ea.	061-02-09	600Amp 15KV Solid Disconnects	459.40	11,025.60	
8	ea.	062-05-10	900Amp 15KV 3Ph Vertical Loadbreak Switch	4,381.11	35,048.88	
12	ea.	066-02-01	3KV Lightning Arresters	40.21	482.52	
66	ea.	066-04-04	10KV Polymer Lightning Arresters	42.71	2,818.86	
57	ea.	066-04-10	10KV Riser Pole Lightning Arresters	63.26	3,605.82	
3,255	ft.	068-01-04	#4 Bare Copper Ground Wire	0.80	2,604.00	
400	ft.	069-18-02	#2 ACSR 6/1 Wire	0.12	48.00	
175	ft.	069-18-27	266.8 ACSR 26/7 Wire	0.46	80.50	
1,080	ft.	069-18-40	4/0 ACSR 6/1 Wire	0.60	648.00	
525	ft.	069-18-48	477MCM ACSR 26/7 Wire	0.80	420.00	
280	ft.	069-19-02	#2 600V Triplex	0.70	196.00	
360	ft.	069-19-10	1/0 600VTriplex	1.98	712.80	
70	ft.	069-19-20	2/0 600V Triplex	0.94	65.80	
150	ft.	069-20-20	2/0 600V Quadraplex	2.74	411.00	
11,610	ft.	069-25-56	556.5 15KV Spacer Cable-Gray	6.84	79,412.40	
20	ft.	070-02-12	12/2 Romax with Ground	0.29	5.80	
200	ft.	072-01-06	#6 600V THHN Copper Wire (White)	0.73	146.00	
60	ft.	072-01-08	#8 600V THHN Copper Wire (White)	0.48	28.80	
360	ft.	072-02-04	#4 600V THHN Copper Wire (Black)	1.02	367.20	
200	ft.	072-02-06	#6 600V THHN Copper Wire (Black)	0.73	146.00	
60	ft.	072-02-08	#8 600V THHN Copper Wire (Black)	0.48	28.80	
880	ft.	072-02-20	2/0 600V THHN Copper Wire	3.40	2,992.00	
2,214	ft.	072-02-25	250MCM 600V THHN Copper Wire (Black)	5.08	11,247.12	
14,945	ft.	072-02-35	350MCM 600V THHN Copper Wire (Black)	7.42	110,891.90	
1,710	ft.	072-02-40	4/0 600V THHN Copper Wire (Black)	4.72	8,071.20	
72	ft.	072-02-50	500MCM 600V THHN Copper Wire (Black)	8.20	590.40	
200	ft.	072-08-10	#10 600V THHN Copper Wire (Green)	0.26	52.00	
60	ft.	072-08-12	#12 600V THHN Copper Wire (Green)	0.48	28.80	
3,030	ft.	074-07-40	4/0 15KV Shielded Copper Power Cable-	9.57	28,997.10	
4,842	ft.	074-07-50	500MCM 15KV Shielded Copper Power Cable	17.25	83,524.50	
32,760	ft.	074-07-75	750MCM 15KV Shielded Copper Power Cable	19.01	622,767.60	
14,687	ft.	077-13-02	#2 15KV Aluminum 220Mil Jacketed Cable	2.86	42,004.82	
			Total Page 5		$ 1,095,415.96	$ -
			Total Page 4 Brt Fwd		$ 56,721.42	$ -
			TOTAL (Page 2, 3, 4, 5)		$ 1,152,137.38	$ -

Estimated By: T. Waite Date: 12/12/24 Page 5

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
8,650	ft.	077-13-40	4/0 15KV Aluminum 220Mil Jacketed Cable	3.67	31,745.50	
320	ft.	078-01-02	#2-#2-#4 600V URD Aluminum Triplex	1.00	320.00	
500	ft.	078-01-20	2/0-2/0-1 600V URD Aluminum Triplex	0.99	495.00	
1,335	ft.	078-01-40	4/0-4/0-2/0 600V URD Aluminum Triplex	2.02	2,696.70	
1,020	ft.	078-02-35	350-350-4/0 600V Aluminum URD Triplex	2.88	2,937.60	
850	ft.	078-02-40	4/0-4/0-4/0-2/0 600V URD Quadraplex	1.73	1,470.50	
2	ea.	087-07-02	#2 ACSR Distribution Support Ties	3.42	6.84	
3	e	087-07-40	4/0 ACSR Distribution Support Ties	4.28	12.84	
12	ea.	087-07-47	477MCM ACSR Distrubtuion Support Ties	3.22	38.64	
4	ea.	087-09-26	266.8 ACSR Spool Ties	3.64	14.56	
1	ea.	087-09-40	4/0 ACSR Spool Tie	1.97	1.97	
2,725	ft.	088-03-05	7/16" Guy Wire	0.76	2,071.00	
285	ft.	088-03-06	3/8" Guy Wire	0.39	111.15	
3,870	ft.	088-09-02	052 Alumweld Messenger Cable	1.28	4,953.60	
69	ea.	089-15-20	Cable Positioners	28.12	1,940.28	
6	ea.	089-15-30	Single-Mount Cutoout/Arrester Brackets	42.24	253.44	
19	ea.	089-15-60	Triple-Mount Cutout/Arester Brackets	134.56	2,556.64	
87	ea.	089-17-02	#2 15KV Termimatics	78.46	6,826.02	
18	ea.	089-17-42	4/0 15KV Copper Termimatics	227.45	4,094.10	
201	ea.	089-17-50	500MCM/750MCM 15KV Copper Termimatics	226.41	45,508.41	
42	ea.	089-50-03	#2 Two-Hole Terminal Lugs	4.18	175.56	
39	ea.	089-51-40	4/0 Two-Hole Terminal Lugs	6.08	237.12	
36	ea.	089-51-50	500MCM Two-Hole Terminal Lugs	30.79	1,108.44	
177	ee	089-51-75	750MCM Two-Hole Terminal Lugs	23.67	4,189.59	
16	ea.	089-52-02	#2 Stem Connectors	12.81	204.96	
12	ea,	089-52-40	4/0 Stem Connectors	30.94	371.28	
138	ea.	097-02-06	Gray Coding Tape	5.78	797.64	
9	ea.	097-03-12	130C High-Voltage Tape	13.03	117.27	
9	ea.	097-04-01	Air-Seal Tape	20.72	186.48	
136	ea.	098-01-02	Wire Pulling Compound	10.64	1,447.04	
15	ea.	098-03-02	PVC Cement	15.15	227.25	
15	ea.	098-04-02	PVC Cleaner	22.04	330.60	
8	ea.	099-03-06	3-Hole Cable Breakout for 4" PVC	88.41	707.28	
15	ea.	099-04-05	4-Hole Cable Breakout for 5" PVC	77.41	1,161.15	
11	ea.	104-02-02	1 1/4" x 2' Street Light Arms	16.82	185.02	
1	ea.	104-02-06	2" x 6' Street Light Arms	46.73	46.73	
2	ea.	105-00-03	Residential LED Street Light Fixtures	113.98	227.96	
2	ea.	111-05-02	Photoeyes for LEDs	16.87	33.74	
10	ft.	113-02-04	1 1/4" Steel Pipe	5.85	58.50	
70	ft.	113-02-06	2" Steel Pipe	5.56	389.20	
90	ft.	113-02-07	2 1/2" Steel Pipe	15.14	1,362.60	
60	ft.	113-02-08	3" Steel Pipe	15.83	949.80	
240	ft.	113-02-10	4" Steel Pipe	8.74	2,097.60	
30	ft.	113-02-11	5" Steel Pipe	41.68	1,250.40	
130	ft.	113-02-12	6" Steel Pipe	62.10	8,073.00	
60	ft.	113-06-04	1 1/4" Sc40 PVC	1.59	95.40	
			Total Page 6		$ 134,086.40	$ -
			Total Page 5 Brt Fwd		$ 1,152,137.38	$ -
			TOTAL (Page 2, 3, 4, 5, 6)		$ 1,286,223.78	$ -

Estimated By: T. Waite Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
380	ft.	113-06-06	2" Sch40 PVC	2.60	988.00	
430	ft.	113-06-07	2 1/2" Sch40 PVC	3.59	1,543.70	
260	ft.	113-06-08	3" Sch40 PVC	5.28	1,372.80	
1600	ft.	113-06-10	4" Sch40 PVC	7.24	11,584.00	
220	ft.	113-06-11	5" Sch40 PVC	8.08	1,777.60	
960	ft.	113-06-12	6" Sc40 PVC	10.13	9,724.80	
5	ft.	113-08-??	1" Sch80 PVC	1.90	9.50	
5	ft.	113-08-00	1 1/4" Sch80 PVC	2.00	10.00	
5	ft.	113-08-07	2 1/2" Sch80 PVC	2.25	11.25	
10	ft.	113-08-11	5" Sch80 PVC	2.83	28.30	
35	ft.	13-10-??	1" Sch40 PVC Polyduct	0.75	26.25	
190	ft.	113-10-04	1 1/4" Sch40 PVC Polyduct	0.85	161.50	
2100	ft.	113-10-06	2" Sch40 PVC Polyduct	0.59	1,239.00	
915	ft.	113-10-07	2 1/2" Sch40 PVC Polyduct	0.93	850.95	
1984	ft.	113-10-08	3" Sch40 PVC Polyduct	4.26	8,451.84	
7905	ft.	113-10-10	4" Sch40 PVC Polyduct	4.87	38,497.35	
1000	ft.	113-10-11	5" Sch40 PVC Polyduct	3.63	3,630.00	
10825	ft.	113-10-12	6" Sch40 PVC Polyduct	6.00	64,950.00	
1	ea.	113-03-04	1 1/4" Steel Elbow-90D Std R	6.57	6.57	
9	ea.	114-03-07	2 1/2" Steel Elbows-90D Std R	20.93	188.37	
6	ea.	114-03-08	3" Steel Elbows-90D Std R	36.22	217.32	
17	ea.	114-03-09	4" Steel Elbows-90D 24" R	82.68	1,405.56	
3	ea.	114-03-11	5" Steel Elbows-90D Std R	293.24	879.72	
13	ea.	114-03-12	6" Steel Elbows-90D Std R	268.25	3,487.25	
6	ea.	114-04-06	2" PVC Elbows-90D Std R	4.06	24.36	
11	ea.	114-04-07	2 1/2" PVC Elbows-90D Std R	9.84	108.24	
1	ea.	114-04-08	3" PVC Elbows-90D Std R	15.70	15.70	
23	ea.	114-04-10	4" PVC Elbows-90D Std R	23.09	531.07	
6	ea.	114-04-11	5" PVC Elbow-90D Std R	94.34	566.04	
1	ea.	114-04-12	6" PVC Elbows-90D Std R	100.00	100.00	
1	ea.	114-06-10	4" Steel Elbow-45D Std R	40.30	40.30	
2	ea.	114-06-11	5" Steel Elbows-45D Std R	120.78	241.56	
2	ea.	114-06-12	6" Steel Elbows-45D Std R	251.87	503.74	
6	ea.	114-10-04	2" Steel Elbows-90D 36" R	62.29	373.74	
8	ea.	114-10-10	4" Steel Elbows-90D 36" R	217.41	1,739.28	
1	ea.	114-11-??	1" Fiberglass Elbow-90D 12" R	58.00	58.00	
4	ea.	114-11-01	1 1/4" Fiberglass Elbows-90D 12" R	61.54	246.16	
2	ea.	114-11-06	2" Fiberglass Elbow-90D 24" R	51.53	103.06	
20	ea.	114-11-07	2" Fiberglass Elbow-90D 36" R	84.28	1,685.60	
10	ea.	114-11-08	2 1/2" Fiberglass Elbows-90D 24" R	98.48	984.80	
14	ea.	114-11-10	3" Fiberglass Elbows 90D 24" R	115.56	1,617.84	
82	ea.	114-11-11	4" Fiberglass Elbows-90D 36" R	141.11	11,571.02	
11	ea.	114-11-12	5" Fiberglass Elbows-90D 48" R	234.95	2,584.45	
62	ea.	114-11-13	6" Fiberglass Elbows-90D 60" R	236.70	14,675.40	
6	ea.	114-??-??	6" Fiberglass Elbows-45D 60" R	250.00	1,500.00	
6	ea.	115-04-06	2" PVC/PVC Couplers (PVC)	0.77	4.62	
11	ea.	115-04-07	2 1/2" PVC?PVC Couplers (PVC)	1.53	16.83	
1	ea.	115-04-08	3" PVC/PVC Couplers (PVC)	2.42	2.42	
23	ea.	115-04-10	4" PVC/PVC Couplers (PVC)	3.18	73.14	
			Total Page 7		$ 190,409.00	$ -
			Total Page 6 Brt Fwd		$ 1,286,223.78	$ -
			TOTAL (Page 2, 3, 4, 5, 6, 7)		$ 1,476,632.78	$ -

Estimated By: T. Waite Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
6	ea.	115-04-11	5" PVC/PVC Couplers (PVC)	25.50	153.00	
1	ea.	115-04-12	6" PVC/PVC Couplers (PVC)	32.00	32.00	
1	ea.	115-06-??	1" PVC Expansion Coupling	12.00	12.00	
1	ea.	115-06-??	1 1/4" PVC Expansion Coupling	16.00	16.00	
6	ea.	115-08-04	1 1/4" Polyduct Couplers	12.25	73.50	
26	ea.	115-08-06	2" Polyduct Couplers	13.39	348.14	
22	ea.	115-08-07	2 1/2" Polyduct Couplers	25.62	563.64	
23	ea.	115-08-08	3" Polyduct Couplers	30.89	710.47	
99	ea.	115-08-10	4" Polyduct Couplers	32.17	3,184.83	
14	ea.	115-08-11	5" Polyduct Couplers	60.00	840.00	
68	ea.	115-08-14	6" Polyduct Couplers	66.50	4,522.00	
12	ea.	116-18-01	3" Pipe/PVC Couplers (PVC)	3.18	38.16	
2	ea.	116-18-04	1 1/4" Pipe/PVC Couplers (PVC)	0.58	1.16	
18	ea.	116-18-05	2 1/2" Pipe/PVC Couplers (PVC)	2.21	39.78	
1	ea.	116-18-08	2 1/2" Pipe/PVC Adapter (PVC)	2.00	2.00	
14	ea.	116-18-06	2" Pipe/PVC Couplers (PVC)	0.56	7.84	
47	ea.	116-18-09	4" Pipe/PVC Couplers (PVC)	1.79	84.13	
6	ea.	116-18-11	5" Pipe/PVC Couplers (PVC)	22.86	137.16	
28	ea.	116-18-14	6" Pipe/PVC Couplers (PVC)	25.00	700.00	
12	ea.	116-21-07	2" PVC Caps	0.85	10.20	
2	ea.	116-21-11	4" PVC Caps	7.01	14.02	
2	ea.	116-21-12	5" PVC Caps	13.96	27.92	
1	ea.	116-21-13	6" PVC Cap	18.38	18.38	
1	ea.	120-01-04	1 1/4" Service Entrance	5.08	5.08	
9	ea.	120-01-07	2 1/2" Service Entrance Weatherheads	61.31	551.79	
4	ea.	120-01-??	3" Service Entrance Weatherhead	56.20	224.80	
15	ea.	120-01-08	4" Service Entrance Weatherheads	51.06	765.90	
2	ea.	156-01-01	200Amp 1Ph Single Meter Pedestal	544.66	1,089.32	
4	ea.	156-01-02	200Amp 1Ph Double Meter Pedestal	805.80	3,223.20	
2	ea.	156-02-00	Fbrgls Secondary Junction Pedestal	124.00	248.00	
1	ea.	156-03-03	200Amp 3Ph Single Meter Pedestal	507.06	507.06	
11	ea.	159-06-09	Clear Plastic Meter Socket Covers	2.09	22.99	
25	ea.	159-11-01	Meter Seals	0.25	6.25	
7	ea.	178-04-01	Triple-Mount Transformer Brackets-Small	108.51	759.57	
2	ea.	178-04-02	Triple-Mount Transformer Brackets-Large	166.72	333.44	
21	ea.	178-06-11	Triple-Mount Termination Brackets	15.74	330.54	
132	ft.	178-09-06	Standoff Tee Rail	12.05	1,590.60	
115	ea.	178-10-04	6" Standoff Brackets	38.71	4,451.65	
12	ea.	178-10-07	9" Standoff Brackets	23.62	283.44	
3	ea.	117-02-05	1 1/4" Pipe Straps	0.29	0.87	
11	ea.	178-11-01	2" Pipe Straps	2.68	29.48	
25	ea.	178-11-02	2 1/2" Pipe Straps	6.60	165.00	
18	ea.	178-11-03	3" Pipe Straps	7.19	129.42	
71	ea.	178-11-05	4" Pipe Straps	4.90	347.90	
9	ea.	178-11-06	5" Pipe Straps	9.83	88.47	
39	ea.	178-11-07	6" Pipe Straps	10.60	413.40	
11	ea.	190-01-30	30' Class 4 Wood Poles	219.02	2,409.22	
			Total Page 8		$ 29,513.72	$ -
			Total Page 7 Brt Fwd		$ 1,476,632.78	$ -
			TOTAL (Page 2, 3, 4, 5, 6, 7, 8)		$ 1,506,146.50	$ -

Estimated By: T. Waite Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
4	ea.	190-01-35	35' Class 4 Wood Poles	469.42	1,877.68	
5	ea.	190-01-40	40' Class 2 Wood Poles	704.60	3,523.00	
50	ea.	190-01-45	45' Class 2 Wood Poles	1,007.98	50,399.00	
2	ea.	190-01-50	50' Class 2 Wood Poles	1,128.72	2,257.44	
1	ea.	190-01-70	70' Class 1 Wood Pole	825.54	825.54	
2	ea.	190-02-45	45' Class 2 Ductile Iron Poles	1,936.57	3,873.14	
7	ea.	191-01-04	8' Fiberglass Tangent Crossarms	146.05	1,022.35	
23	ea.	191-03-04	8' Fiberglass Deadend Crossarms	329.58	7,580.34	
2	ea.	191-03-05	10' Fiberglass Deadend Crossarms	313.98	627.96	
11	ea.	194-02-01	Precast Concrete Xfmr Pads 42" x 46" x 8"	136.00	1,496.00	
7	ea.	194-02-05	Precast Concrete Xfmr Pads 6' x 6.5'x 8"	461.04	3,227.28	
3	ea.	194-02-06	Precast Concrete Xfmr Pads 6'x 8'x 8"	328.96	986.88	
4	ea.	194-02-13	Precast Concrete Switch Pads 4' x 7' x 8"	477.19	1,908.76	
21	ea.	194-02-14	Precast Concrete Switch Found.	413.36	8,680.56	
4	ea.	194-02-15	Precast Concrete Cable Junct. Found.	362.35	1,449.40	
20	ea.	194-21-84	3" x 84" Galv Guard Posts	123.92	2,478.40	
4	ea.	196-20-05	200Amp 15KV 3PH DF Padmt HU-E	10,218.31	40,873.24	
4	ea.	198-03-00	600Amp 15KV 3PH Cable Junction	5,172.10	20,688.40	
10	ea.	198-03-09	600Amp 15KV 3Ph LF Padmt PMH-9	21,036.20	210,362.00	
2	ea.	198-03-10	600Amp 15KV 3Ph LF Padmt PMH-10	22,317.28	44,634.56	
9	ea.	198-03-11	600Amp 15KV 3Ph LF Padmt PMH-11	15,403.73	138,633.57	
120	ea.	320-05-05	1/2" x 1 1/2" Hex Cap Screws	0.34	40.80	
778	ea.	322-04-07	1/2" x 1 1/2" Bronze Bolts	1.72	1,338.16	
16	ea.	322-04-09	1/2" x 2" Bronze Bolts	2.12	33.92	
794	ea.	370-01-06	1/2" Bronze Lock Washers	0.72	571.68	
1588	ea.	370-02-06	1/2" Stainless Steel Washers	0.33	524.04	
120	ea.	375-16-09	1/2" Caulking Anchors	1.88	225.60	
794	ea.	381-04-01	1/2" Bronze Nuts	1.50	1,191.00	
49	ea.	582-00-01	Tubes of Silicone Caulk	7.89	386.61	
11	lbs.	901-03-05	Ground Wire Staples	2.56	28.16	
4	ea.	919-01-00	Pole Setting Foam Kits	183.16	732.64	
150	ea.	955-01-03	51624 Brass Padlocks	10.18	1,527.00	
50	ea.		477(556.5) to 1/0 WSL7 Wej-Tap Stirrups	27.54	1,377.00	
1	ea.		1" Threaded PVC Bushing	2.00	2.00	
1	ea.		1 1/4" Threaded PVC Bushing	3.49	3.49	
1	ea.		1" Lock Ring	2.00	2.00	
			Total Page 9		$ 555,389.60	$ -
			Total Page 8 Brt Fwd		$ 1,506,146.50	$ -
			TOTAL (Page 2, 3, 4, 5, 6, 7, 8)		$ 2,061,536.10	$ -

Estimated By: T. Waite Date: 12/12/24

WORK ORDER ENGINEERING ESTIMATE

B.I. No.: 2.51
B.I. Yr.: 24/25

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
1	ea.		1 1/4" Lock Ring	2.00	2.00	
3	ea.		5" Lock Rings	8.00	24.00	
9	ea.	042-23-46	477MCM Two-Hole Terminal Lugs	45.66	410.94	
1	ea.		1" Pipe/PVC Threaded Adapter	2.00	2.00	
2	ea.		1" Polyduct Couplers	8.00	16.00	
1	ea.		1 1/4" Pipe/PVC Threaded Adapter	2.00	2.00	
1	ea.		2 1/2" PVC Threaded Bushing	5.00	5.00	
1	ea.		2 1/2" Lock Ring	1.80	1.80	
3	ea.		5" Threaded PVC Bushings	8.00	24.00	
3	ea.		5" PVC Expansion Couplings	90.00	270.00	
3	ea.		5" PVC L.B. Service Entrance Elbow	60.00	180.00	
3	ea.		#2 to #2 WSS2 Wej-Tap Stirrups	25.00	75.00	
3	ea.		266.8 to #2 WSM5 Wej-Tap Stirrups	30.00	90.00	
15	ea.		266.8 to 266.8 WCY56 Wej-Tap Con	35.00	525.00	
12	tn.		Crushed White Rock	65.00	780.00	
1	ea.		5KVA 13.8KV 120/240 1Ph Polemt Xfmr	1,246.42	1,246.42	
3	ea.		15KVA 13.8KV 120/2401Ph Polemt Xfmrs	1,771.61	5,314.83	
18	ea.		25KVA 13.8KV 120/240 1Ph Polemt Xfmrs	2,089.56	37,612.08	
18	ea.		37.5KVA 13.8KV 120/240 1Ph Polemt Xfmrs	2,807.56	50,536.08	
4	ea.		50KVA 13.8KV 120/240 1Ph Polemt Xfmrs	3,265.03	13,060.12	
7	ea.		25KVA 13.8KV 240/120 1Ph Padmt Xfmrs	3,988.04	27,916.28	
1	ea.		37.5KVA 13.8KV 240/120 1Ph Padmt Xfmr	4,116.29	4,116.29	
1	ea.		50KVA 13.8KV 240/120 1Ph Padmt Xfmrs	4,498.28	4,498.28	
1	ea.		75KVA 13.8KV 240/120 1Ph Padmt Xfmrs	5,646.54	5,646.54	
2	ea.		150KVA 13.8KV 208Y/120 3Ph Padmt Xfmr	24,745.14	49,490.28	
4	ea.		150KVA 13.8KV 240/120 3Ph Padmt Xfmr	25,089.77	100,359.08	
1	ea.		300KVA 13.8KV 240/120 3Ph Padm Xfmr	7,287.77	7,287.77	
1	ea.		750KVA 13.8KV 240/120 3Ph Padmt Xfmr	19,992.68	19,992.68	
1	ea.		750KVA 13.8KV 480Y/277 3Ph Padmt Xfmr	14,145.40	14,145.40	
9	ea.	042-23-46	556.5 Two-Hole Terminal Lugs	45.66	410.94	
8000	ft		2" Sch40 PVC Orange Polyduct	0.60	4,800.00	
6	ea.		20Amp 15KV SMU-20 Fuse Units	190.00	1,140.00	
2	ea.		Precast Concrete Fiber Optic Vault	500.00	1,000.00	
2	ea.	001-04-??	3/4" x 24" Galvanized Machine Bolts	12.00	24.00	
					-	
			Total Page 10		$ 351,004.81	$ -
			Total Page 9 Brt Fwd		$ 2,061,536.10	$ -
			TOTAL (Page 2, 3, 4, 5, 6, 7, 8)		$ 2,412,540.91	$ -

Estimated By: T. Waite Date: 12/12/24

EL-385 B.I. 2.51 NDOT Hastings Southeast Project 6-4(1022) Electric Line Relocation

Final Audit Report 2025-03-18

Created:	2025-03-14
By:	Renae Griess (rgriess@cityofhastings.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAdvnijM5WfUOIv_6aCPN8jNIKfxHuBnaX

"EL-385 B.I. 2.51 NDOT Hastings Southeast Project 6-4(1022) Electric Line Relocation" History

Document created by Renae Griess (rgriess@cityofhastings.org)
2025-03-14 - 9:03:41 PM GMT

Document emailed to jcampbell@cityofhastings.org for signature
2025-03-14 - 9:04:46 PM GMT

Email viewed by jcampbell@cityofhastings.org
2025-03-14 - 9:05:37 PM GMT

Signer jcampbell@cityofhastings.org entered name at signing as Jeff Campbell
2025-03-17 - 7:39:23 PM GMT

Document e-signed by Jeff Campbell (jcampbell@cityofhastings.org)
Signature Date: 2025-03-17 - 7:39:25 PM GMT - Time Source: server

Document emailed to Tyler Waite (twaite@cityofhastings.org) for signature
2025-03-17 - 7:39:27 PM GMT

Email viewed by Tyler Waite (twaite@cityofhastings.org)
2025-03-17 - 7:40:03 PM GMT

Document e-signed by Tyler Waite (twaite@cityofhastings.org)
Signature Date: 2025-03-17 - 7:56:51 PM GMT - Time Source: server

Document emailed to lvrooman@cityofhastings.org for signature
2025-03-17 - 7:56:52 PM GMT

Email viewed by lvrooman@cityofhastings.org
2025-03-17 - 7:57:57 PM GMT

Adobe Acrobat Sign

Signer lvrooman@cityofhastings.org entered name at signing as Lee Vrooman
2025-03-17 - 8:09:20 PM GMT

Document e-signed by Lee Vrooman (lvrooman@cityofhastings.org)
Signature Date: 2025-03-17 - 8:09:22 PM GMT - Time Source: server

Document emailed to Derek Zeisler (dzeisler@cityofhastings.org) for signature
2025-03-17 - 8:09:23 PM GMT

Email viewed by Derek Zeisler (dzeisler@cityofhastings.org)
2025-03-17 - 8:10:00 PM GMT

Document e-signed by Derek Zeisler (dzeisler@cityofhastings.org)
Signature Date: 2025-03-18 - 1:54:13 PM GMT - Time Source: server

Agreement completed.
2025-03-18 - 1:54:13 PM GMT

Adobe Acrobat Sign

HU Form No. 34

Date: 2/18/25
T. Waite

WORK ORDER ENGINEERING ESTIMATE
HASTINGS UTILITIES
HASTINGS, NEBRASKA

Name of Department: Electric
Work Order No.: EL-305
Construction: X
Budget Item No.: 2.30 24-25
Subaccounts: 364, 365, 368, 369, 370
Budget Item Amt: $100,000

DESCRIPTION AND LOCATION:

New OH Xfmr Bank for an irrigation well east of Adams Central Road, south of U.S. Highway 6

PURPOSE OF WORK IMPROVEMENT:

New 100h.p. 480V 3Ph irrigation well motor Northwest Quarter of Section 21, Township 7 North, Range 10 West.

CONTRIBUTION/REMARKS:

Cost of Construction:	$9,806.58
Less Credit $60/h.p. x 100 h.p.	(6,000.00)
Cost to Customer	$3,806

Estimated Cost	Amount	Attached Map or DWG No.: / Sheet No.:	E-OH-594
1.	$0.00		
2.	0.00		
3. Material from Stock	6,761.88	Date Work to be Started:	1/17/25
4.		Date Work to be Finished:	3/17/25
5. Labor	1,920.00	Checked By:	Date
6. Mileage & Truck Usage	1,124.70	Jeff Campbell (Mar 28, 2025 16:55 CDT)	
7. Equipment Usage	0.00	Checked By:	Date
8.		Tyler Waite	
9.		Approved By:	Date
10.		Lee Vrooman (Mar 31, 2025 08:17 CDT)	
SUBTOTAL	$9,806.58	Director of Engineering	
	0.00	Approved By:	Date
Subtotal	$9,806.58	City Council	
Less Developer Contribution	-3,806.58	Authorized By:	Date
		Derek Zeisler (Mar 31, 2025 09:25 CDT)	
TOTAL ESTIMATED COST OF WORK ORDER	$6,000.00	Manager	

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: EL-305
B.I. No.: 2.30
B.I. Yr.: 2024/2025

LABOR AND EQUIPMENT ESTIMATE

Classification of Labor or Equipment to be Used		No of Hr/Mi/Ft	Cost Per Unit	Subtotal	Total Cost
LABOR:	Electric Department	28	60.00	1,680.00	
	Engineering Department	4	60.00	240.00	
			TOTAL - LABOR		$1,920.00
MILEAGE:	Trucks 22 & 23 (Miles)	0	3.75	0.00	
	Trucks 24 & 28 (Miles)	0	3.75	0.00	
	Trucks 25 & 26 (Miles)	0	3.75	0.00	
	Trucks 80, 81, & 82 (Miles)			0.00	
	Trucks 12, 14, & 17 (Miles)			0.00	
TRUCKS:	Trucks 22 & 23 (Hours)	3	218.75	656.25	
	Trucks 24 & 28 (Hours)	3	137.50	412.50	
	Trucks 25 & 26 (Hours)	1	55.95	55.95	
			TOTAL - MILEAGE & TRUCKS		$1,124.70
EQUIPMENT	Air Compressor (Hours) HU #4	0	31.70	0.00	
	Backhoe (Hours) HU #1, #2, or #3			0.00	
	Hydra Tamp (Hours) HU			0.00	
	Spoil Vac (Hours) HU			0.00	
	Bore (Feet) HU #1 or #2			0.00	
			TOTAL - EQUIPMENT USAGE		$0.00
TOTAL COST ALL LABOR AND EQUIPMENT ESTIMATE					$3,044.70

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
0	ea.	001-02-13	1/2" x 14" Galvanized Machine Bolt	1.12	-	
0	ea.	005-01-03	2 1/4" Square Washers	0.61	-	
0	ea.	007-03-02	1/2" Square Locknuts	0.27	-	
0	ea.	019-09-06	5/8" x 10' Ground Rod	25.44	-	
0	ea.	020-02-03	5/8" Ground Clamp	2.09	-	
0	ea.	021-01-04	Ground Wire Molding	18.23	-	
0	ea.	022-02-01	Wildlife Guards	6.98	-	
0	ea.	023-03-04	Molding Staples	1.41	-	
0	ea.	044-01-04	Split-Bolt Ground Connectors	2.87	-	
0	ea.	044-01-12	Two-Bolt Ground Connector	45.88	-	
0	ea.	044-13-01	Hot Line Clamps	13.42	-	
6	ea.	046-08-01	Transformer Ground Connectors	5.55	33.30	
3	ea.	049-01-06	10Amp Fuses	4.40	13.20	
0	ea.	055-01-01	100Amp 15KV Cutouts	78.12	-	
			TOTAL (Page 2)		$ 46.50	$ -

Estimated By: T. Waite Date: 2/18/25

HASTINGS UTILITIES, HASTINGS, NEBRASKA

Work Order No.: EL-305

B.I. No.: 2.30

B.I. Yr.: 2024/2025

MATERIAL ESTIMATE

Quantity		Stock Number	Description	Unit Price	Stock Material	New Material
0	ea.	066-04-04	10KV Polymer Lightning Arresters	44.29	-	
0	ft.	068-01-04	#4 Bare Copper Ground Wire	0.80	-	
0	ea.	178-04-01	Triple-Mount Transformer Bracket	107.00	-	
0	lb	901-03-05	Ground Wire Staples	2.58	-	
3	ea.		37.5KVA 7970/13800Y 277/480Y 1Ph Polemt	2,228.46	6,685.38	
1	LS		Miscellaneous Tape, Wire, Connectors, Etc.	30.00	30.00	
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			Subtotal Page 3		$ 6,715.38	$ -
			Subtotal Page 2		$ 46.50	$ -
					-	
			TOTAL (Pages 2 & 3)		$ 6,761.88	$ -

Estimated By: T. Waite Date: 2/18/25

EL-305 Irrigation Well Hwy 6 & Adams Central Wryan Wright

Final Audit Report 2025-03-31

Created:	2025-03-28
By:	Renae Griess (rgriess@cityofhastings.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAC9B-S8wURZkhE5kKXHFPQT7cRHt6W0Lg

"EL-305 Irrigation Well Hwy 6 & Adams Central Wryan Wright" History

Document created by Renae Griess (rgriess@cityofhastings.org)
2025-03-28 - 9:44:26 PM GMT

Document emailed to jcampbell@cityofhastings.org for signature
2025-03-28 - 9:45:34 PM GMT

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2025-03-28 - 9:46:10 PM GMT

Signer jcampbell@cityofhastings.org entered name at signing as Jeff Campbell
2025-03-28 - 9:55:17 PM GMT

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Signature Date: 2025-03-28 - 9:55:19 PM GMT - Time Source: server

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Signature Date: 2025-03-28 - 9:56:40 PM GMT - Time Source: server

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2025-03-28 - 9:56:41 PM GMT

Email viewed by lvrooman@cityofhastings.org
2025-03-28 - 9:57:31 PM GMT

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Signer lvrooman@cityofhastings.org entered name at signing as Lee Vrooman
2025-03-31 - 1:16:59 PM GMT

Document e-signed by Lee Vrooman (lvrooman@cityofhastings.org)
Signature Date: 2025-03-31 - 1:17:01 PM GMT - Time Source: server

Document emailed to Derek Zeisler (dzeisler@cityofhastings.org) for signature
2025-03-31 - 1:17:03 PM GMT

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2025-03-31 - 1:17:42 PM GMT

Document e-signed by Derek Zeisler (dzeisler@cityofhastings.org)
Signature Date: 2025-03-31 - 2:25:29 PM GMT - Time Source: server

Agreement completed.
2025-03-31 - 2:25:29 PM GMT

Adobe Acrobat Sign

Department: City Attorney
Staff Contact: Jesse Oswald
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

Approval of the agreement with Van Kirk Bros. Contracting for the Elm Meadows Sub-Division Water, Sewer and Paving Districts

Names of People/Business affected by this action:

City of Hastings, Van Kirk Bros Contracting

Why Council action is required:

Type of action requested:

Motion

Suggested motion:

Motion to reconsider the approval of the agreement with Van Kirk Bros. Contracting for the Elm Meadows Sub-Division Water, Sewer and Paving Districts in the amount of $1,067,401.13 and to ratify the contract approved on March 24, 2025.

Deadlines associated with action:

Department head comments:

The motion made at the March 24th Council meeting misstated the amount of the contract awarded to Van Kirk to be $1,670,401.13. It should have been $1,067,401.13. The correct amount of $1,067,401.13 was in all supporting documentation and the contract signed by the Mayor which is why we are ratifying the contract as the only error was in the oral motion itself.

City Administrator comments:

Item is the correction to make sure the correct amount of the contract is updated in the record.

AGREEMENT

THIS AGREEMENT, made and entered into this 24th day of March, 2025, by and between the City of Hastings, Party of the First Part, hereinafter called the "Purchaser" or "City", and Van Kirk Bros. Contracting of (town) Sutton in the State of Nebraska, Party of the Second Part, hereinafter called the "Contractor".

WITNESSETH: THAT,

WHEREAS: The Purchaser has caused the necessary contract documents to be prepared for defining material, equipment, and/or labor to be supplied to the City of Hastings and delivered complete as specified in the accompanying contract documents.

WHEREAS: The Purchaser has advertised for bids from Contractors, has received said bids, analyzed same and duly awarded a contract to the "Contractor", "Party of the Second Part", for material, equipment, and/or labor as hereinafter set forth and as stated more in detail in the Proposal and related contract documents to wit; Notice to Bidders, Instructions to Bidders, Specifications; all of which documents are attached hereto and made a part of this Contract.

NOW, THEREFORE: It is hereby agreed that for the sum of one million sixty-seven thousand, four hundred one and 13/100. ($1,067,401.13)

to be paid by the Purchaser, within Thirty (30) days after the acceptance of material, equipment, and/or labor by the Purchaser, to the Contractor, the Contractor agrees to furnish all materials, equipment, and/or labor as required by the accompanying specifications, and the aforesaid contract documents, for **HU 2025-37 Elm Meadows First Sub-Division Water, Sewer and Paving Project.**

All materials, equipment, and/or labor shall be in accordance with the accompanying contract documents and specifications which are as much a part of this Agreement as if repeated verbatim herein.

It is further agreed that the Contractor will start work promptly, furnish the necessary drawings promptly and complete the work in the number of days set forth in the Proposal.

IN WITNESS WHEREOF: The Parties of the First and Second Parts have hereto set their hands and seals on the day and year above written.

CITY OF HASTINGS
Party of the First Part

By: _____

Date: 3-24-2025

ATTEST:

_____
City Clerk

CITY OF HASTINGS, NEBRASKA CORPORATE SEAL APRIL 21, 1874

APPROVED TO FORM:

_____
City Attorney

CONTRACTOR
Party of the Second Part

Van Kirk Brothers Contracting

By: _____

Title: Vice President

Date: 3-10-25

Note: If executed by one other than President, Partner or the individual Owner, a Power-of-Attorney authorizing execution should accompany this Contract.

CITY COUNCIL AGENDA ITEM/MEETING REQUEST FORM

This form is to be used by City Council members to request the addition of an agenda item to a future City Council meeting or to a Special Meeting. Per city policy, the signatures of four (4) council members are required for the item to be placed on the agenda.

Requested Agenda Item:
(Provide a brief description of the agenda item to be added)

See Attached

Date of Desired Meeting: _____

The undersigned members of the City Council request that the above agenda item be placed on the agenda for the meeting indicated.

Name	Signature	Date
Brian Hoffman		3-25-2025
Marc Rowan		3-25-25
Steve Huntley		3/25/2025
Brad Conshruck	B. Conshruck	032525

Submission Instructions:
The completed form with supporting documents/presentation should be submitted to the City Clerk's office by 5:00 p.m. six business days prior to the scheduled meeting (for example an item for a meeting scheduled on February 24 should be submitted by 5:00 p.m. on February 14).

Sec. 2-201. - Meetings.
(2) Special meetings may be called by the Mayor or by four members of the Council, by filing a written request with the City Clerk. On filing of the request the Clerk shall notify the Council members not signing the request, of the special meeting, stating the time of meeting and its purpose; Provided, that any member of the Council may execute a waiver of notice of special meeting entered on the Clerk's minute book.

---------- For Office Use Only ----------

Received by: _____ Date: 3/25/25 Time: 11 am

March 3, 2025

In the interest of time and transparency

We request a special meeting to be called to correct an incorrect motion awarding a bid to VanKirk Brothers Construction for Elm Medows Sub Division Sewer, Water, Street district

Incorrect motion was for $1,670,401.13

Correct amount should have been for $1, 067,410.13

Department: City Clerk
Staff Contact: Lori Vorderstrasse, Tyler Ficken
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on the application of Barista's of Hastings, LLC dba "Barista's Downtown" for a Class "C" Liquor License (Beer, Wine, Spirits, On and Off Sale) at 647 W. 2nd Street.

Resolution No. 2025-14 approving the application of Barista's of Hastings, LLC dba "Barista's Downtown" for a Class "C" Liquor License at 647 W. 2nd Street.

Names of People/Business affected by this action:

Citizens of Hastings

Why Council action is required:

State Statutes

Type of action requested:

Resolution

Suggested motion:

Resolution No. 2025-14 approving the application of Barista's of Hastings, LLC dba "Barista's Downtown" for a Class "C" Liquor License at 647 W. 2nd Street.

Deadlines associated with action:

The Council has 45 days to conduct a hearing after the date of receipt of the notice from the Liquor Control Commission.

Department head comments:

This license is being applied for due to a change in ownership. The current licensee at this location is Jelsh Ventures, LLC dba "Frahm Bar" and they hold a Class "C" Liquor License. A Temporary Operation Permit (TOP) was applied for by Barista's of Hastings, LLC and was issued by the Nebraska Liquor Control Commission for a 90 day period until their Retail Class "C" Liquor License can be approved and issued. A Class "C" Liquor License is for retail sale of beer, wine, spirits, on and off sale.

The Development Services Department and the Police Department findings regarding the liquor license application are attached.

City Administrator comments:

Liquor license approval to allow existing business under new ownership to continue services. I recommend approval

APPLICATION FOR TEMPORARY OPERATING PERMIT

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
website:

Name of current licensee (seller): Cortney Davis - Jelsh Ventures LLC

Name of applicant (buyer): Joe Kindig - Barista's of Hastings LLC

On this date March 1st, 2025 (date) buyer and seller entered into a contract for sale of the alcohol related business known as: Franm Bar (Name of business currently licensed)

Located at:

697 W 2nd St (Street Address), Hastings (City), NE 68901 (Zip Code)

Requested effective date of Temporary Operating Permit: March 7, 2025 (or as soon as possible) (date)

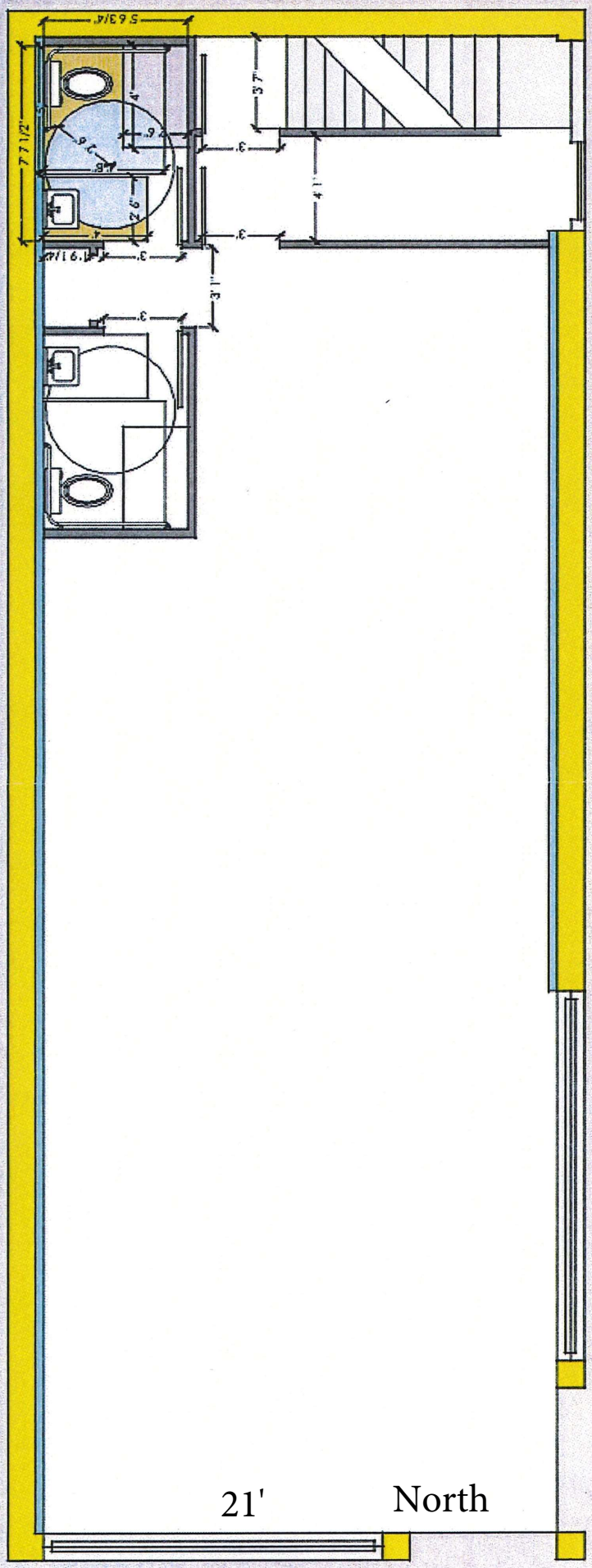
Seller hereby declares that they have no outstanding balances on all accounts with all Nebraska licensed wholesalers under Revised Section 53-123.02. Any seller who provides false information regarding such accounts is guilty of a Class IV misdemeanor for each offense.

Cortney Davis — Signature of Seller | Cortney Davis — Printed Name | 3-5-2025 — Date

Buyer seeks to obtain a Temporary Operating Permit (TOP) to allow buyer to operate the business under the same terms and conditions of the current licensee subject to approval by the Nebraska. Liquor Control Commission for a period not to exceed 90 days.

Joe Kindig — Signature of Buyer | Joe Kindig — Printed Name | 3-5-25 — Date

Main Floor Plan



RESOLUTION NO. 2025-14

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, that after hearing had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent city ordinances of the City of Hastings, Nebraska, the Hastings City Council hereby recommends that the application of Barista's of Hastings, LLC dba "Barista's Downtown" for a Class "C" Liquor License at 647 W. Street, Hastings, Nebraska, be approved.

BE IT FURTHER RESOLVED, that the City Clerk is directed to transmit a copy of this Resolution to the Nebraska Liquor Control Commission.

PASSED AND APPROVED this _____ day of _____, 2025.

_____
George J. J. Beckby, Mayor

ATTEST:

_____
Tyler Ficken, City Clerk

(S E A L)

APPROVED TO FORM:

_____
Jesse Oswald, City Attorney

HASTINGS
DEVELOPMENT SERVICES

March 20, 2025

Re: Zoning Verification for State Liquor License – Barista's Downtown

This letter has been prepared in response to the application for a Nebraska Liquor Control Commission Liquor License for Joe Kindig, Barista's of Hastings LLC, located at 647 W. 2nd Street, Hastings, Nebraska.

The subject property is zoned C-2, Central Business District. The proposed use is considered a restaurant, which is permitted in the C-2 District.

If you have any questions or need more information, please feel free to contact me at 402-461-2368 or by email at cbunger@cityofhastings.org

Sincerely,

Chad Bunger, AICP, CFM
Director of Development Services

HASTINGS POLICE

317 SOUTH BURLINGTON, HASTINGS, NEBRASKA 68901

To: Mark Funkey
From: Detective Sergeant Nathan Hanson
Date: 03/25/2025
RE: Liquor Application for Barista's Downtown

I have reviewed the liquor license application for Barista's Downtown located at 647 W 2nd Street, Hastings, NE 68901. The application is under the name of Joe (Joseph) Kindig acting as the president and Nikayla Kindig acting as the co-owner.

I have not discovered any information that would disqualify either the applicant or the establishment.

Detective Sergeant Nathan Hanson
Hastings, NE Police Department

Website: www.hastingspolice.org
Telephone 402-461-2380 Fax 402-461-2393

Department: City Clerk
Staff Contact: Lori Vorderstrasse, Tyler Ficken
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

Approval of the manager application of Joe Kindig in connection with the Class "C" Liquor License of Barista's of Hastings, LLC dba "Barista's Downtown" located at 647 W. 2nd Street.

Names of People/Business affected by this action:

Citizens of Hastings

Why Council action is required:

State Statutes

Type of action requested:

Motion

Suggested motion:

Approval of the manager application of Joe Kindig in connection with the Class "C" Liquor License of Barista's of Hastings, LLC dba "Barista's Downtown" located at 647 W. 2nd Street.

Deadlines associated with action:

No

Department head comments:

The Police Department findings regarding the liquor license application and manager application are attached.

City Administrator comments:

HASTINGS POLICE

317 SOUTH BURLINGTON, HASTINGS, NEBRASKA 68901

To: Mark Funkey
From: Detective Sergeant Nathan Hanson
Date: 03/25/2025
RE: Liquor Application for Barista's Downtown

I have reviewed the liquor license application for Barista's Downtown located at 647 W 2nd Street, Hastings, NE 68901. The application is under the name of Joe (Joseph) Kindig acting as the president and Nikayla Kindig acting as the co-owner.

I have not discovered any information that would disqualify either the applicant or the establishment.

Detective Sergeant Nathan Hanson
Hastings, NE Police Department

Website: www.hastingspolice.org
Telephone 402-461-2380 Fax 402-461-2393

Department: Development Services
Staff Contact: Ember Batelaan
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

The Hastings Community Redevelopment Authority, on behalf of Brant Rentals, LLC, has applied for a Redevelopment Plan Modification 2025-1 in Area #1 for the Brant Rentals 811 W. 1st Redevelopment Project. The Redevelopment Plan Modification is to demolish an existing building and develop a new commercial building on a parcel generally located southwest of the intersection of West 1st Street and North Lincoln Avenue, on the west side of North Lincoln Avenue.

The applicant has requested the use of tax increment financing (TIF) to pay for eligible expenses for the development, which can include acquisition, site preparation, and infrastructure improvements.

Names of People/Business affected by this action:

The applicant, the people of Hastings, the Community Redevelopment Authority, and the City

Why Council action is required:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall submit such plan to the planning commission or board of the city in which the redevelopment project area is located for review and recommendations as to its conformity with the general plan for the development of the city as a whole. The planning commission or board shall submit its written recommendations with respect to the proposed redevelopment plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or board or, if no recommendations are received within such thirty days, then without such recommendations, an authority may recommend the redevelopment plan to the governing body of the city for approval (N.R.S. 18-2112)

Type of action requested:

Motion
Resolution

Suggested motion:

Motion to approve Resolution No. 2025-16 to approve Plan Modification No. 2025-1 to Redevelopment Area #1 for the Brant Rentals 811 W. 1st Redevelopment Project. The Plan Modification area is generally located to the southwest of the intersection of West 1st Street and N. Lincoln Avenue, City of Hastings, Adams County, Nebraska.

Deadlines associated with action:

Department head comments:

Development Services staff have reviewed the application for the Brant Rentals 811 W. 1st Redevelopment Project and Redevelopment Plan Modification 2025-1 of Area #1. The complete details of the staff review and recommendation are in the attached staff report.

Planning Commission held a public hearing on March 18, 2025, to consider the Redevelopment Plan Modification. The Commission voted 6-0 to recommend approval of the Redevelopment Plan Modification to the City Council.

City Administrator comments:

Redevelopment of the lot just south of Murphy's which has long been unkempt and underutilized. I recommend approval.

City of Hastings Planning Commission

STAFF REPORT

Request to Modify Redevelopment Plan:	**Brant Rentals 811 W. 1st Redevelopment Plan (Plan Modification No. 2025-1)**
Case No.	2025-86
Applicant	Hastings Community Redevelopment Authority, on behalf of Brant Rentals, LLC
Property Location:	Southwest of the intersection of West 1st Street and North Lincoln Avenue, on the west side of North Lincoln Avenue.
Lot Size:	7,840 sq ft (0.18 acres)
Date of Public Hearing:	March 18, 2025
Current Zoning	C-2, Central Business District
Adjacent Zoning:	North: C-2, Central Business District
	East: C-2, Central Business District
	South: Railroad tracks (unzoned)
	West: I-1, Light Industrial District

DESCRIPTION OF PROPOSED REDEVELOPMENT PLAN MODIFICATION REQUESTS:
The Hastings Community Redevelopment Authority (CRA) has made an application for the Redevelopment Plan Modification of Area #1 for the site acquisition and development of a commercial building. Brant Rentals, LLC has requested the use of tax increment financing (TIF) to pay for eligible expenses for the development, which can include, site acquisition, site preparation and grading, and infrastructure improvements.

The property is within Redevelopment Area #1. The Blight and Substandard Determination and General Redevelopment Plan were approved in March 1987. The area was re-declared blighted and substandard in November 2017. The redevelopment plan proposes the following planning and redevelopment actions:

- Rehabilitation of residential, commercial, industrial and public/quasi-public properties;
- Maintain and/or replace, as necessary, the current infrastructure in the Area;
- Code enforcement program for the clean-up of areas in violation and detrimental to health, safety and general welfare of the community;
- Screening and/or buffering of adjacent industrial areas (beyond the Redevelopment Area) from residential uses, including the use of berms and, or landscaping to partially screen parking or storage areas and enhance vehicular and pedestrian rights-of-way; and,
- Condemnation of un-safe structures, acquisition where necessary and demolition of substantially deteriorated structures, and replacement with appropriate residential, commercial or industrial development.

The proposed redevelopment, named Brant Rentals 811 W. 1st Redevelopment Project, would redevelop the property generally located southwest of the intersection of West 1st Street and North Lincoln Avenue.

Property Description:

The property consists of 0.18 acres and currently has one vacant commercial office building. Brant Rentals, LLC proposes to redevelop the property with a new speculative commercial space.

STANDARDS TO PROPOSED REDEVELOPMENT PLAN MODIFICATION:

The provisions of N.R.S 18-2116 regulate the process of modifying a redevelopment plan within the City and its extraterritorial jurisdiction for a proposed development.

The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

a) Is the proposed Redevelopment Plan Modification feasible and in conformity with the Comprehensive Plan (general plan) for the development of the City of Hastings, as a whole, and is it in conformity with the legislation declarations and determinations?

Based on the application materials provided by the Hastings CRA, the proposed redevelopment project appears to be feasible.

The proforma documented in the application appears to be reasonable, using appropriate expenses and revenue for the development.

The City of Hastings adopted a comprehensive plan in 2009 and is in the process of adopting a new comprehensive plan this year. The project site is identified as "Mixed Use – Downtown" in the 2009 Comprehensive Plan and identified as "Downtown Commercial" in the 2025 Comprehensive Plan. The policy statements for these future land uses are shown below.

2009 Comprehensive Plan – Mixed Use Downtown

Downtown Hastings is a good example of a "mixed-use center" containing a mix of cultural, financial, governmental, institutional, retail, entertainment, residential and recreational uses. The continued mix and growth of all types of land uses is appropriate for Downtown Hastings. Small, specialty industrial manufacturing that is not a detriment to the surrounding uses with regards to noise, odor/other noxious practices are also allowed within downtown. New uses and development in this category should be integrated with the existing development patterns and character in Downtown and the adjacent neighborhoods and not diminish or degrade them. Downtown acts as a regional center that is dependent on the entire community of Hastings as well as the region for economic viability. Additional redevelopment and increased density will rely on an increased population base in the community and surrounding region.

The continued addition of housing in the Downtown area and within designated mixed-use centers is desirable and should strive for higher densities. Within the Downtown, the density of housing should be in excess of 10 units/acre on average. Single family detached housing is not appropriate in Downtown. Residential uses in downtown can include townhomes, staked-flats, live/work units, lofts and walk-ups of both condominium and rental types.

2025 Comprehensive Plan – Downtown Commercial

The Downtown Commercial land use district is focused on the traditional building pattern of Downtown Hastings as the community's original center for trade, service, and civic life. Structures in this area are typically built with brick or stone at the sidewalk line, with parking and storage limited to alleys. In addition, upper-story residential units provides flexible and affordable housing choices for Hastings residents.

The existing zoning of the property is C-2, Central Business District, which permits a variety of commercial and retail uses.

Based on the City staff's review, the proposed redevelopment plan modification is feasible and conforms with the City's Comprehensive Plan.

b) If the proposed redevelopment plan is to use tax increment financing (TIF):

i. Would the redevelopment project in the plan be economically feasible without the use of tax-increment financing?

Based on the information in the Brant Rentals 811 W. 1st Redevelopment Plan Modification application materials, the proposed development would not be economically feasible without the use of tax-increment financing.

The developer's project financial plan shows the total expenses to be $700,000. The project consists of the demolition of an existing vacant structure and the development of a new speculative commercial space. The sources of funds used to pay for the project include Bank Financing, Owner Equity, Leasehold Improvements, and a TIF Loan.

The developer is seeking a total of $80,000 in TIF funding, which will be in the form of a loan amortized over 15 years. These funds will cover the gap in financing and other funding sources for the development.

As shown on Page 8, the project has a negative cash on cash return without TIF hence the project would not be feasible without tax increment financing.

ii. Would the redevelopment project not occur in the community redevelopment area without the use of tax-increment financing?

The redevelopment of this property would bring a new commercial space to the downtown that replaces a vacant building. The project would not be feasible without the use of TIF and would most likely not occur.

iii. **Is the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services in the long-term best interest of the community impacted by the redevelopment project?**

Based on the information in the redevelopment plan modification documentation, the proposed development will be in the long-term best interest of the community.

The proposed redevelopment creates new valuation from the redevelopment of a property, which currently has a vacant commercial office building that has been vacant for over one year. This redevelopment project will provide a new 4,800 square foot commercial building with three spaces. Additionally, the site is currently served by municipal services and should not negatively impact fire and police protection. The project will not have a negative impact on employers and employees of businesses located within the boundaries of the redevelopment area and will provide additional retail and office space opportunities. This project will not have an impact on the local school districts.

c) **Is the proposed redevelopment plan within a designated enhanced employment area? If so, will the new investments proposed with the redevelopment plan modification increase employment in the area by five new employees and new investment of $250,000?** This standard does not apply, as the area is not in a designated enhanced employment area.

STAFF COMMENTS: Staff recommends the Planning Commission recommend **APPROVAL** to the City Council for the request for a **REDEVELOPMENT PLAN MODIFICATION** for the Brant Rentals 811 W. 1st Redevelopment Project, generally located southwest of the intersection of West 1st Street and North Lincoln Avenue, on the west side of North Lincoln Avenue, based on the findings in the staff report and the Redevelopment Plan Modification materials.

PREPARED BY: Ember Batelaan, City Planner

DATE: February 25, 2025

ATTACHMENTS:

1. Redevelopment Plan Modification materials
2. 2017 Redevelopment Area Number 1 Blight and Substandard Determination Study
3. 2017 Redevelopment Area Number 1 Redevelopment Plan
4. 2025 Comprehensive Plan – Downtown Commercial Policy Statement

RESOLUTION NO. 2025-16

WHEREAS, the Area #1 Redevelopment Plan prepared by the Community Redevelopment Authority of the City of Hastings, Nebraska has previously been approved by the Mayor and City Council of the City of Hastings; and

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska, has prepared Redevelopment Plan Modification No. 2025-1 for Redevelopment Area #1; and

WHEREAS, the Community Redevelopment Authority forwarded said Plan Modification to the Hastings City Planning Commission for its review and recommendations as to the consistency with the Redevelopment Plan and development objectives for Redevelopment Area #1 and also its conformity with the Comprehensive Development Plan of the City of Hastings; and

WHEREAS, the Hastings City Planning Commission conducted a review of Plan Modification No. 2025-1 and held a public hearing on March 18, 2025, to solicit testimony from the community regarding said plan modification and at the conclusion thereof determined it was consistent with the general plan and development objectives for Redevelopment Area #1, and also consistent with the goals, policies, and objectives of the Comprehensive Development Plan of the City, and took action recommending approval of the Plan Modification to the Community Redevelopment Authority of the City of Hastings; and

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska, considered the recommendation of the Plan Modification by the Hastings City Planning Commission and, on April 2, 2025, approved forwarding the Plan Modification to the Mayor and City Council for approval.

NOW THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, do hereby adopt the following resolution:

> **BE IT RESOLVED** by the Mayor and City Council of the City of Hastings, Nebraska, that the Redevelopment Plan Modification No. 2025-1 for the Brant Rentals, 811 W. 1st Redevelopment Project, generally located Southwest of the intersection of West 1st Street and North Lincoln Avenue, in Redevelopment Area #1 as provided herein, be and the same is hereby approved and a copy of said Redevelopment Plan Modification is attached hereto, marked as “Exhibit A”,

and incorporated herein by this reference.

PASSED AND APPROVED this 14th day of April, 2025.

_____
George, J.J. Beckby, Mayor

ATTEST:

_____
Tyler Ficken, City Clerk

(S E A L)

Approved as to form:

_____
Jesse Oswald, City Attorney

PLAN MODIFICATION NO. 2025-1
TO REDEVELOPMENT AREA #1
(Brant Rentals 811 W. 1st Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #1 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for a specific redevelopment project involving a commercial development to be located southwest of the intersection of 1st Street and Lincoln Avenue at 811 W. 1st Street.

Executive Summary:

Project Description
The Project consists of the demolition of an existing substandard building and the redevelopment and construction of a new 4,800 square foot single story commercial building on a parcel of land located at 811 W. 1st Street. Brant Rentals, LLC proposes a commercial development project that will include the acquisition of the project site and development of up to three commercial spaces.

The Project shall utilize the benefits of the Nebraska Community Development Law, including the use of tax increment financing for eligible costs which shall include, but not be limited to:

- Site acquisition costs
- Demolition, site preparation and site grading
- Architectural and engineering costs
- Public parking and sidewalks

The Brant Rentals 811 W. 1st Redevelopment Project will encounter these costs at this Redevelopment Area and the Project is not financially feasible without the use of tax increment financing.

TAX INCREMENT FINANCING TO PAY FOR ACQUISITION AND OTHER TIF ELIGIBLE PUBLIC IMPROVEMENTS WILL COME FROM THE FOLLOWING REAL PROPERTY:

Property Description (the "Redevelopment Project Area")

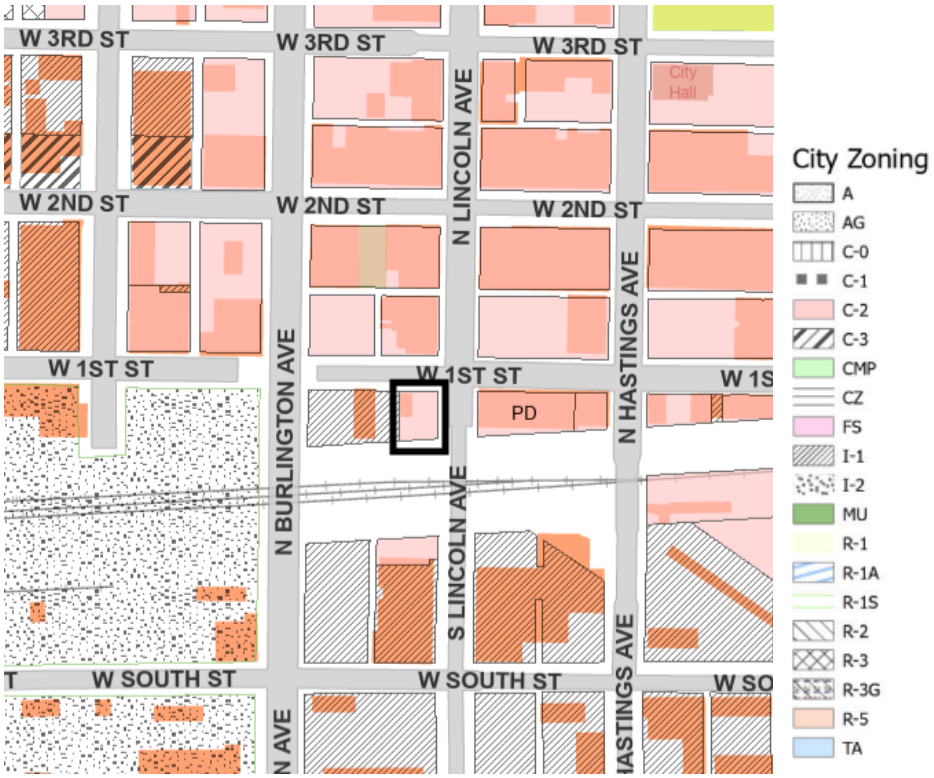
A parcel of land located west of Lincoln Avenue and south of 1st Street, aka 811 W. 1st

Legal Descriptions: The West Sixteen (16) feet of Lot Three (3), and the East Twelve (12) feet of Lot Four (4), Buchanan's Subdivision of Lot Five (5), John's Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof;

and

All of Lot One (1) and Lot Two (2), and the East Six (6) feet of Lot Three (3), Buchanan's Subdivision of Lot Five (5), John's Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof

Map of Existing Land Use and Proposed Redevelopment Site



The real property ad valorem taxes on the base valuation will continue to be paid to the other taxing entities. The increase in value will come from the redevelopment of the Project Site to construct a new commercial building with up to three commercial spaces in the C-2 Commercial zoning district. The tax increment will be captured for the tax years 2026 through 2040 inclusive. Provided, however, if there is no increase in valuation for the 2026 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later. Initial project costs for the Brant Rentals 811 W. 1st Project for the "white box" portion of the redevelopment are estimated to be approximately $500,000 which includes the cost of acquisition and site development. Tenant finishes are projected to be an additional $200,000 for a final project cost of $700,000. The project valuation when completed is estimated to be $520,000 and the developer projects an incremental valuation increase of approximately $439,649.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Brant Rentals 811 W. 1st Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan. Said taxes shall be divided as follows:

a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for

each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. **The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on March 23, 1987 (Resolution No. 1069). In September of 2017 a blight and substandard study was completed and the area was re-declared blighted and substandard by action of the Hastings City Council on November 13, 2017. (§18-2109) Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act,**

2. **Conformation to the General Plan for the Municipality as a whole. (§18-2103 /13) (a) and §18-2110)**

Hastings adopted a Comprehensive Plan on February 24, 2009 and intends to adopt a new comprehensive Plan in March of 2025. This redevelopment plan amendment and project are consistent with the 2009 Comprehensive Development Plan and with the 2025 Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. The plan amendment merely provides funding for the developer to construct a speculative commercial space on this property as defined by the current and future effective zoning regulations. The Hastings Planning Commission will hold a public hearing at their meeting on March 18, 2025 to review Plan Modification No. 2025-1 to Redevelopment Plan No. 1 confirming that this project is consistent with the 2009 Comprehensive Development Plan and the 2025 Comprehensive Development Plan for the City of Hastings.

3. **The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**

    a. **Land Acquisition:**

The Redevelopment Plan for Area #1 provides for real property acquisition and this plan amendment does not prohibit such acquisition. Brant Rentals, LLC intends to acquire the property on which the Project will be constructed.

b. Demolition and Removal of Structures:

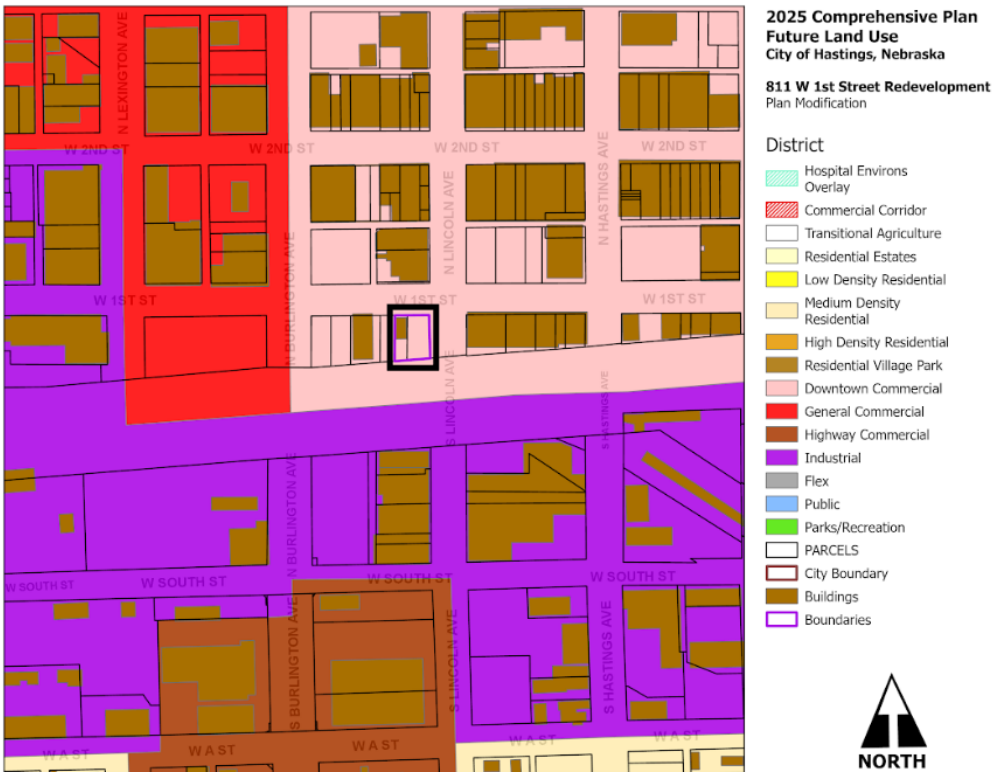
The site has a vacant commercial office building which will be demolished to accommodate the project site development. The building has been vacant for over one year and no relocation costs are included as a part of this project.

c. Future Land Use Plan

See the attached maps from the 2009 Hastings Comprehensive Development Plan and the 2025 Comprehensive Redevelopment Plan. The Project Site is identified as "Mixed Use - Downtown" in the 2009 Comprehensive Development Plan and identified as "Downtown Commercial" in the 2025 Comprehensive Development Plan which are both consistent with this Amendment. The site is planned for commercial development and ancillary uses of the area after redevelopment as required by Section 18-2111(5) of the Nebraska Community Development Law. The Brant Rentals 811 W. 1st project will add new speculative commercial space to the site.

Future Land Use Map – 2009 Comprehensive Plan

Future Land Use Map – 2025 Comprehensive Plan



d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes

The project area is currently zoned for commercial use under the C-2 Commercial District. The Project Site Plan reflects that no changes to zoning, street layouts are required. No changes are anticipated in building codes or ordinances, nor are any other planning changes contemplated. [§18-2103(b) and §18-2111] other than as described herein.

e. Site Coverage and intensity of Use

The developer intends to construct speculative commercial space which will add unique commercial

rental opportunities to the City of Hastings. The Brant Rentals 811 W. 1st Project will contain up to three speculative commercial spaces which density is approved for this Development.

f. Additional Public Facilities or Utilities

Sewer, water and street paving already exist to support this redevelopment of the site. Sufficient electric utilities and gas lines also exist which currently serve the existing site. The redeveloper will be responsible for installing any sidewalks required for the project. No other utilities would be impacted by the development. [§18-2103(b) and§18-2111]. The redeveloper intends to construct new parking to serve the occupants of the Project.

4. **The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation.** The commercial office structure located on the site is vacant. There are no individuals or families who will be displaced by the Project.

5. **No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106].** No members of the authority or staff of the CRA have any interest in this property.

6. Section 18-2114 of the Act requires that the Authority consider:

1. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The developer intends to purchase the property from the current owner for $95,000 and acquisition is part of the request for tax increment financing. The CRA has been asked to provide $80,000 in TIF funding to this project to offset the cost of TIF eligible expenditures. The CRA has identified the following TIF eligible expenses for the developers' proposed improvements;

a) site acquisition - $95,000
b) demolition and site preparation - $15,000
c) parking and public sidewalks - $30,000
d) planning related & engineering services - $10,000

The total TIF eligible expenses for this project are $150,000. The property will be transferred to the redevelopers by the owner and the developer will provide and secure all necessary financing.

2. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project including owner equity and bank financing. The Authority will assist the project by granting the sum of $80,000 from the proceeds of the TIF. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2026 through December 2040. While the development costs are estimated to be $700,000, the actual cost of development shall be determined following the completion of design and bidding of the Project.

3. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.
The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the 2009 Hastings Comprehensive Development Plan and the 2025 Comprehensive Development Plan by providing the following benefits;

- Continuing to maximizing development potential downtown and
- Removal of a substandard and aging structure; and
- Provide sites for commercial and development.

8. Time Frame for Development

Development of the Brant Rentals 811 W. 1st Project is anticipated to be commenced in the 2nd quarter of 2025 and construction is anticipated to be complete in the 3rd quarter of 2025. Excess valuation should be available for this project for 15 years beginning with the 2026 tax year, provided, however, if there is no increase in valuation for the 2026 tax year, the excess valuation will be available beginning in the year when an increase in value is available for capture.

9. Justification of Project

Demolition of an existing substandard structure, site preparation, and construction of a new modern building are necessary to facilitate redevelopment of this site. The redevelopment of this property will result in increased commercial opportunities and increased sales tax and is another positive step in the redevelopment of Downtown Hastings. The Community Redevelopment Authority and the Hastings City Council have made it clear with previous decisions that they support development that will increase additional commercial and retail opportunities.

10. **Cost Benefit Analysis**

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the Plan Modification in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the City of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses.

Approximately $80,000 in public funds from tax increment financing will be required to complete the commercial development for the Brant Rentals 811 W. 1st Project. This investment by the Authority will leverage approximately $620,000 in private and public sector financing; an investment of $8.75 for every TIF dollar investment.

USE OF FUNDS		SOURCE OF FUNDS	
Site Acquisition	$95,000	Bank Financing	$320,000
Demolition & Site Development	$15,000	Owner Equity	$100,000
Engineering & Architecture	$10,000	TIF Loan	$80,000
Public Parking & Sidewalks	$30,000	Leasehold Improvements	$200,000
Exterior Construction	$350,000		
Tenant Improvements	$200,000		
TOTALS	**$700,000**	**TOTALS**	**$700,000**

Tax Revenue. The land to be redeveloped has a 2024 valuation of $80,351. Based on the 2024 levy rate of 1.996872, this valuation would result in real property taxes of approximately $1,605 which will be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by approximately $439,649 upon full completion, as a result of the site redevelopment of the Brant Rentals 811 W. 1st Project. This development will result in an additional estimated tax increase of over $8,780 annually. This tax increment gained from the Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible redevelopment costs to enable this project to berealized.

2024 assessed value:	$80,351
Annual City portion of property taxes	$317.23
Estimated value after completion	$520,000
Increment value	$439,649
Annual TIF generated (estimated)	$8,780
Increased taxes not available to City	$1,735.77
Increased taxes not available to County	$1,530.03

Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing for proposed Project:

A large financial gap exists on this project after conventional financing is utilized. A combination of owner equity, TIF and tenant leasehold improvements are needed to make the project feasible. The developer is contributing owner equity and other financing of $620,000 and TIF funding is intended to fill the remaining gap, making this project feasible. The project is asking for $80,000 in a TIF loan amortized over 15 years. The developer's financial institution has stated that the loan approval is subject to the approval of TIF funding and without TIF it would not be feasible for the developer to proceed with this redevelopment. Please see the table below which shows rate of returns from -3.32% to -.83% without TIF funding which is an unacceptable return on investment in today's market. The second table shows rates of returns from 5.31% to 7.8% with TIF funding.

Proforma Operating Statement w/o TIF				
	Year 1	Year 2	Year 3	Year 4
Rent Revenue	$ 61,152	$ 62,375	$ 63,623	$ 64,895
Expenses	$ (21,330)	$ (21,737)	$ (22,152)	$ (22,576)
NOI Without TIF	$ 39,822	$ 40,638	$ 41,471	$ 42,319
Debt Service	$ (43,144)	$ (43,144)	$ (43,144)	$ (43,144)
Cash Flow Without TIF	$ (3,322)	$ (2,506)	$ (1,673)	$ (825)
Cash on Cash Return	**-3.32%**	**-2.51%**	**-1.67%**	**-0.83%**
Owner Equity	$100,000	$100,000	$100,000	$100,000

Proforma Operating Statement with TIF				
	Year 1	Year 2	Year 3	Year 4
Rent Revenue	$ 61,152	$ 62,375	$ 63,623	$ 64,895
Expenses	$ (21,330)	$ (21,737)	$ (22,152)	$ (22,576)
NOI With TIF	$ 39,822	$ 40,638	$ 41,471	$ 42,319
Debt Service	$ (34,515)	$ (34,515)	$ (34,515)	$ (34,515)
Cash Flow With TIF	$ 5,307	$ 6,123	$ 6,956	$ 7,804
Cash on Cash Return	**5.31%**	**6.12%**	**6.96%**	**7.80%**
Owner Equity	$ 100,000	$ 100,000	$ 100,000	$ 100,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The proposed redevelopment will create additional valuation of $439,649. No additional tax shifts are anticipated from the project. The project creates new valuation from the construction of a 4,800 square foot commercial building that will support taxing entities long after the project tax increment financing indebtedness is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

The site is currently served by municipal services including water and sanitary sewer. Those services will continue following the completion of the Project. Fire and police protection are available and should not be negatively impacted by this development.

(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of Redevelopment Area #1. The Project will provide additional commercial rental opportunities for existing and potential new businesses which may attract additional employment. Speculative commercial space can be a driver for economic development.

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project could have a positive impact on local employers and employees as businesses looking for retail and office space have indicated that there is a shortage of quality space available. The

addition of new commercial space in the community may be a benefit to local employers by providing commercial space options.

(e) Impacts on student populations of school districts within the City or Village:

This development will have no impact on the Hastings area school systems as it will result in no increased attendance.

(f) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the Downtown Business Improvement District and the Community Redevelopment Authority to remove or rehabilitate substandard structures, increase the valuation of the core area and continue the revitalization efforts of Downtown Hastings.

Time Frame for Development

The Brant Rentals 811 W. 1st Project is anticipated to be developed commencing in the 2nd quarter of 2025 and be substantially completed and ready for occupancy by the 3rd quarter of 2025.

PLAN MODIFICATION NO. 2025-1
TO REDEVELOPMENT AREA #1
(Brant Rentals 811 W. 1st Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #1 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for a specific redevelopment project involving a commercial development to be located southwest of the intersection of 1st Street and Lincoln Avenue at 811 W. 1st Street.

Executive Summary:

Project Description
The Project consists of the demolition of an existing substandard building and the redevelopment and construction of a new 4,800 square foot single story commercial building on a parcel of land located at 811 W. 1st Street. Brant Rentals, LLC proposes a commercial development project that will include the acquisition of the project site and development of up to three commercial spaces.

The Project shall utilize the benefits of the Nebraska Community Development Law, including the use of tax increment financing for eligible costs which shall include, but not be limited to:

- Site acquisition costs
- Demolition, site preparation and site grading
- Architectural and engineering costs
- Public parking and sidewalks

The Brant Rentals 811 W. 1st Redevelopment Project will encounter these costs at this Redevelopment Area and the Project is not financially feasible without the use of tax increment financing.

TAX INCREMENT FINANCING TO PAY FOR ACQUISITION AND OTHER TIF ELIGIBLE PUBLIC IMPROVEMENTS WILL COME FROM THE FOLLOWING REAL PROPERTY:

Property Description (the "Redevelopment Project Area")

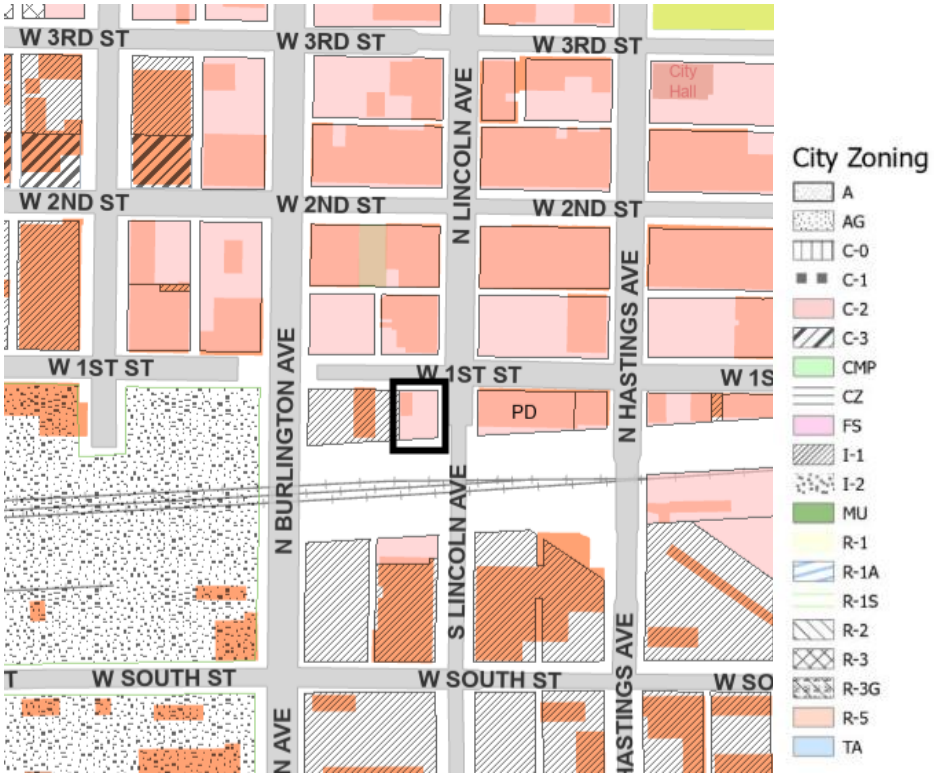
A parcel of land located west of Lincoln Avenue and south of 1st Street, aka 811 W. 1st

Legal Descriptions: The West Sixteen (16) feet of Lot Three (3), and the East Twelve (12) feet of Lot Four (4), Buchanan's Subdivision of Lot Five (5), John's Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof;

and

All of Lot One (1) and Lot Two (2), and the East Six (6) feet of Lot Three (3), Buchanan's Subdivision of Lot Five (5), John's Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof

Map of Existing Land Use and Proposed Redevelopment Site



The real property ad valorem taxes on the base valuation will continue to be paid to the other taxing entities. The increase in value will come from the redevelopment of the Project Site to construct a new commercial building with up to three commercial spaces in the C-2 Commercial zoning district. The tax increment will be captured for the tax years 2026 through 2040 inclusive. Provided, however, if there is no increase in valuation for the 2026 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later. Initial project costs for the Brant Rentals 811 W. 1st Project for the "white box" portion of the redevelopment are estimated to be approximately $500,000 which includes the cost of acquisition and site development. Tenant finishes are projected to be an additional $200,000 for a final project cost of $700,000. The project valuation when completed is estimated to be $520,000 and the developer projects an incremental valuation increase of approximately $439,649.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Brant Rentals 811 W. 1st Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan. Said taxes shall be divided as follows:

a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been

paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. **The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on March 23, 1987 (Resolution No. 1069). In September of 2017 a blight and substandard study was completed and the area was re-declared blighted and substandard by action of the Hastings City Council on November 13, 2017. (§18-2109) Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act,**

2. **Conformation to the General Plan for the Municipality as a whole. (§18-2103 /13) (a) and §18-2110)**

Hastings adopted a Comprehensive Plan on February 24, 2009 and intends to adopt a new comprehensive Plan in March of 2025. This redevelopment plan amendment and project are consistent with the 2009 Comprehensive Development Plan and with the 2025 Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. The plan amendment merely provides funding for the developer to construct a speculative commercial space on this property as defined by the current and future effective zoning regulations. The Hastings Planning Commission will hold a public hearing at their meeting on March 18, 2025 to review Plan Modification No. 2025-1 to Redevelopment Plan No. 1 confirming that this project is consistent with the 2009 Comprehensive Development Plan and the 2025 Comprehensive Development Plan for the City of Hastings.

3. **The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**

   a. **Land Acquisition:**

The Redevelopment Plan for Area #1 provides for real property acquisition and this plan amendment does not prohibit such acquisition. Brant Rentals, LLC intends to acquire the property on which the Project will be constructed.

   b. **Demolition and Removal of Structures:**

The site has a vacant commercial office building which will be demolished to accommodate the project site development. The building has been vacant for over one year and no relocation costs are included as a part of this project.

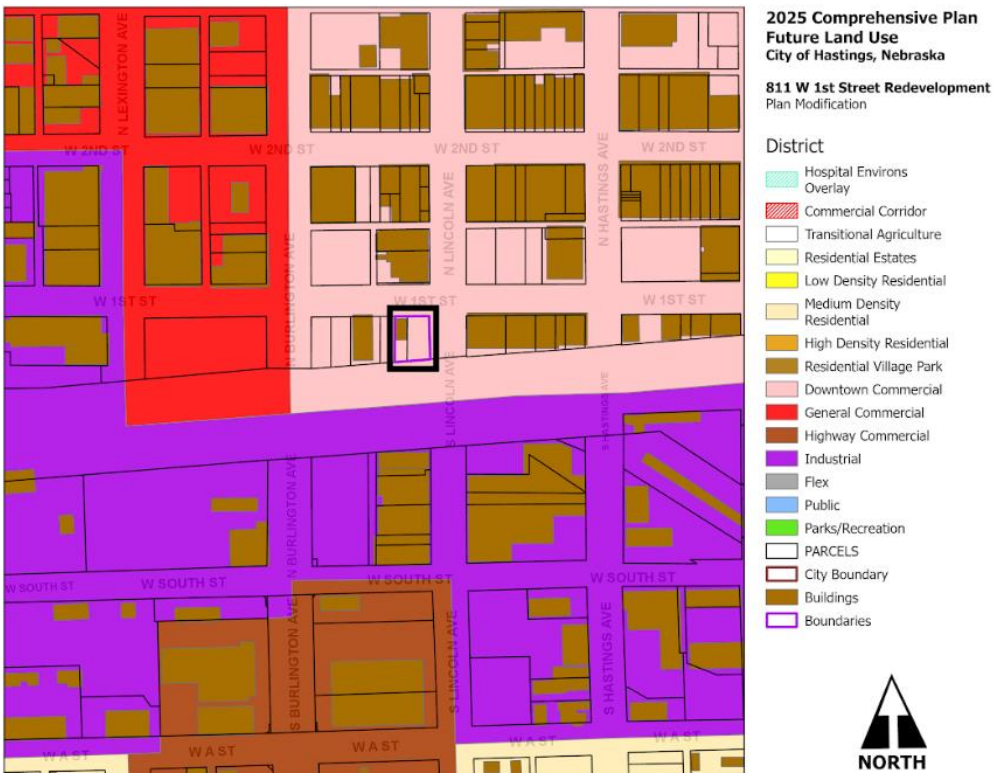
   c. **Future Land Use Plan**

See the attached maps from the 2009 Hastings Comprehensive Development Plan and the 2025 Comprehensive Redevelopment Plan. The Project Site is identified as “Mixed Use - Downtown” in the 2009 Comprehensive Development Plan and identified as “Downtown Commercial” in the 2025 Comprehensive Development Plan

which are both consistent with this Amendment. The site is planned for commercial development and ancillary uses of the area after redevelopment as required by Section 18-2111(5) of the Nebraska Community Development Law. The Brant Rentals 811 W. 1st project will add new speculative commercial space to the site.

Future Land Use Map – 2009 Comprehensive Plan

Future Land Use Map – 2025 Comprehensive Plan



d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes

The project area is currently zoned for commercial use under the C-2 Commercial District. The Project Site Plan reflects that no changes to zoning, street layouts are required. No changes are anticipated in building codes or ordinances, nor are any other planning changes contemplated. [§18-2103(b) and §18-2111] other than as described herein.

e. Site Coverage and intensity of Use

The developer intends to construct speculative commercial space which will add unique commercial rental opportunities to the City of Hastings. The Brant Rentals 811 W. 1st Project will contain up to three speculative commercial spaces which density is approved for this Development.

f. Additional Public Facilities or Utilities

Sewer, water and street paving already exist to support this redevelopment of the site. Sufficient electric utilities and gas lines also exist which currently serve the existing site. The redeveloper will be responsible for installing any sidewalks required for the project. No other utilities would be impacted by the development. [§18-2103(b) and§18-2111]. The redeveloper intends to construct new parking to serve the occupants of the Project.

4. **The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation.** The commercial office structure located on the site is vacant. There are no individuals or families who will be displaced by the Project.

5. **No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106].** No members of the authority or staff of the CRA have any interest in this property.

6. <u>Section 18-2114 of the Act requires that the Authority consider:</u>

1. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The developer intends to purchase the property from the current owner for $95,000 and acquisition is part of the request for tax increment financing. The CRA has been asked to provide $80,000 in TIF funding to this project to offset the cost of TIF eligible expenditures. The CRA has identified the following TIF eligible expenses for the developers' proposed improvements;

a) site acquisition - $95,000
b) demolition and site preparation - $15,000
c) parking and public sidewalks - $30,000
d) planning related & engineering services - $10,000

The total TIF eligible expenses for this project are $150,000. The property will be transferred to the redevelopers by the owner and the developer will provide and secure all necessary financing.

2. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project including owner equity and bank financing. The Authority will assist the project by granting the sum of $80,000 from the proceeds of the TIF. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2026 through December 2040. While the development costs are estimated to be $700,000, the actual cost of development shall be determined following the completion of design and bidding of the Project.

3. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. <u>Section 18-2113 of the Act requires:</u>

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.
The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the 2009 Hastings Comprehensive Development Plan and the 2025 Comprehensive Development Plan by providing the following benefits;

- Continuing to maximizing development potential downtown and
- Removal of a substandard and aging structure; and
- Provide sites for commercial and development.

8. Time Frame for Development

Development of the Brant Rentals 811 W. 1st Project is anticipated to be commenced in the 2nd quarter of 2025 and construction is anticipated to be complete in the 3rd quarter of 2025. Excess valuation should be available for this project for 15 years beginning with the 2026 tax year, provided, however, if there is no increase in valuation for the 2026 tax year, the excess valuation will be available beginning in the year when an increase in value is available for capture.

9. Justification of Project

Demolition of an existing substandard structure, site preparation, and construction of a new modern building are necessary to facilitate redevelopment of this site. The redevelopment of this property will result in increased commercial opportunities and increased sales tax and is another positive step in the redevelopment of Downtown Hastings. The Community Redevelopment Authority and the Hastings City Council have made it clear with previous decisions that they support development that will increase additional commercial and retail opportunities.

10. Cost Benefit Analysis

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the Plan Modification in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the City of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses.

Approximately $80,000 in public funds from tax increment financing will be required to complete the commercial development for the Brant Rentals 811 W. 1st Project. This investment by the Authority will leverage approximately $620,000 in private and public sector financing; an investment of $8.75 for every TIF dollar investment.

USE OF FUNDS		**SOURCE OF FUNDS**	
Site Acquisition	$95,000	Bank Financing	$320,000
Demolition & Site Development	$15,000	Owner Equity	$100,000
Engineering & Architecture	$10,000	TIF Loan	$80,000
Public Parking & Sidewalks	$30,000	Leasehold Improvements	$200,000
Exterior Construction	$350,000		
Tenant Improvements	$200,000		
TOTALS	**$700,000**	**TOTALS**	**$700,000**

Tax Revenue. The land to be redeveloped has a 2024 valuation of $80,351. Based on the 2024 levy rate of 1.996872, this valuation would result in real property taxes of approximately $1,605 which will be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by approximately $439,649 upon full completion, as a result of the site redevelopment of the Brant Rentals 811 W. 1st Project. This development will result in an additional estimated tax increase of over $8,780 annually. This tax increment gained from the Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible redevelopment costs to enable this project to be realized.

2024 assessed value: $80,351

Annual City portion of property taxes	$317.23
Estimated value after completion	$520,000
Increment value	$439,649
Annual TIF generated (estimated)	$8,780
Increased taxes not available to City	$1,735.77
Increased taxes not available to County	$1,530.03

Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing for proposed Project:

A large financial gap exists on this project after conventional financing is utilized. A combination of owner equity, TIF and tenant leasehold improvements are needed to make the project feasible. The developer is contributing owner equity and other financing of $620,000 and TIF funding is intended to fill the remaining gap, making this project feasible. The project is asking for $80,000 in a TIF loan amortized over 15 years. The developer's financial institution has stated that the loan approval is subject to the approval of TIF funding and without TIF it would not be feasible for the developer to proceed with this redevelopment. Please see the table below which shows rate of returns from -3.32% to -.83% without TIF funding which is an unacceptable return on investment in today's market. The second table shows rates of returns from 5.31% to 7.8% with TIF funding.

Proforma Operating Statement w/o TIF				
	Year 1	**Year 2**	**Year 3**	**Year 4**
Rent Revenue	$ 61,152	$ 62,375	$ 63,623	$ 64,895
Expenses	$ (21,330)	$ (21,737)	$ (22,152)	$ (22,576)
NOI Without TIF	$ 39,822	$ 40,638	$ 41,471	$ 42,319
Debt Service	$ (43,144)	$ (43,144)	$ (43,144)	$ (43,144)
Cash Flow Without TIF	$ (3,322)	$ (2,506)	$ (1,673)	$ (825)
Cash on Cash Return	**-3.32%**	**-2.51%**	**-1.67%**	**-0.83%**
Owner Equity	$100,000	$100,000	$100,000	$100,000

Proforma Operating Statement with TIF				
	Year 1	**Year 2**	**Year 3**	**Year 4**
Rent Revenue	$ 61,152	$ 62,375	$ 63,623	$ 64,895
Expenses	$ (21,330)	$ (21,737)	$ (22,152)	$ (22,576)
NOI With TIF	$ 39,822	$ 40,638	$ 41,471	$ 42,319
Debt Service	$ (34,515)	$ (34,515)	$ (34,515)	$ (34,515)
Cash Flow With TIF	$ 5,307	$ 6,123	$ 6,956	$ 7,804
Cash on Cash Return	**5.31%**	**6.12%**	**6.96%**	**7.80%**
Owner Equity	$ 100,000	$ 100,000	$ 100,000	$ 100,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The proposed redevelopment will create additional valuation of $439,649. No additional tax shifts are anticipated from the project. The project creates new valuation from the construction of a 4,800 square foot commercial building that will support taxing entities long after the project tax increment financing indebtedness is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

The site is currently served by municipal services including water and sanitary sewer. Those services will continue following the completion of the Project. Fire and police protection are available and should not be negatively impacted by this development.

(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of Redevelopment Area #1. The Project will provide additional commercial rental opportunities for existing and potential new businesses which may attract additional employment. Speculative commercial space can be a driver for economic development.

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project could have a positive impact on local employers and employees as businesses looking for retail and office space have indicated that there is a shortage of quality space available. The addition of new commercial space in the community may be a benefit to local employers by providing commercial space options.

(e) Impacts on student populations of school districts within the City or Village:

This development will have no impact on the Hastings area school systems as it will result in no increased attendance.

(f) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the Downtown Business Improvement District and the Community Redevelopment Authority to remove or rehabilitate substandard structures, increase the valuation of the core area and continue the revitalization efforts of Downtown Hastings.

Time Frame for Development

The Brant Rentals 811 W. 1st Project is anticipated to be developed commencing in the 2nd quarter of 2025 and be substantially completed and ready for occupancy by the 3rd quarter of 2025.

Hastings, Nebraska Area 1 Blight and Substandard Study

September 2017

Prepared for: City of Hastings, Nebraska CRA

Prepared by:

MARVIN PLANNING CONSULTANTS
Specializing in Municipal, County and Neighborhood Planning

MSA PROFESSIONAL SERVICES
ARCHITECTURE | ENGINEERING | ENVIRONMENTAL
FUNDING | PLANNING | SURVEYING

PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY

The purpose of completing this Blight and Substandard study is to examine existing conditions within a specific part of Hastings. This study has been commissioned by Hastings CRA in order to analyze the possibility of declaring the area as blighted and substandard.

The City of Hastings, when considering conditions of Blight and Substandard, will be looking at those issues and definitions provided for in the Nebraska Community Redevelopment Law as found in Chapter 18, Section 2104 of the Revised Nebraska State Statutes, as follows:

> *"The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of Sections 18-2101 to 18-2144, shall afford maximum opportunity, consistent with sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under sections 18-2101 to 18-2144, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements".*

The Nebraska Revised Statutes §18-2105 continues by granting authority to the governing body for formulation of a workable program. The statute reads,

> *"The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof."*

Blight and Substandard are defined as the following:

> *"Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"*

> *"Blighted area means an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a shall not designate an area larger than one hundred percent of the as blighted;"*

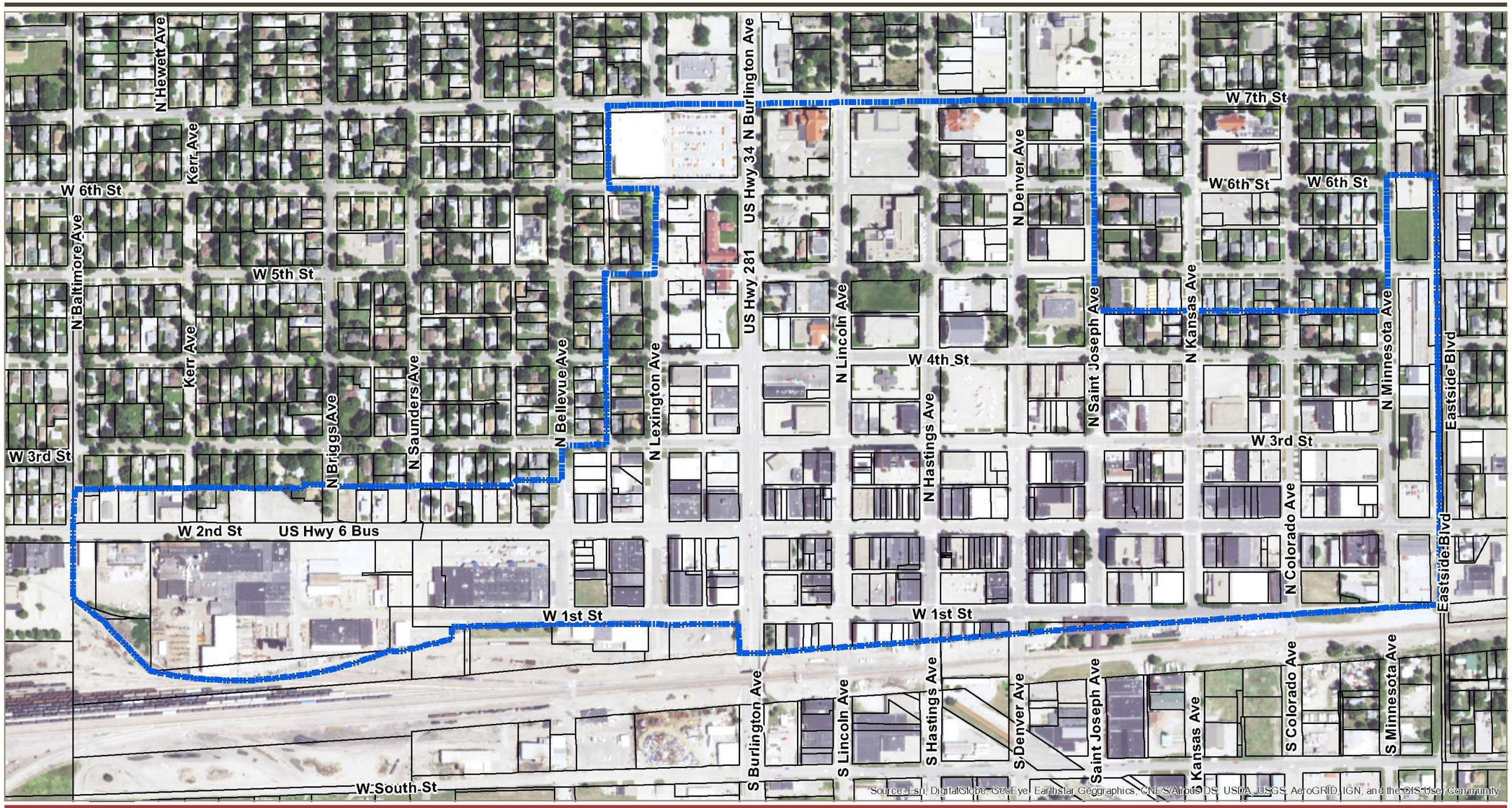
The Study is intended to give the Hastings CRA, Hastings Planning Commission and Hastings City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction and as allowed under Chapter 18, Section 2123.01. Through this process, the City and property owners will be attempting to address economic and/or social liabilities which are harmful to the well-being of the entire community.

The study area can be seen in Figure 1 of this report. A Redevelopment Plan to be submitted in the future containing, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

- The boundaries defining the blighted and substandard areas in question (including existing uses and conditions of the property within the area), and
- A list of the conditions present which qualify the area as blighted and substandard.

Study Area

Figure 1: Study Area Map



HASTINGS 2017 BLIGHT AND SUBSTANDARD STUDY - AREA 1

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

Area 1 (160 Acres)

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MPC MARVIN PLANNING CONSULTANTS MSA

Printed by: jpowell, File: C:\Users\jpowell\Desktop\Working_MXDs\HastingsNE\GIS\MAPS\Hastings NE Blight Study Area Map.mxd Print Date: 11:42:59 AM 9/5/2017

Blight and Substandard Eligibility Study

This study targets a specific area within an established part of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in area include residential uses, commercial uses, industrial uses and public uses including accessory uses within the corporate limits of Hastings.

Through the redevelopment process the City of Hastings can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Hastings is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City can assist in the elimination of negative conditions and implement different programs/projects identified for the City.

The following is the description of the designated area within Hastings.
The study area is defined as follows: the Point of beginning is located at the intersection of the centerlines of 7th Street and North St. Joseph Avenue; thence, southerly along the centerline of North St. Joseph Avenue to the intersection with the centerline of the alley between 5th Street and 4th Street; thence, easterly along said centerline to the intersection with the centerline of North Minnesota Avenue; thence, northerly along said centerline to the extended north property line of a lot referred to Lots 1 and 2 & adjacent 6th Street Block 8 Johnsons Addition; thence, easterly along said property line to the centerline of Eastside Blvd.; thence, southerly along said centerline to the intersection with the northern right-of-way of the Burlington Northern Santa Fe Railroad; thence southwesterly along said northern property line until it intersects with the western right-of-way line of North Burlington Avenue; thence northerly along said right-of-way line until it intersects with the southern right-of-way line of West 1st Street; thence, westerly along said line to intersection with the northeast corner of a lot referred to as Tax Lot 4; thence; southerly along the east property line of Tax Lot 4 to the southeast corner of Tax Lot 4; thence southwesterly along the southern property line of Tax Lot 4 until said property line intersects with a sidetrack; thence, continuing on said sidetrack until intersecting with the east property line of a lot referred to as Tax Lot 11; thence, northerly along said property line and continuing to the centerline of North Baltimore Avenue to the intersection with the north property line of the southern half of the block situated between West 2nd Street and West 3rd Street; thence, easterly along said northern property lines extended northwest corner of Lot 2, Sidlo's Subdivision; thence, continuing along the northern property line of said lot to the intersection with the centerline of North Briggs Avenue; thence southerly along said property line to the extended centerline of an alley contained within McIntyre's Addition; thence easterly along said alley centerline and continuing along the alley centerline between GT Hutchinson's Addition, Birderup's 2nd Addition and Benjamins Addition to the intersection with the alley centerline west of N Bellevue Avenue; thence, northerly to the intersection with the extended south property line of Lot 1, Block 18 of Moore's Addition; thence, easterly along said south property line to the intersection with the centerline of N. Bellevue Avenue; thence, northerly along said centerline to the intersection with the centerline of W. 3rd Street; thence, easterly along said centerline top the intersection with the extended centerline of the alley between N. Bellevue Avenue and N. Lexington Avenue, thence, northerly along said centerline and extending along alley centerlines to the intersection with the centerline of W. 5th Street; thence, easterly along said centerline to the intersection with the centerline of N. Lexington Avenue; thence, northerly along said centerline to the intersection with the centerline of W. 6th Street; thence, westerly along said centerline to the extended centerline of an alley located between N. Lexington Avenue and N. Bellevue Avenue; thence, northerly along said centerline to the intersection of W. 7th Street; thence, easterly to the point of beginning.

Existing Land Uses

The term "Land Use" refers to the developed uses in place within a building or on a specific lot of land. The number and type of uses are constantly changing within a community, and produce a number of impacts either benefitting or detracting from the community. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

Existing Land Use Analysis within Study Area

As part of the planning process, a survey was conducted through both in-field observations, as well as data collection online using the Adams County Assessors website. This survey noted the use of each lot of land within the study area. These data from the survey are analyzed in the following paragraphs.

TABLE 1: EXISTING LAND USE, HASTINGS - 2017

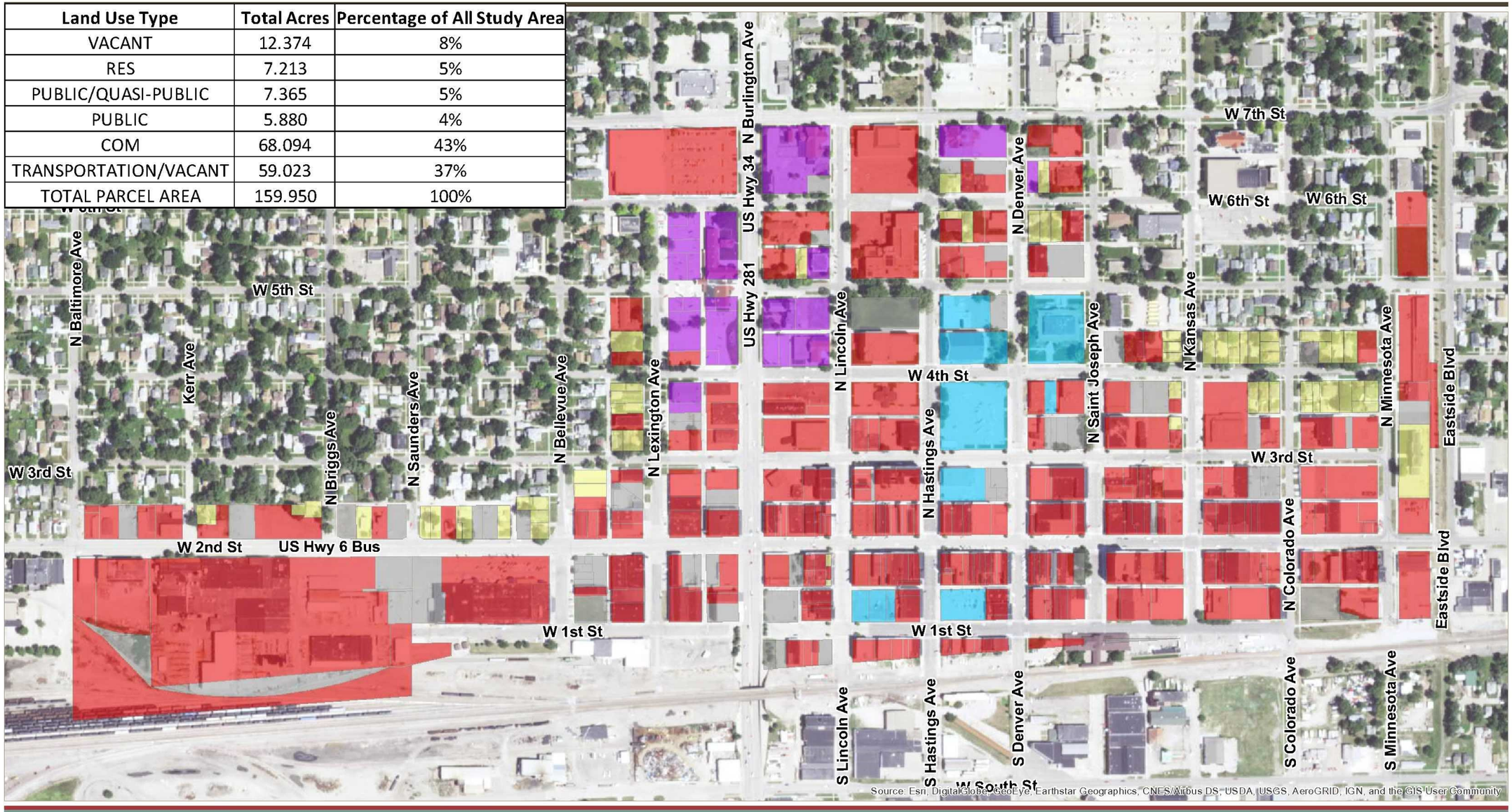
Type of Use	Acres	Percent of Developed land within the Study Area	Percent of Study Area
Residential	7.21	4.9%	4.5%
Commercial	68.10	46.1%	42.6%
Quasi-Public/Public	13.25	9.0%	8.3%
Transportation	59.02	40.0%	36.9%
Total Developed Land	147.58	100.0%	92.3%
Vacant/Agriculture	12.37		7.7%
Total Area	159.95		100.0%

Source: Marvin Planning Consultants 2017

Table 1 includes the existing land uses for the entire study area. The table contains the total acres determined per land use from the survey; next is the percentage of those areas compared to the total developed land; and finally, the third set of data compare the all land uses to the total area within the Study Area. The Study Area is predominately made up of commercial and transportation (including rights-of-way). Commercial uses, according to the Assessor's methods includes all industrial uses. In addition to the Assessor's methods, the definition of Blighted and Substandard only refer to residential and commercial uses. Therefore, 42.6% of the entire area is considered to be commercial uses; while, 36.9% is made up of transportation (streets, alleys, and rights-of-way). Residential uses only make up 4.5% of the entire study area; however, this does not include any above ground level residential dwellings in the downtown area.

Figure 2
Existing Land Use Map

Land Use Type	Total Acres	Percentage of All Study Area
VACANT	12.374	8%
RES	7.213	5%
PUBLIC/QUASI-PUBLIC	7.365	5%
PUBLIC	5.880	4%
COM	68.094	43%
TRANSPORTATION/VACANT	59.023	37%
TOTAL PARCEL AREA	159.950	100%



AREA I - EXISTING LAND USE

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

COMMERCIAL
PUBLIC/QUASI-PUBLIC
VACANT
PUBLIC
RESIDENTIAL

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MPC MARVIN PLANNING CONSULTANTS
MSA PROFESSIONAL SERVICES

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Findings of Blight and Substandard Conditions Eligibility Study

This section of the study examines the conditions found in the study area. The Findings Section will review the conditions based upon the statutory definitions.

Contributing Factors

There were a number of conditions examined and evaluated in the field and online. There are a number of conditions that will be reviewed in detail, on the following pages, while some of the statutory conditions are not present.

Structural Conditions

Structural conditions were evaluated, structures were either rated as: Excellent, Good, Average, Fair, and Poor. The data and rating system comes from the Adams County Assessor's database and is the same database used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

- 2 (0.8%) structures rated as Excellent
- 25 (8.8%) structures rated as Good
- 216 (76.0%) structure rated as Average
- 33 (11.6%) structures rated as Fair
- 8 (2.8%) structure rated as Poor

The different rating terms used in this section are defined as follows:

Excellent: Typically newer construction or property that recently has been completely upgraded.

Good: Typically no major defects or aging conditions showing up in the physical analysis.

Average: Typically minor defects may be showing up, including: degrading roof materials (limited to 25%), masonry joints needing tuckpointed (25% or less), painted surfaces beginning to peel and flake, small cracks in the foundation, broken glass, and other similar conditions.

Fair: Similar to Average but conditions are worsening and covering a greater percentage of the structure.

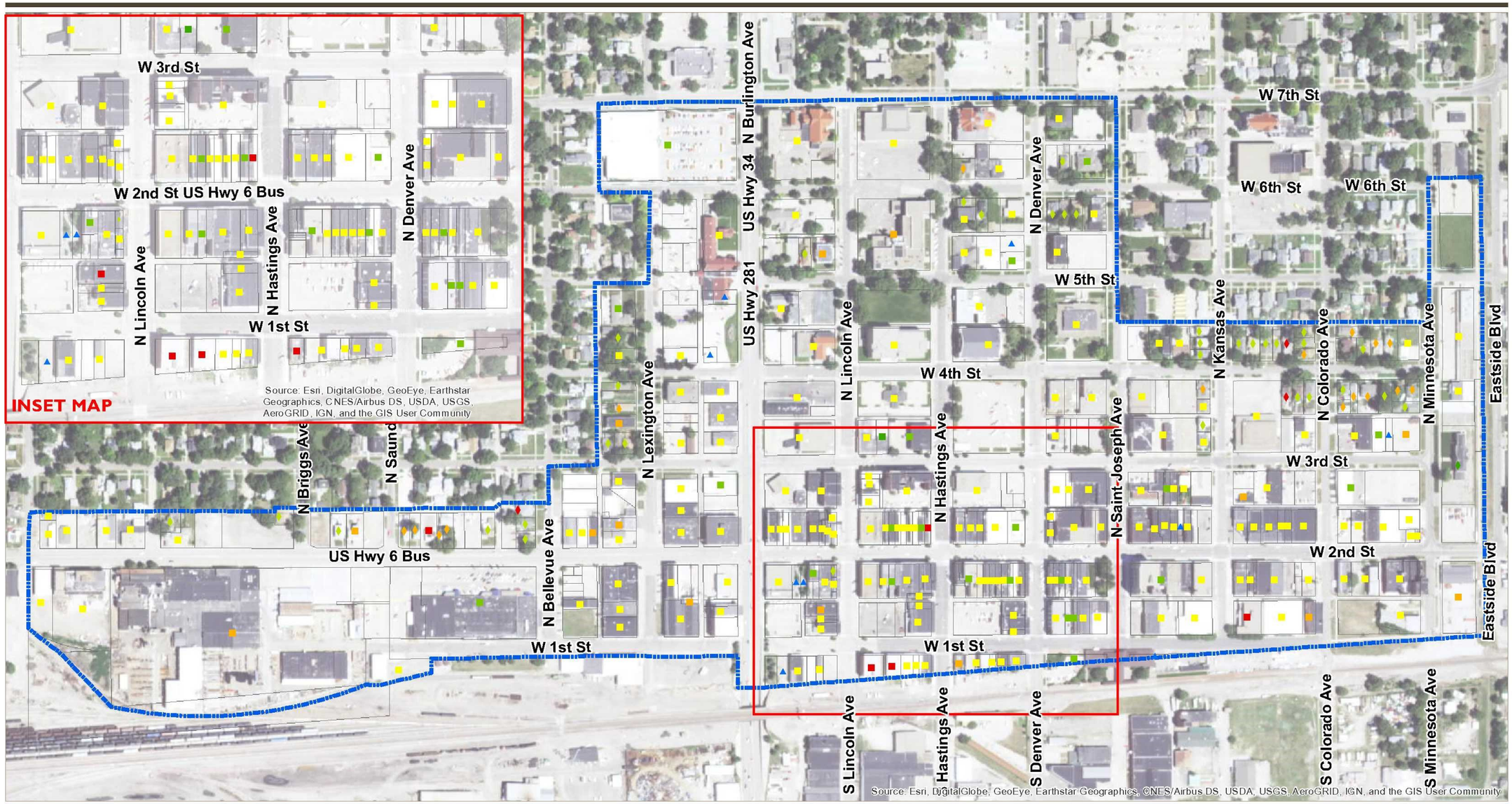
Poor: Represents structures likely showing several of the conditions mentioned above as well as the extent of the aging and deterioration is at a point where demolition may be necessary to eliminate the conditions.

Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 90.4% of the structures in this study area are average condition or worse.

Due to the stated conditions found in the Adams County Assessor's data, the condition of the structure is a contributing factor.

Examples of Structural Conditions within the Study Area

Figure 3
Structure Conditions



AREA I - CONDITION OF STRUCTURES

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

Vacant Buildings
- Average (9 Structures)

Residential Buildings
- Good (1 Structure)
- Average (34 Structures)
- Fair (17 Structures)
- Poor (3 Structures)

Commercial Buildings
- Excellent (2 Structures)
- Good (24 Structures)
- Average (173 Structures)
- Fair (16 Structures)
- Poor (5 Structures)

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MPC MARVIN PLANNING CONSULTANTS
MSA PROFESSIONAL SERVICES

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Deterioration of Site or Other Improvements

Sidewalk Conditions

Sidewalks, regardless of the area and uses within a community, should provide a safe means of movement for pedestrians. Sidewalks become increasingly more important along transportation routes considered to be arterials and highways. A sidewalk allows for pedestrian movement while keeping people off of heavily traveled streets.

The sidewalk conditions were analyzed in the Study Area. The sidewalks were rated on four categories; good, average, poor, and missing completely. In most cases, if a few panels were showing signs of deterioration and the remaining sections were not newer, than an entire run was deemed to match the areas of concern. Again, average and lower are considered to be undesirable conditions. As with the structural conditions, once a sidewalk begins to deteriorate they will continue to get worse unless specific maintenance or replacement steps are undertaken.

The different rating terms used in this section are defined as follows:

Good: Typically no major defects or aging conditions showing up in the physical analysis.

Average: Typically minor defects may be showing up, including: stress cracks, slight chipping of concrete edges, small amount of spawling, and slight heaving of a panel.

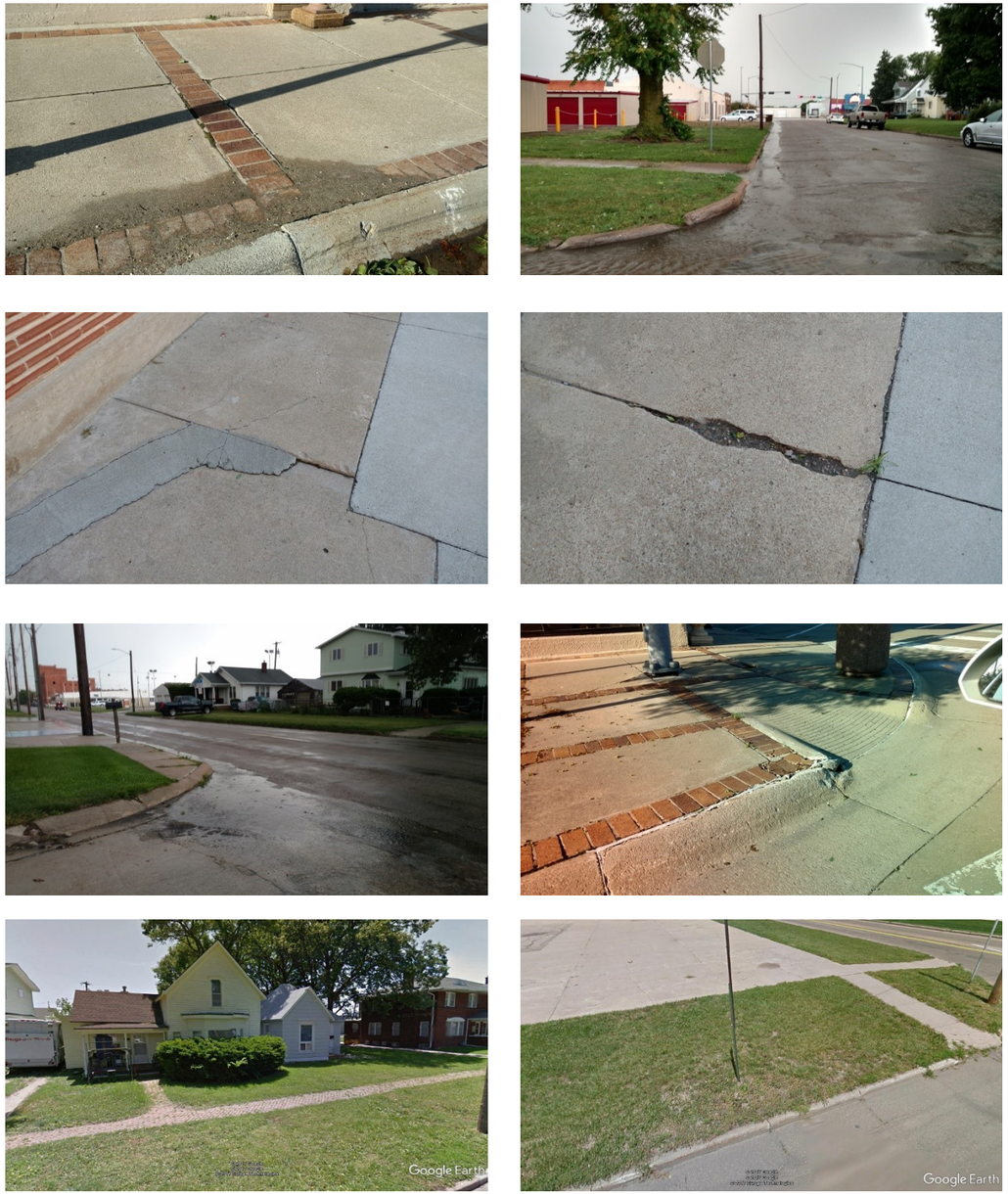
Poor: Represents a sidewalk with considerable issues and is in need of replacement in the near future.

Missing: Just as it implies, there is no sidewalk present at that location.

Within the study area there is approximately 56,650 lineal feet of area where sidewalk could or should be located. The lineal feet were determined through some on-site analysis s well as using the 2016 Hastings aerials and Google Earth with Street View. The following is how the sidewalk conditions breakdown within the study area:

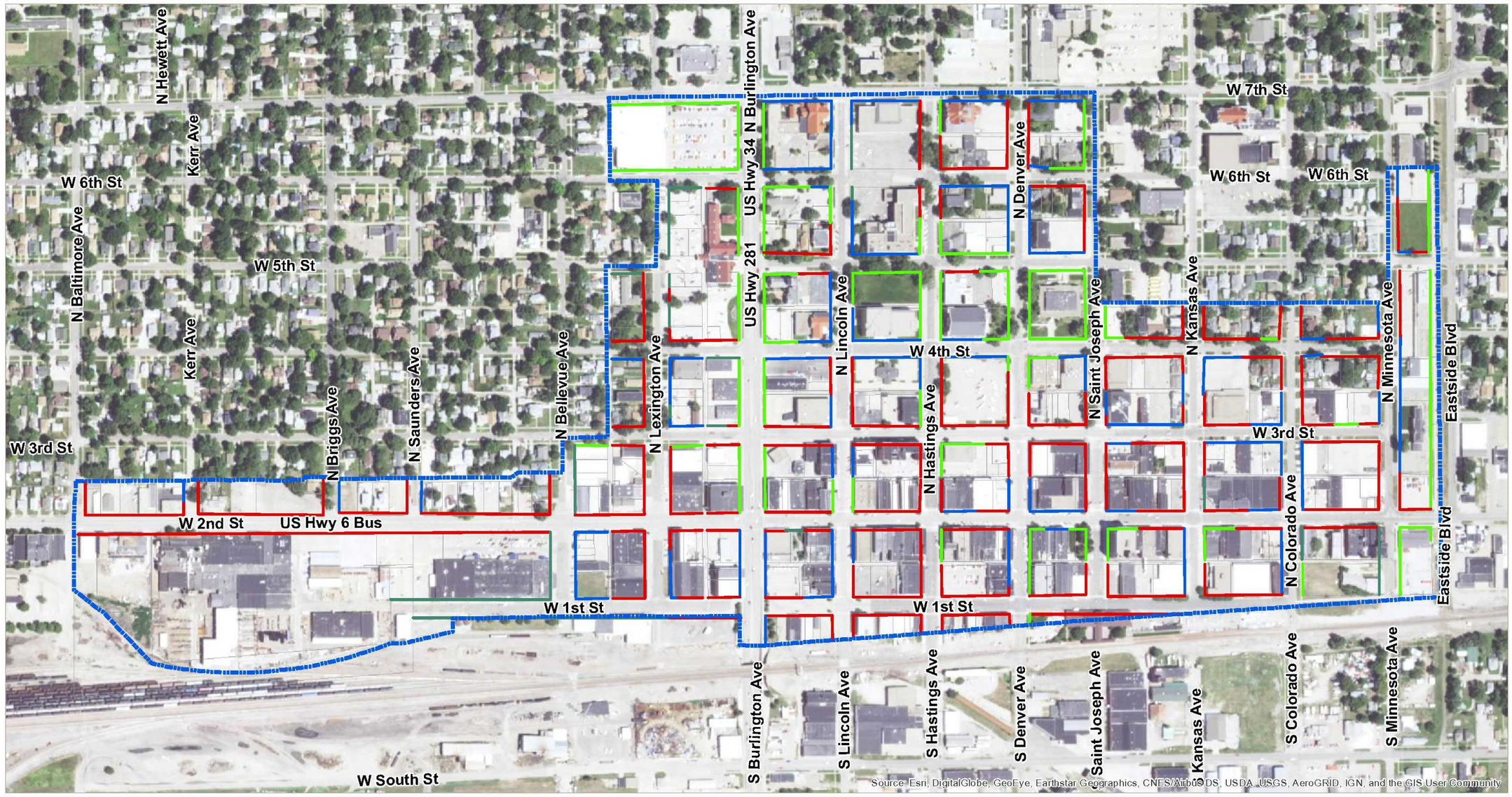
- 12,438 (21.9%) lineal feet of good sidewalk
- 13,120 (23.2%) lineal feet of average sidewalk
- 27,192 (48.0%) lineal feet of poor sidewalk
- 3,890 (6.9%) lineal feet of no sidewalk.

There is only one area which is lacking sidewalk, along 1st Street. Most of the area is directly behind Allen's but continues around the east side of the stores parking lot. Overall, over 78% of the sidewalk in this study area is considered to be average, poor or completely missing. Even if the average sidewalk condition was factored out of the overall calculation, there would be 54.9% of the sidewalk considered poor or missing. Due to this the sidewalk conditions in the Study Area are considered a contributing factor to a condition of Blight.



Examples of Sidewalk Conditions within the Study Area

Figure 4
Sidewalk Conditions



AREA I - SIDEWALK CONDITIONS

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

- Good - 12,438 Linear Feet
- Average - 13,120 Linear Feet
- Poor - 27,192 Linear Feet
- Missing - 3,890 Linear Feet

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MPC MARVIN PLANNING CONSULTANTS
MSA PROFESSIONAL SERVICES

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Deterioration of Site or Other Improvements, continued

Street Conditions

Streets are our primary means for getting from place to place, if they are in a bad state then an area is difficult to access. Streets in the Study Area were examined similarly to sidewalks. The streets were graded as either good, average, poor, or closed.

The street conditions, similar to the sidewalks, were analyzed in the Study Area. The streets were rated on four categories; good, average, poor, and closed. In most cases, if a few panels of concrete were showing signs of deterioration and the remaining sections were not newer, than an entire run was deemed to match the areas of concern. In addition, where there were streets with an asphalt overlay, any spawling, breakups, or other noticeable issues, these were rated accordingly. Again, average to lower conditions were considered to be undesirable. As with the sidewalks conditions, once a street begins to deteriorate it will continue to get worse unless specific maintenance or replacement steps are undertaken.

The different rating terms used in this section are defined as follows:

Good: Typically no major defects or aging conditions showing up in the physical analysis.

Average: Typically minor defects may be showing up, including: stress cracks, slight chipping of concrete edges, small amount of spawling, and slight heaving of a panel.

Poor: Represents a streets with considerable issues and is in need of an overlay or complete replacement in the near future.

Closed: Just as it implies, there is no street present at that location.

Within the study area there is approximately 50,765 lineal feet or 9.6 miles of streets and alleys possible. After reviewing the conditions in the field, the following is how the street conditions breakdown within the study area:

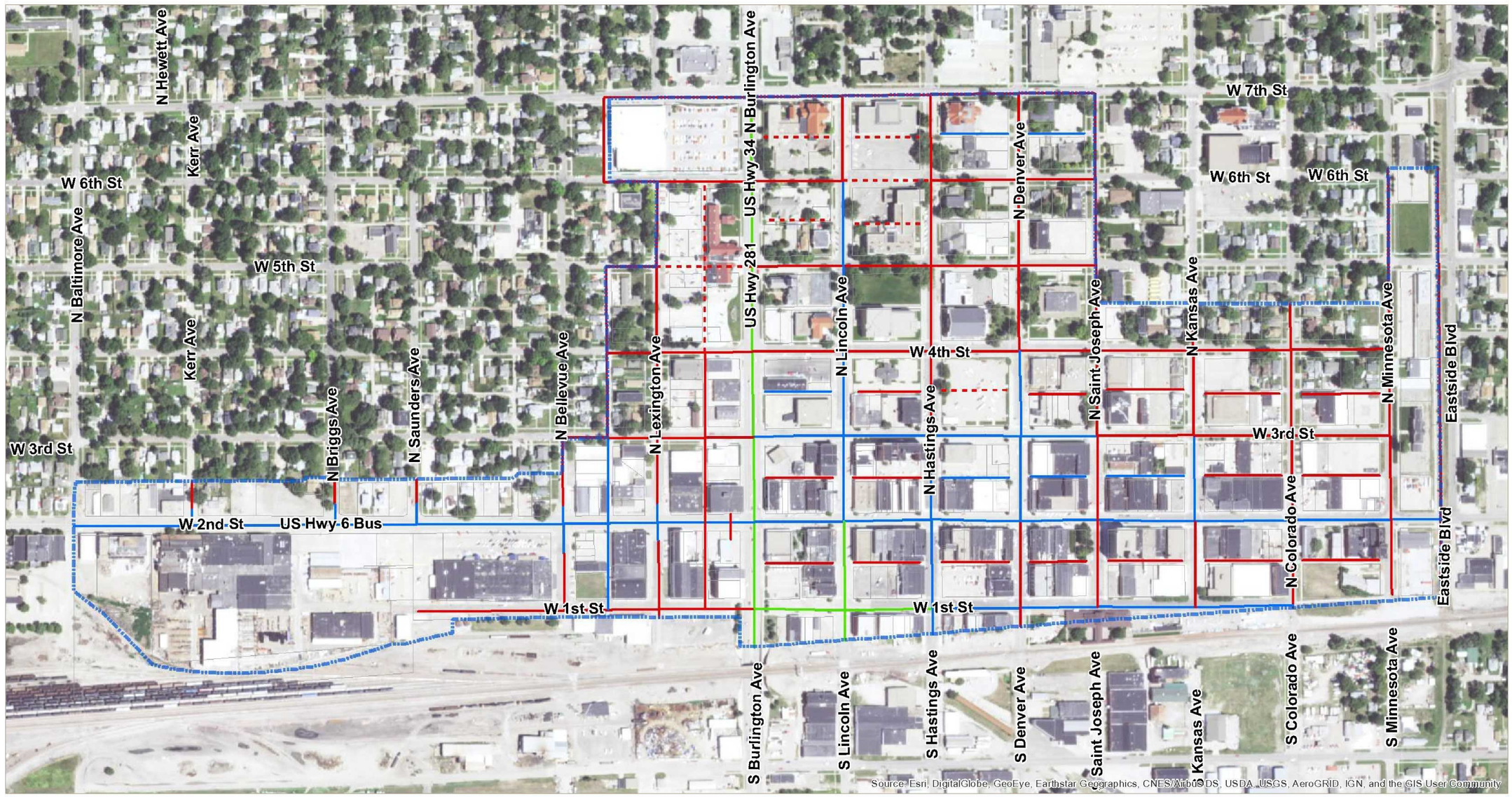
- 3,308 (6.5%) lineal feet of good street
- 13,934 (27.5%) lineal feet of average street
- 30,514 (60.1%) lineal feet of poor street
- 3,009 (5.9%) of closed streets

In total, 93.5% of the streets are in a average condition or worse, thus making them in a deteriorating state. However, if you remove the average condition streets from the calculation, Area 1 still has 66.0% of the streets in a state of deterioration. See Figure 5 for the locations of these streets.

Due to the large amount of deteriorating streets, the street conditions would be a direct contributing factor.

Examples of Street Conditions within the Study Area

Figure 5
Street Conditions



AREA I - STREET CONDITIONS

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

- Good - 3,308 Linear Feet
- Average - 13,934 Linear Feet
- Deteriorating - 30,514 Linear Feet
- Closed - 3,009 Linear Feet

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MPC MARVIN PLANNING CONSULTANTS
MSA PROFESSIONAL SERVICES

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Deterioration of Site or Other Improvements, continued

Curb and Gutter

Curb and Gutters have a number of direct and indirect roles in neighborhoods. Their primary functions is to be a barrier and a collection and direction system for moving water to storm drains or other drainage systems so the storm water can be drained away. On a secondary level, they can help define where the streets start and stop, and they act as a physical barrier between pedestrian and vehicular traffic.

The curb and gutter conditions, similar to the others, were analyzed throughout the Study Area. The curb and gutter were rated on the same four categories; good, average, poor, and missing. In most cases, if a few panels/sections of curb and gutter were showing signs of deterioration and if the remaining sections were not newer, than an entire run was deemed to match the areas of concern. In addition, where there were streets and curb and gutter meet, any spawling, breakups, or other noticeable issues, these were rated accordingly. Again, average to lower conditions were considered to be undesirable. As with the streets and sidewalks conditions, once a curb and gutter section begins to deteriorate it will continue to get worse unless specific maintenance or replacement steps are undertaken.

The different rating terms used in this section are defined as follows:

Good: Typically no major defects or aging conditions showing up in the physical analysis.

Average: Typically minor defects may be showing up, including: stress cracks, slight chipping of concrete edges, small amount of spawling, and slight heaving of a section.

Poor: Represents curbs and gutter with considerable issues and is in need of a complete replacement in the future.

Missing: Just as it implies, there is no curb and gutter present at that location.

Within the study area there is approximately 56,230 lineal feet or 10.6 miles of curb and gutter possible. If comparing the total lineal feet of curb and gutter to streets, the numbers do not match due to the fact alley ways were included in the street section. After reviewing the conditions in the field, the following is how the curb and gutter conditions breakdown within the study area:

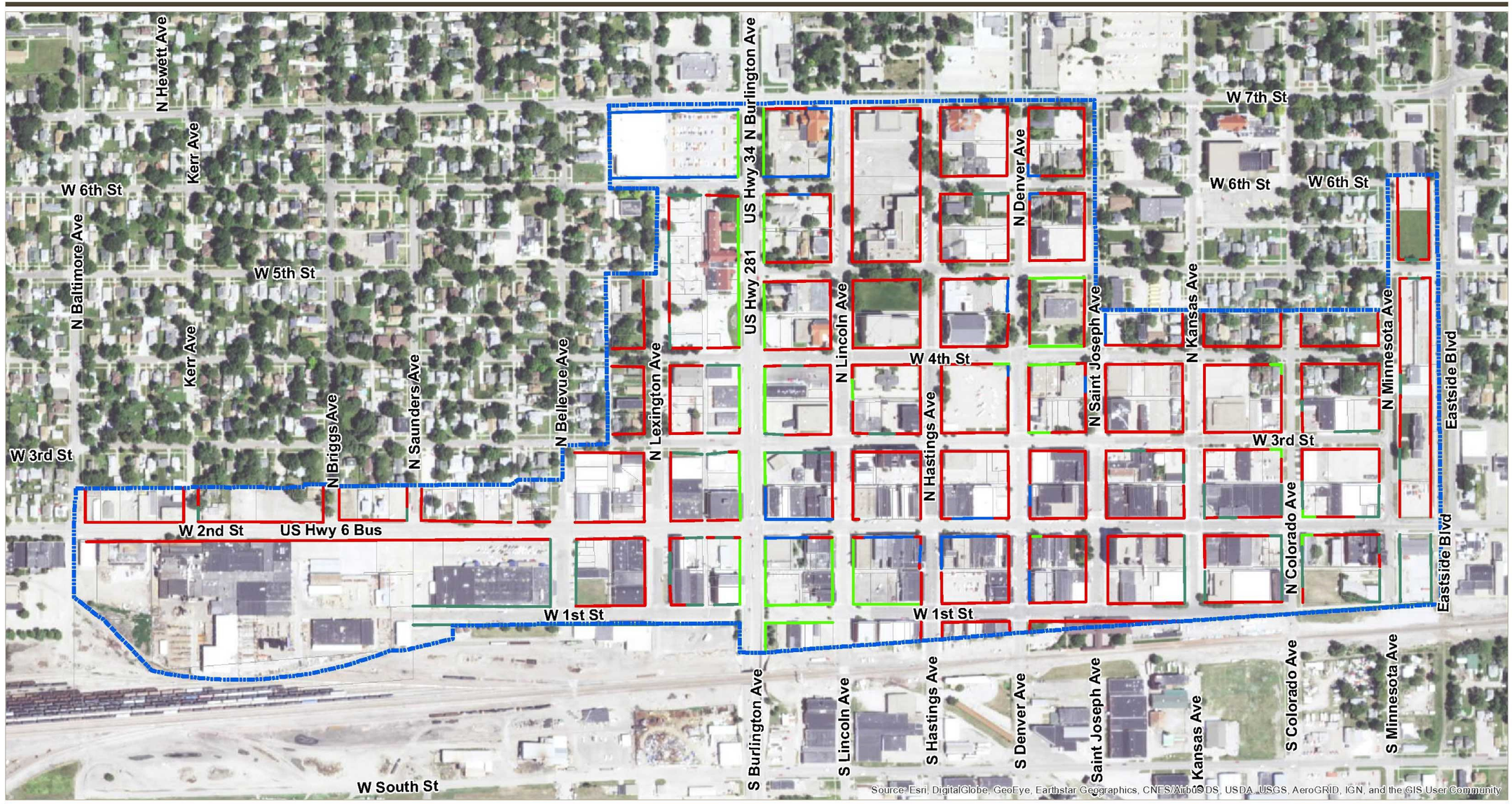
- 5,705 (10.1%) lineal feet of good curb and gutter
- 3,762 (6.7%) lineal feet of average curb and gutter
- 38,381 (68.3%) lineal feet of poor curb and gutter
- 8,383 (14.9%) of missing curb and gutter

In total, 89.9% of the curb and gutter are in a average condition or worse, thus placing them in a deteriorating state. However, if you remove the average condition curb and gutter from the calculation, Area 1 still has 83.2% of the curb and gutter in a state of deterioration. See Figure 6 for the locations of these curb and gutter.

Due to the large amount of deteriorating curb and gutter, the curb and gutter conditions are a direct contributing factor.

Examples of Curb and Gutter Conditions within the Study Area

Figure 6
Curb and Gutter Conditions



AREA I - CURB AND GUTTER CONDITIONS

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

- Good - 5,705 Linear Feet
- Average - 3,762 Linear Feet
- Deteriorating - 38, 381 Linear Feet
- Missing - 8,383 Linear Feet

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MARVIN PLANNING CONSULTANTS

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Deterioration of Site or Other Improvements, continued

Drainage Conditions

Hastings, especially in Area 1, is relatively flat. No matter how well the stormwater system is designed there is a point where water will have difficulty draining. The City within the past 30 years has rebuilt key pieces of the downtown infrastructure, including the stormwater system. Typically, the stormwater system will not deteriorate nearly as fast as the streets, curb and gutter, and sidewalks due to a lack of direct exposure.

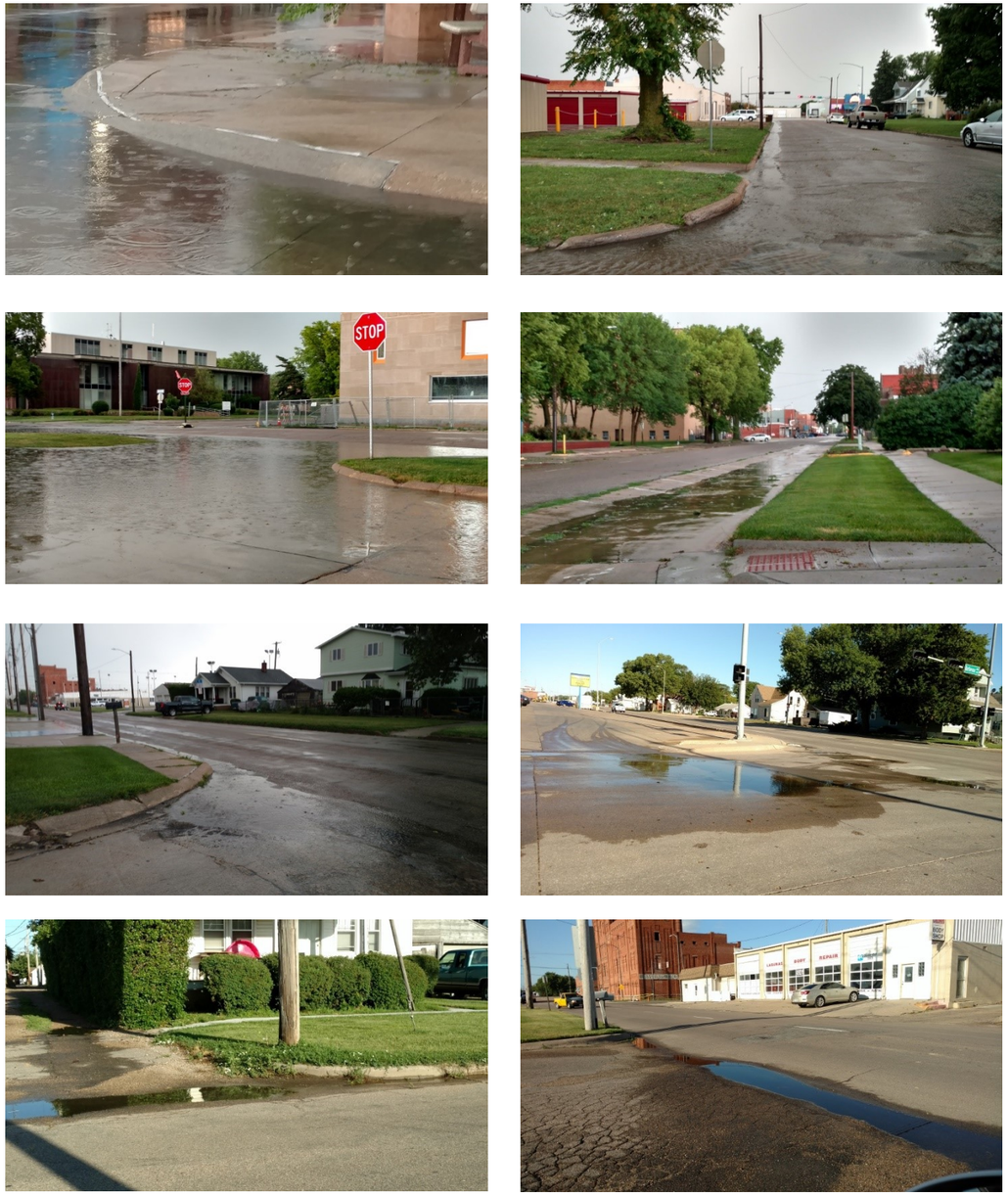
The study area was observed during an evening thunderstorm on June 13th. The storms that evening allowed a direct observation of how the drainage system handled a larger than normal storm. Due to the above average rainfall, the stormwater system had a short term failure to keep pace with the rain accumulations, resulting in short-term flash flood/urbanized flooding incident.

Observations the next morning indicated a number of areas where standing water was still present in the study area. Most of the standing water was due to deterioration of the curb and gutter system in the area. Over time, several key locations in the actual gutter flowline have settled and created a failure in the ability to drain water completely. Therefore, the drainage conditions in Area 1 is impacted directly by the deteriorating/poor curb and gutters throughout.

The study area drops 20 feet west to east along 2nd and 3rd Streets (approximately 6,470 feet), or approximately a 0.3% slope over the west to east length of the study area. In addition, the basic north to south slope is essentially flat along Burlington Avenue. Standing water within the study area is likely to continue in the future.

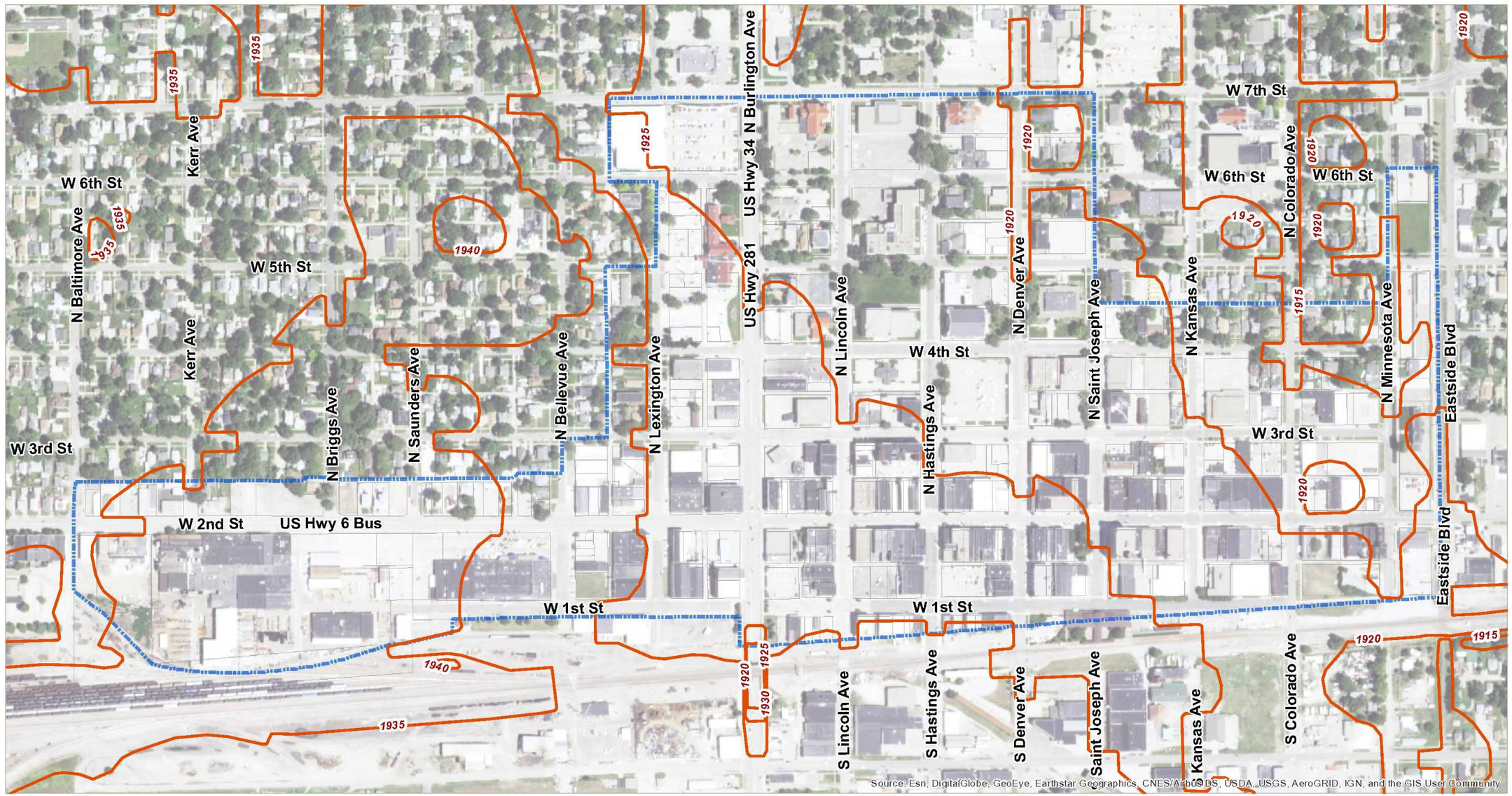
Standing water from poor drainage can be a catalyst for health issues like West Nile and other diseases due to the potential mosquito breeding during the summer months. It is important that drainage is adequate to rid the area of standing water, thus eliminating potentials for these diseases.

Due to the drainage issues and in combination with the curb and gutter conditions, drainage issues are a direct contributing factor towards blighting the area.



Examples of Drainage Conditions within the Study Area

Figure 7
Drainage/Contours



AREA 1 - TOPOGRAPHIC MAP

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

Contour (ft)

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MARVIN PLANNING CONSULTANTS

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Deterioration of Site or Other Improvements, continued

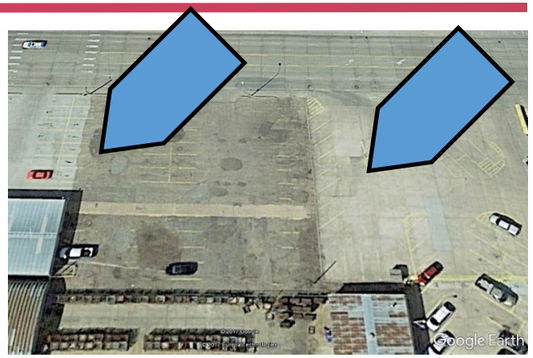
Site Improvement Conditions

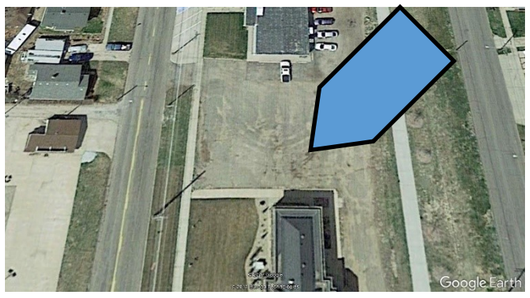
Throughout Area 1 there are a number of public parking lots and private parking areas for the various commercial entities in the area. One of the keys to creating a positive image of an area is how well the exterior portions of the lots are maintained. Even a perfectly maintained structure can be seen as a deteriorating part of the community if the exterior or curb appeal is less than desirable.

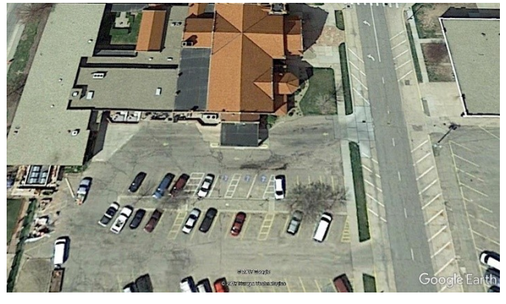
Part of developing a blight study for any community centers around how well different site improvements are maintained and what type of image these improvements create of the property and study area. Part of this analysis examines the actual condition of the site improvements; plus, the drainage issue if they exist.

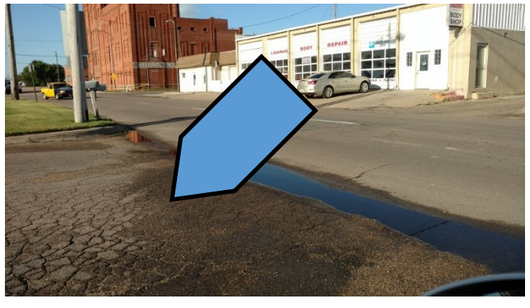
Within Area 1 there are 44 areas where the site improvements were deemed to be in poor condition. Some of these areas are far worse than others and should be improved. One of the most visible locations is the City Parking Area immediately north of City Hall (site of old Adams County Courthouse). The City parking area is seeing surface breakup in places and the photo to the right shows the drainage issues on the site from the June 13th rain event.

Due to the condition of multiple sites and the lack of improvements, specifically the condition and type of the paving, Site Improvements issues are a direct contributing factor towards blighting the area.



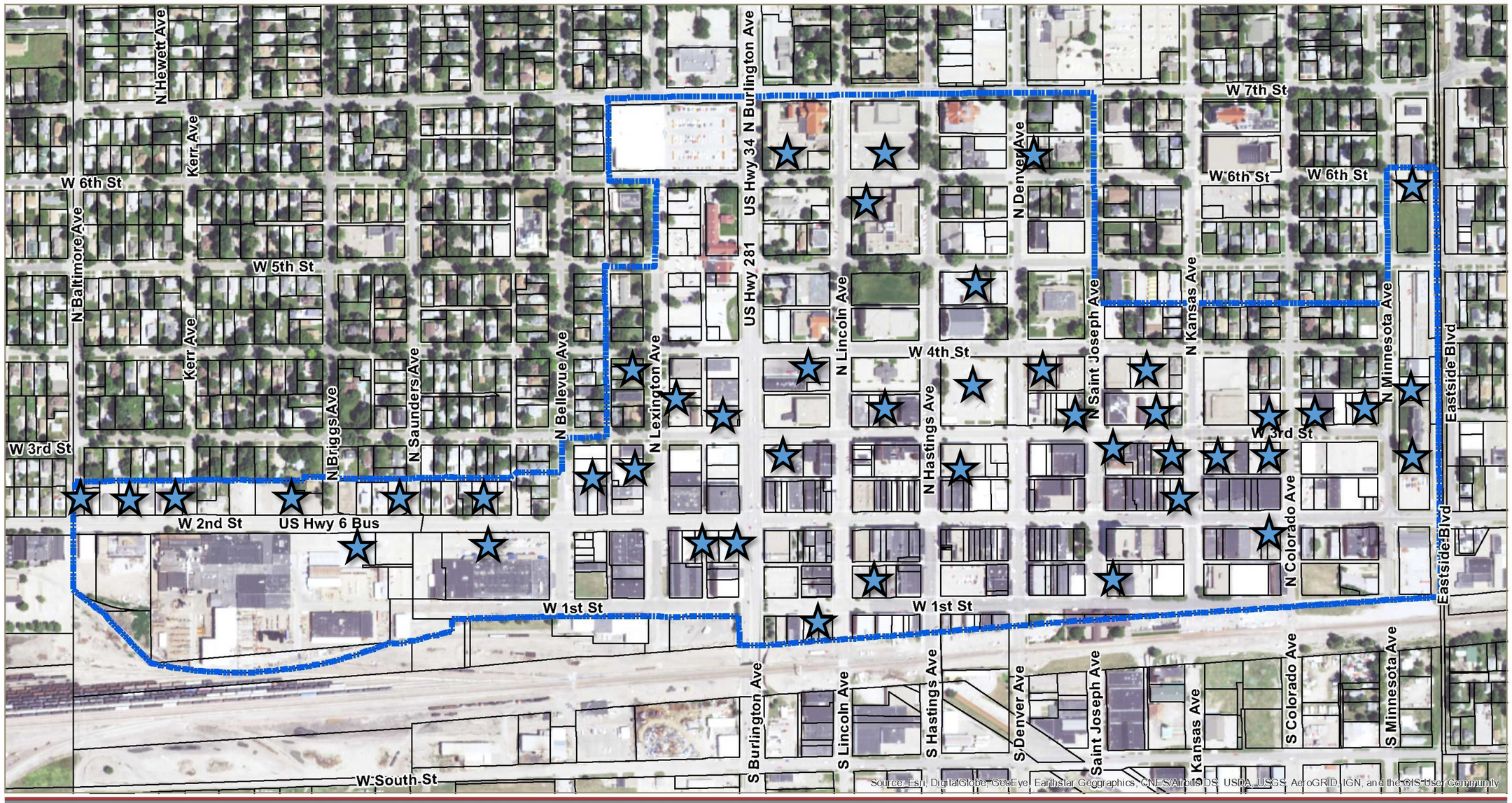






Examples of Site Improvement issues within the Study Area

Figure 8
Site Improvements—Deterioration



HASTINGS 2017 BLIGHT AND SUBSTANDARD STUDY - AREA 1

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

Area 1 (160 Acres) ★ **Site Improvements showing deterioration and/or not hard-surfaced**

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

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Faulty Lot Layout

Size of Lot and Configuration

Area 1 contains the heart of Hastings, the downtown area. In most communities, downtowns are comprised of numerous lots with minimal lot frontages; therefore, those items are not the basis for the discussion on Size of Lot and Configuration (Faulty Lot Layout). The issue behind this discussion is the odd configurations which may have been done initially or at some point between the founding of the downtown area and now.

Overall, there have been 37 areas within the study area that have this type of issue. The following listing coordinates with Figure 9 and details specifically what caused the inclusion.

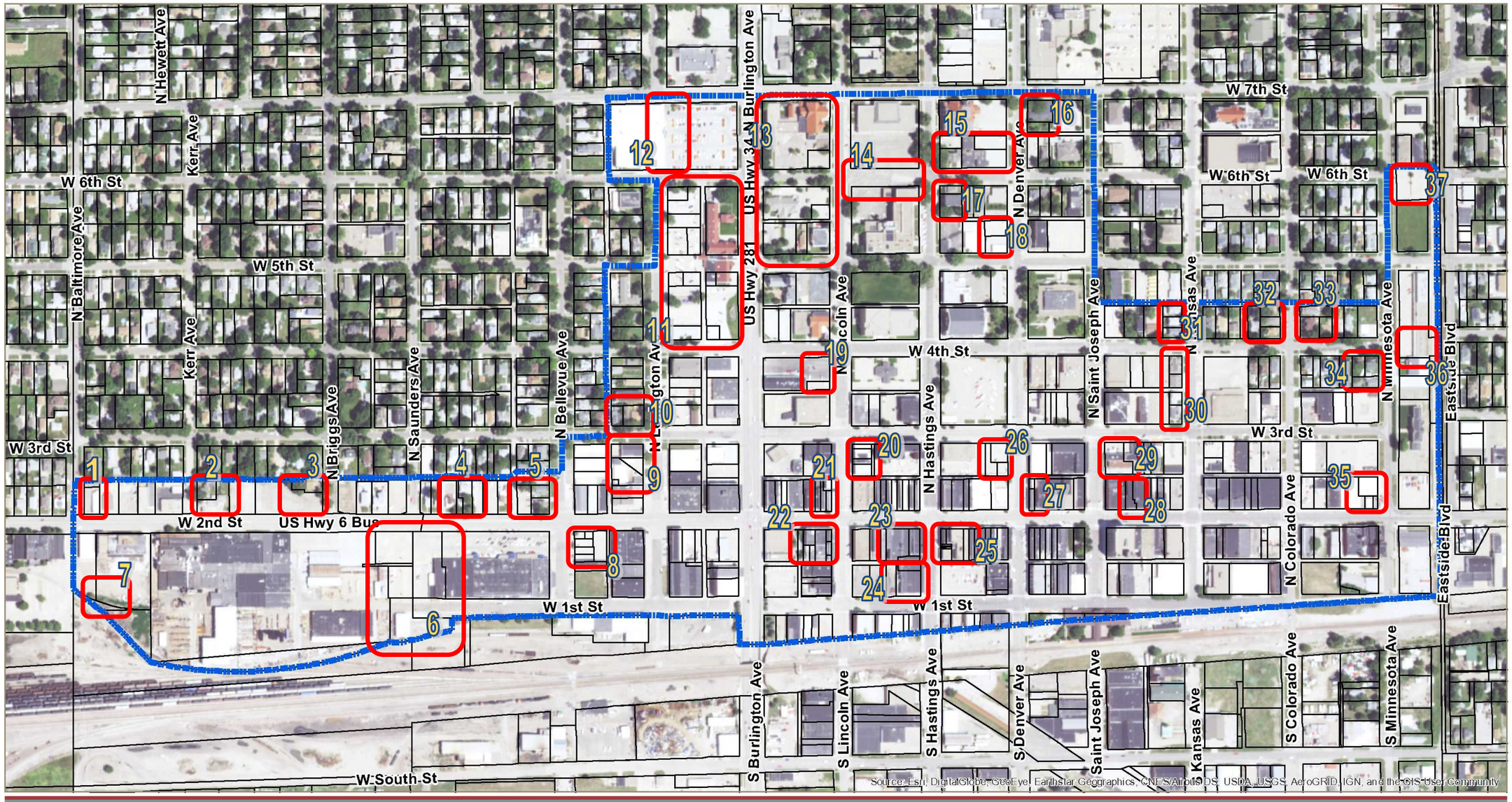
1. Area 1 is on the far west side of the study area and has two lots. This area is substantially narrow and may not be buildable or capable of being redeveloped in future without being part of another lot.
2. Number 2 is similar to 1, but is substantially small in both its with and depth and be difficult to redevelop on its own.
3. Another narrow and shallow lot, but in this case, it is also an odd shaped lot.
4. This area has an extremely small sliver lot cut in between two standard lots; however, the shape of the sliver lot has created two odd shaped lots.
5. Area 5 has allowed two lots to be platted out of one normal lot (it appears). This type of subdivision creates lots that are extremely shallow and difficult to redevelop in the future.
6. Area 6 includes a portion of Allen's and neighboring properties. The overall layout of this area is oddly divided and there are, technically, two landlocked lots/pieces in this configuration.
7. This area is smaller, but one lot is wrapping around the neighboring lot. It appears this can be attributed to the sidetracks from the BNSF Railroad.
8. Area 8 is along W. 2nd Street just west of N. Burlington Avenue. This set of lots appear to be subdivided lots from an older lot configured in an opposite manner than today. These lots are extremely shallow and narrow, even by downtown standards.
9. Area 9 has a number of smaller divisions, as well as one diagonal division.
10. Area 10 also appears to have two narrow and shallow lots divided out of a larger more typical lot in the past.
11. Area 11 is a combination of issues including, smaller lots used as parking and a closed street. This is one large use covering two blocks and a closed street right-of-way. With the smaller lots still in place, it opens up opportunities for these to be sold away; thus, creating potential conflicts.
12. Area 12 is the new Russ' Supermarket site. The primary note here is the street closure which dead ends neighborhood traffic.
13. This area is similar to the other sites, several small, narrow, and shallow lots, creating potential redevelopment issues.
14. Area 14 is similar to Area 12, a closed street which diverts neighborhood traffic.
15. This area contains several narrow, shallow and oddly configured lots.
16. Area contains a shallow and narrow lot.
17. Area contains a shallow and narrow lot.
18. Appears one normal lot divided into two shallow and narrow lots.
19. Appears one normal lot divided into two shallow and narrow lots.
20. Several lots which are very narrow and laid out in an odd configuration
21. Several lots which are very narrow and laid out in an odd configuration
22. Several lots which are very narrow and laid out in an odd configuration. Some lots only have direct access along the alley way.
23. Several lots which are very narrow and laid out in an odd configuration.
24. Several lots which are very narrow and laid out in an odd configuration.
25. Several lots which are very narrow and shallow manner and laid out in an odd configuration.
26. Several lots which are very narrow and laid out in an odd configuration
27. Several lots which are very narrow and laid out in an odd configuration
28. Several lots which are very narrow and laid out in an odd configuration
29. Several lots which are very narrow and laid out in an odd configuration
30. Appears one normal lot divided into two shallow and narrow lots.
31. Appears one normal lot divided into two shallow and narrow lots.
32. Appears one normal lot divided into two shallow and narrow lots.
33. Appears two lots were divided into three smaller narrow and shallow lots.
34. Appears two lots were divided into three smaller narrow and shallow lots.
35. Several lots which are very narrow and shallow manner and laid out in an odd configuration.
36. Area 36 is similar to Area 12 and 14, a closed street which diverts neighborhood traffic.
37. Area 36 is similar to Area 12 and 14, a closed street which diverts neighborhood traffic.

A number of these platted lots have a single use built over the top of the lot lines. However, as long as some of these lot lines continue into the future, there could become a point where someone may attempt to build on these individual lots. Two things of note:

- Where buildings are built over lot lines, these lots could be and should be combined; and
- This practice should be discontinued if it is currently used.

Due to the number of blocks containing different platting conditions, Fault Lot Configuration is a direct contributing factor towards blighting the area.

Figure 9
Faulty Lot Layout



HASTINGS 2017 BLIGHT AND SUBSTANDARD STUDY - AREA 1

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

Area 1 (160 Acres) **Faulty Lot Layout Locations**

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

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Insanitary and Unsafe Conditions

Standing Water

As discussed in the drainage section, the study area was observed during a major thunderstorm on June 13, 2017. In addition, the area was observed the next morning. The observations during the next morning included numerous areas of standing water within the study area.

The remaining water, in the morning, is a good indicator as to where standing water can be found throughout the spring and summer months. Although it is likely the standing water along the curb and gutters will dry up and disappear in a day or so, this is still a solid indicator of possible areas in the study area which may not dry up and go away. It is important to eliminate standing water since it has a direct bearing on mosquito breeding. Mosquito in this part of the country can carry and transmit West Nile.

Standing water and its ability to attract mosquitoes, which could be carrying known diseases is a direct contributing factor towards Insanitary and Unsafe Conditions of the area.

BNSF Railroad Mainline

The BNSF Railroad's mainline runs the entire southern boundary of Area 1. In a large number of locations, the railroad right-of-way is not separated from the public rights-of-way by any sort of fencing. The lack of fencing and security allows people to gain direct access to the rails in places other than the rail crossings. The lack of security fencing is an unsafe situation. The only security fencing along the railroad R.O.W. is east of the Burlington Depot, some of which is encloses materials owned by Dutton Lainson.

The BNSF Railroad line is a direct contributing factor towards Insanitary and Unsafe Conditions of the area.

Dutton Lainson Storage Areas

Another issue considered to be Insanitary and Unsafe is the unsecured storage of transformers from Dutton Lainson along 1st Street, east of the BNSF Depot. Transformers when they are ready for use contain numerous chemicals which can be hazardous. The unsafe part of this centers on the need for these to be secured inside an area with a gate. As of the present time, anyone could drive up and begin messing with the transformers.

The Dutton Lainson open transformer storage is a direct contributing factor towards Insanitary and Unsafe Conditions of the area.

Examples of Insanitary and Unsafe Conditions within the Study Area

Diversity of Ownership

Within the Area 1, there are 386 total properties, based upon the Adams County Assessors data. Within the area these properties are owned by a total of 221 different property owners. Included in these property owners, are several public entities, including the City of Hastings and Adams County; plus, several different religious denominations. Completing and continuing with future redevelopment efforts in this study area will require a coordinated effort. It is necessary that some organization similar to the Hastings Community Redevelopment Authority continue to lead efforts in redeveloping the Area 1 within the corporate limits of Hastings.

Based upon the number of different properties and property owners within the study area, it is determined that the Diversity of Ownership within Area 1 is a barrier to redevelopment.

Existence of Conditions endangering life or property due to fire or other causes

Located within the study area there are factors present that are a danger to life or property due to fire or other causes. A number of these factors have been previously discussed in this report.

These factors include:

- Unsecured materials
- The BNSF Railroad corridor is unsecured along most of the study area and enables someone to walk along the tracks of one of the busiest railroad corridors in the United States.
- Standing water

Based upon the review of the study area, there are sufficient elements present to meet the definition of dangerous conditions within the area.

Combination of factors which are impairing and/or arresting sound growth

Impairing and/or arresting sound growth can be an element in the study area that is positive but has a major impact on how uses develop or properties are redeveloped in the future. Within Area 1 there are two factors have a major impact on the development and redevelopment opportunities., thus impairing and/or arresting some growth.

These elements are:

- The BNSF Railroad corridor lies on the southern edge of the study area and acts as a major wall for further growth south from the traditional downtown area.
- In addition to safety concerns, the railroad also produces considerable noise. The noise levels within the corridor can be heard throughout the study area and is a an impairment toward sound growth.
- Even though it is a positive influence on the community, since it pulls the majority of traffic through the community, US Highway 281/Burlington Avenue impairs growth. The primary issue involving sound growth is the number of lanes along the route, the State and Federal regulations for driveways, and the setbacks required from the thoroughfare.

Based upon the review of the study area, there are sufficient elements present to meet the definition of combination of factors which are impairing and/or arresting sound growth within the study area.

Part B of the Blight Definition

Age of Units

Age of units is a contributing factor to the blighted and substandard conditions in an area. The statute allows for a predominance of units 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the units within the Study Area. Note the age of units came from the Assessors data within the Adams County website data.

Within the study area, there are 277 units in some form or another. The age of structure has been determined by researching the structural age on the Adams County Assessor's websites and reviewing older documents, as well as, a land survey completed on the entire site.

The following breakdown was determined:

- 253 (91.3%) units were determined to be 40 years of age or older
- 24 (8.7%) units were determined to be less than 40 years of age

Table 1:
Age of Units

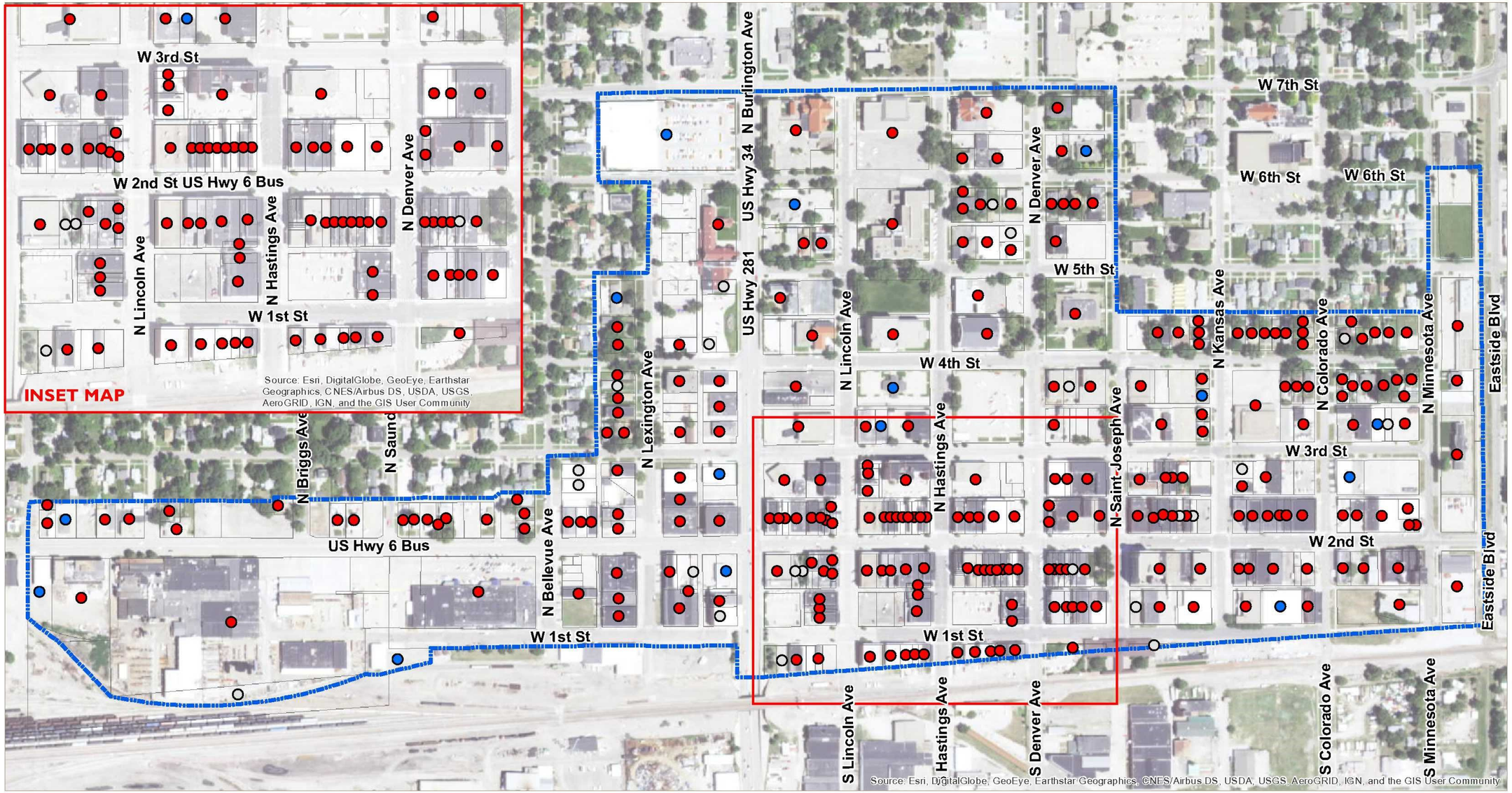
	Number of Units	Year Built	Total Age	Total Cumulative Age
	1	1875	142	142
	13	1880	137	1,781
	1	1881	136	136
	1	1883	134	134
	1	1884	133	133
	8	1885	132	1,056
	1	1889	128	128
	17	1890	127	2,159
	1	1895	122	122
	1	1899	118	118
	35	1900	117	4,095
	1	1901	116	116
	1	1903	114	114
	2	1904	113	226
	3	1905	112	336
	2	1906	111	222
	1	1907	110	110
	1	1908	109	109
	15	1910	107	1,605
	1	1911	106	106
	1	1912	105	105
	3	1914	103	309
	12	1915	102	1,224

	Number of Units	Year Built	Total Age	Total Cumulative Age
	3	1916	101	303
	1	1917	100	100
	2	1918	99	198
	1	1919	98	98
	21	1920	97	2,037
	1	1921	96	96
	5	1922	95	475
	2	1923	94	188
	11	1925	92	1,012
	3	1926	91	273
	2	1928	89	178
	2	1929	88	176
	10	1930	87	870
	2	1932	85	170
	7	1935	82	574
	1	1936	81	81
	1	1938	79	79
	1	1939	78	78
	4	1940	77	308
	1	1942	75	75
	1	1945	72	72
	3	1946	71	213
	1	1947	70	70
	1	1949	68	68
	9	1950	67	603
	2	1951	66	132
	1	1954	63	63
	4	1955	62	248
	7	1956	61	427
	1	1957	60	60
	1	1958	59	59
	6	1960	57	342
	3	1961	56	168
	5	1962	55	275
	3	1965	52	156
	2	1968	49	98
	1	1969	48	48
	1	1970	47	47
	2	1971	46	92
	1	1972	45	45
	1	1973	44	44
	2	1975	42	84
	1	1977	40	40
	1	1981	36	36
	1	1982	35	35
	1	1984	33	33
	1	1985	32	32
	1	1989	28	28
	1	1990	27	27
	1	1995	22	22
	1	1996	21	21
	1	1999	18	18
	1	2001	16	16
	1	2002	15	15
	1	2003	14	14
	1	2005	12	12
	1	2008	9	9
	1	2010	7	7
	2	2011	6	12
	1	2012	5	5
	1	2013	4	4
	1	2014	3	3
	2	2015	2	4
Total Cumulative	285			25,762
Average Age				90.39

Source: Adams County Assessor

Also, Table 1, above, examined the units within the study area and calculated a cumulative age and divided by the total number of commercial units to get a mean age. The mean age of all of the commercial units in the study area is 90.39 years.

Figure 9
Faulty Lot Layout



AREA I - AGE OF STRUCTURES

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

- Less than 40 Years Old (15 Structures)
- Built 40 or More Years Ago (253 Structures)
- Unknown (9 Structures)

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MPC MARVIN PLANNING CONSULTANTS
MSA PROFESSIONAL SERVICES

Printed by: jpowell File: C:\Users\jpowell\Desktop\Working_MXDs\Hastings NE\GIS\MAPS\Hastings NE Blight Study Area Map_StructureAge.mxd

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Blighting Summary

These conditions are contributing to the blighted conditions of the study area.

Substantial number of deteriorating structures

- Based upon the review of Adams County Assessor data, field observations, drone observations and other aerials there are a substantial number of deteriorating structures within the Study Area:
  - ◊ 2 (0.8%) structures rated as Excellent.
  - ◊ 25 (8.8%) structures rated as Good.
  - ◊ 216 (76.0%) structures rated as Average.
  - ◊ 33 (11.6%) structures rated as Fair.
  - ◊ 8 (2.8%) structures rated as Poor.

Deterioration of site or other improvements

- Large amounts (78%) of sidewalk in an Average to Poor condition; 54.9% in a Fair to Poor condition.
- Large portions (93.5%) of the street network in an average to poor condition; 66% in a Fair to Poor condition.
- Majority (89.9%) of Curb and Gutter is in an Average to Poor condition; 83.2% in a Fair to Poor condition.
- Drainage is an issue during larger spring and summer storm events.
- Standing water remains after storm events occur in certain places throughout the Study Area.
- There are considerable number of private and public parking lots either in a deteriorating state or simply are not hard-surfaced.

Faulty Lot Layout

- There are 38 locations in the Study Area where the lots were originally platted in a faulty manner or have been replatted over time.

Insanitary or Unsafe Conditions

- Standing water in various locations after storm event.
- BNSF Railroad is not secure along most of the southern boundary of the Study Area.
- Dutton Lainson has unsecured storage along the south side of 1st Street including transformers.

Diversity of Ownership

- The Study Area contains 386 different Property Identification Number (PIN) on the Assessor's website; within the 386 different properties there are a total of 221 different property owners including different governmental and religious entities.

Existence of Conditions endangering life or property due to fire or other causes

- Unsecured materials within the Study Area.
- The BNSF Railroad corridor is unsecured along most of the study area.
- Standing water in part of the study area.

Combination of factors which are impairing and/or arresting sound growth

- The BNSF Railroad corridor lies on the southern edge and is a major deterrent to further downtown growth to the south. In addition, the trains create considerable noise when passing through the corridor.
- US Highway 281/Burlington Avenue splits the study area and due to its control by State and Federal departments and the volume of vehicles impairs the development and redevelopment of the area.

Criteria under Part B of the Blight Definition
Average age of units is over 40 years of age

- Within the Study Area 91.3% of the units meet the criteria of 40 years of age or older.
- Based upon the county assessor's assessment records, the average age of the units within the study area is 90.39 years.

Other criteria for Blight not present in the area include:

- Improper Subdivision or Obsolete Platting
- Defective/Inadequate street layouts
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title
- Unemployment in the designated area is at least 120% of the state or national average.
- Over one-half of the property is unimproved and has been within the City for over 40 years.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area.

Substandard Conditions

*"Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by **reason of dilapidation, deterioration, age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or*

Predominance of Deteriorating Buildings or Improvements

Structural conditions were evaluated, structures were either rated as: Excellent, Good, Average, Fair, and Poor. The data and rating system comes from the Adams County Assessor's database and is the same database used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

- 2 (0.8%) structures rated as Excellent
- 25 (8.8%) structures rated as Good
- 216 (76.0%) structure rated as Average
- 33 (11.6%) structures rated as Fair
- 8 (2.8%) structure rated as Poor

The different rating terms used in this section are defined as follows:

Excellent: Typically newer construction or property that recently has been completely upgraded.

Good: Typically no major defects or aging conditions showing up in the physical analysis.

Average: Typically minor defects may be showing up, including: degrading roof materials (limited to 25%), masonry joints needing tuckpointed (25% or less), painted surfaces beginning to peel and flake, small cracks in the foundation, broken glass, and other similar conditions.

Fair: Similar to Average but conditions are worsening and covering a greater percentage of the structure.

Poor: Represents structures likely showing several of the conditions mentioned above as well as the extent of the aging and deterioration is at a point where demolition may be necessary to eliminate the conditions.

Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 90.4% of the structures in this study area are average condition or worse.

Due to the stated conditions found in the Adams County Assessor's data, the condition of the structure is a contributing factor.

Age of Units

Age of units is a contributing factor to the blighted and substandard conditions in an area. The statute allows for a predominance of units 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the units within the Study Area. Note the age of units came from the Assessors data within the Adams County website data.

Within the study area, there are 277 units in some form or another. The age of structure has been determined by researching the structural age on the Adams County Assessor's websites and reviewing older documents, as well as, a land survey completed on the entire site.

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Total Cumulative	285			25,762
Average Age				90.39

Source: Adams County Assessor

Also, Table 1, above, examined the units within the study area and calculated a cumulative age and divided by the total number of commercial units to get a mean age. The mean age of all of the commercial units in the study area is 90.39 years.

Substandard Summary

Nebraska State Statute requires that "…*an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by* ***reason of dilapidation, deterioration, age*** *or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;*"

This Study Area meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

Findings for Hastings Blight Study Area #1

Blight Study Area #1 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- **Substantial number of deteriorated or deteriorating structures**
- **Deterioration of site or other improvements**
- **Faulty Lot Layout**
- **Insanitary and Unsafe Conditions**
- **Diversity of Ownership**
- **Dangerous conditions to life or property due to fire or other causes**
- **Combination of factors which are impairing and/or arresting sound growth**
- **Average age of structures is over 40 years of age**

Substandard Conditions

- **Predominance of structures meeting the dilapidation or deterioration criteria**
- **Average age of the structures in the area is at least forty years**

EXECUTIVE SUMMARY

This Redevelopment Plan (the "Redevelopment Plan" or the "Plan") is intended to provide a guide for the implementation of redevelopment activities within the previously examined Redevelopment Area #1 in Hastings, Nebraska (the "City"), pursuant to the provisions of the Nebraska Community Development Law and sections 18-2145 to 18-2154 (together, the "Act").

> The Hastings Redevelopment Authority (the "CRA"), acting as a redevelopment authority pursuant to the Act, intends to undertake or provide for the redevelopment within the study area, as shown on Figure 1 (the "Redevelopment Plan Area") in the Blight and Substandard Study. Redevelopment activities shall be utilized to promote the general welfare, the enhancement of the tax base, the economic and social well-being, the development of any public activities and promotion of public events in the Area, along with all other purposes, as outlined in the Act.

A Community Development Authority Redevelopment Plan must contain the general planning elements set out by section 18-2111 of the Act as items (1) through (6), as follows:

> "(1) the boundaries of the redevelopment area with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

Section 18-2113 of the Act, provides that a Community Redevelopment Authority must consider certain planning matters prior to recommending a redevelopment plan to the City Council for adoption. These considerations are defined therein, as follows:

> "...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight."

CONCLUSION

While this Redevelopment Plan establishes overall policies and intentions toward the comprehensive redevelopment of the Area, additional phases may require subsequent project plans and redevelopment agreements consistent with this Redevelopment Plan

REDEVELOPMENT PLAN

The planning process for the Redevelopment Area has resulted in a listing of general planning and implementation recommendations. As previously discussed in the Blight and Substandard Determination Study, there are several structural and substandard conditions which are detrimental to the health, safety and general welfare of the community and generally obsolete in respect to the development and living environment expectations of Nebraska communities, including the City of Hastings. To eliminate these conditions and enhance private development activities within the Redevelopment Area, the City of Hastings will need to consider the following planning and redevelopment actions:

- rehabilitation of residential, commercial, industrial and public/quasi-public properties;
- maintain and/or replace, as necessary, the current infrastructure in the Area;
- code enforcement program for the clean-up of areas in violation and detrimental to health, safety and general welfare of the community:
- screening and/or buffering of adjacent industrial areas (beyond the Redevelopment Area) from residential uses, including the use of berms and, or, landscaping to partially screen parking or storage areas and enhance vehicular and pedestrian rights-of-way; and,
- condemnation of un-safe structures, acquisition where necessary and demolition of substantially deteriorated structures, and replacement with appropriate residential, commercial or industrial development.

Both a timeline and budget should be developed for the Redevelopment Plan. Each of these processes should be designed in conformance with the resources and time available to the CRA and the City. A reasonable timeline to complete the redevelopment activities identified in the Redevelopment Plan would be 10 to 15 years.

Various funding sources exist for the preparation and implementation of a capital improvement budget designed to meet the funding needs of proposed redevelopment activities. These include, in addition to city and federal funds commonly utilized, Community Development Block Grant funding, HOME funding, special assessments, general obligation bonds, redevelopment bonds, occupation taxes and tax increment financing.

Future Land Use Pattern

The existing land use patterns within Redevelopment Area were described in the Blight and Substandard Determination Study portion of this document. In general, the Redevelopment Area contains four distinct land uses. The primary developed uses include commercial, single-family residential, public and quasi-public use.

Future land uses recommended for Redevelopment Area are planned to be in general conformance with the current zoning patterns for the community. However, continued redevelopment of the commercial uses within the study area is recommended, including the redevelopment single-family residential on the north and east sides of the study area.

Infill development in conformance with the associated future land use and zoning criteria are advocated throughout Redevelopment Area for vacant parcels. These lots, or parcels, are cost effective to develop as all required infrastructure is present.

AREA I - FUTURE LAND USE

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

- Commercial/Retail
- Mixed-Use Downtown
- Mixed-Use Neighborhood
- Public/Semi-Public
- Urban Industrial Overlay
- Urban Residential
- Employment/Industrial

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

0 100 200 400 Feet

MARVIN PLANNING CONSULTANTS

MSA

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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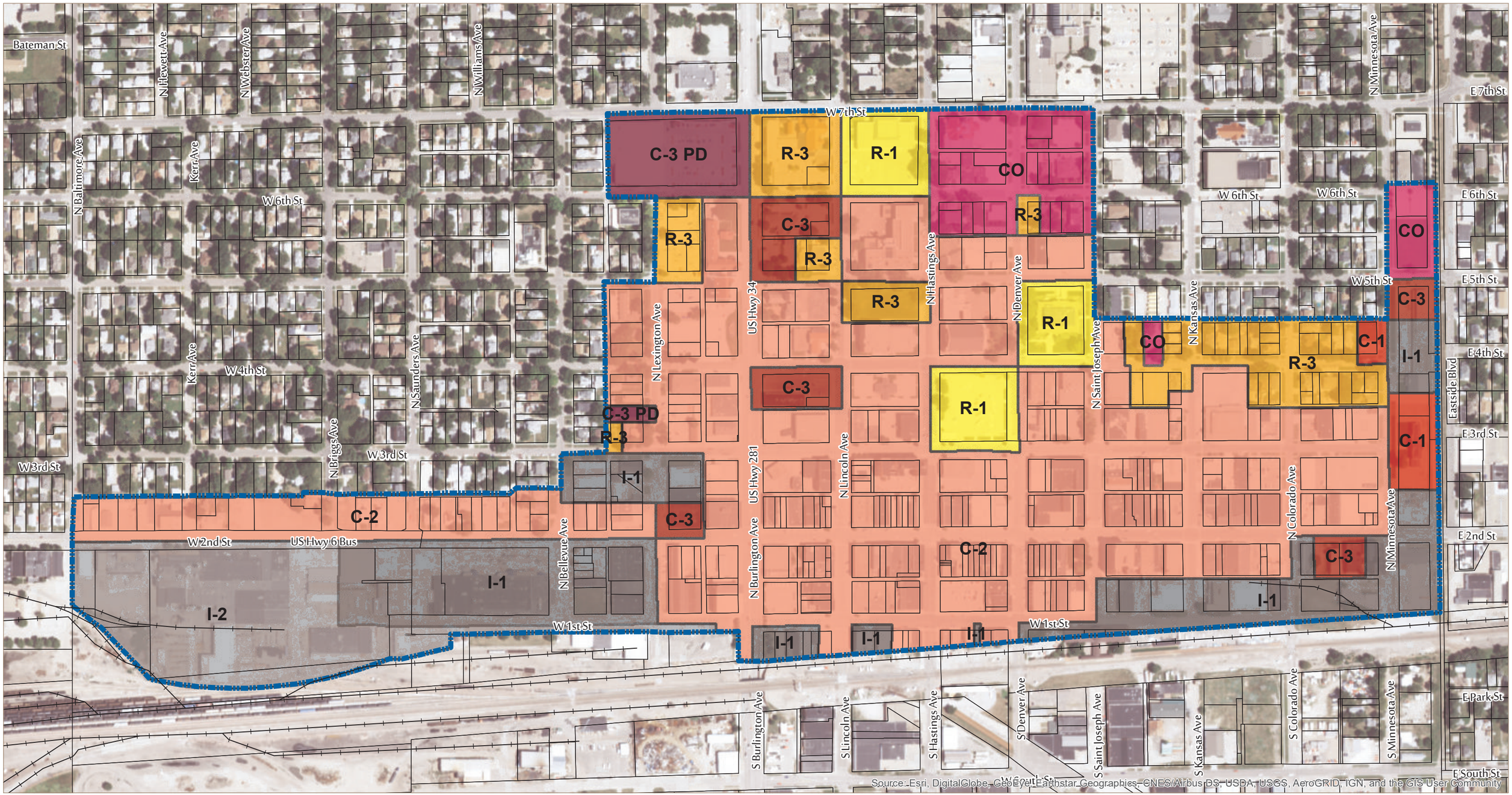
Print Date: 8:47:40 AM 9/7/2017



AREA 1 - UNOFFICIAL ZONING

CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

- C-1 Local Business
- C-2 Central Business
- C-3 Commercial Business
- C-3 PD Commercial Planned Business
- C-O Commercial Office
- I-1 Light Industrial
- I-2 Heavy Industrial
- R-1 Urban Single Family Residential
- R-3 Multiple Family Residential
- Area 1 (160 Acres)

DATA SOURCES:
BASE DATA PROVIDED BY ADAMS COUNTY.
AERIAL IMAGERY PROVIDED BY ESRI.

N 0 100 200 400 Feet

MARVIN PLANNING CONSULTANTS
MSA PROFESSIONAL SERVICES

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Future Zoning Districts

A future zoning plan for Redevelopment Area is reflected in the existing zoning map contained in the Blight and Substandard Study. The map illustrates the future zoning classifications are in conformance with the City's Comprehensive Plan and current zoning classifications. However, as stated above, expansion of the industrial and commercial uses within the area is recommended, including the expansion of current industrial uses into other non-residential districts within the Redevelopment Area.

Recommended Public Improvements

Streets: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of streets and sidewalks is ongoing by the City through its various programs. The Blight and Substandard Study identified deteriorating, dilapidated and rural section curb and gutter, as well as sidewalks, as a major contributing substandard condition. An upgrade of these improvements is a primary and first step in the redevelopment of the Area. Gravel streets, which are to remain public streets, in the area should be improved to City standards.

Storm Water: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of storm sewer lines and facilities is ongoing by the City through its various programs.

Potable Water and Gas: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of water and gas lines is ongoing.

Sanitary Sewer: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of sanitary sewer lines and facilities is ongoing by the City through its various programs.

Electrical Power: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of electrical power lines and facilities is ongoing by the City through its various programs.

Residential District

Primary redevelopment focus should concentrate on housing rehabilitation and overall site condition improvements. Additionally, the City or CRA may improve certain lots by demolishing deteriorated structures on those lots. The City or CRA will market the acquired and improved lots to allow for the private construction of the replacement residential units. The lots selected to be acquired as part of an initial project, and each future project, need not be contiguous, but shall be selected on availability, funding and likelihood of successful development. The CRA may also develop a residential revolving fund to provide funding to owners to upgrade their property. Initial and on-going funding is discussed below.

Commercial District

Overall upgrade of site conditions and structures are a primary focus. Expansion of such uses as well as a combination of properties is necessary for the redevelopment of the Area. Various public financing tools, as described in this Redevelopment Plan, may be made available for such commercial and industrial redevelopment. Public streets, where appropriate, may be vacated to encourage contiguous commercial or industrial redevelopment. Traffic patterns for commercial/industrial truck traffic should be studied to minimize the effect on the adjacent residential area.

Financing

Redevelopment Bonds

The Plan proposes the CRA issue a series of redevelopment bonds (the "Bonds") to be repaid from several sources as set out in each particular issuance. These sources include all or a portion of the excess *ad valorem* real estate taxes generated by a series of redevelopment projects pursuant to §18-2147 of the Nebraska Revised Statutes ("Tax Increment Financing" or "TIF") for a period of 15 years from the respective project effective dates**,** special assessments, *ad valorem* real estate taxes from the special redevelopment levy, grants and other income from the Redevelopment Area**.** The proceeds of the Bonds to assist in payment of project costs, as further defined in a subsequent redevelopment contract or contracts. The costs of adequate redevelopment of the Area is too great to be absorbed by either the Developer or public without the assistance of Tax Increment Financing, as further described in the cost benefit analysis to be provided with each project.

The Bonds issued for the commercial/industrial redevelopment would generally be purchased by the developer using such funds granted to it by the CRA. In addition to necessary public improvements, the Bond proceeds would be used to provide funding for allowable expenses incurred by the Developer.

Each of these subsequent redevelopment project plans may contain a provision for the division of *ad valorem* taxes for each respective project, thereby allowing the excess *ad valorem* taxes that are collected from each project to be available and pledged to the outstanding Bonds for the full statutory period. The effective date of each pledge, as described above, shall be the date determined either by contract or by modification of the outstanding Bond terms.

Any use of this financing source, including TIF, will require a project specific Redevelopment

Loan/Grant Programs

The CRA and the City of Hastings have created a revolving loan and/or grant program for the rehabilitation and improvement of buildings and public uses in Redevelopment Area. The rehabilitation of residential, commercial and industrial buildings would prolong the life of the structures, create safe and decent living and shopping environments and enhance the pride of the community. As discussed above, funding may be available through the CRA levy or from the excess *ad valorem* taxes from each project as it develops.

Façade Improvement Program

This program used only in Redevelopment Area #1 is appropriate for this Area. The program provides funding assistance to commercial properties to rehabilitate building frontages.

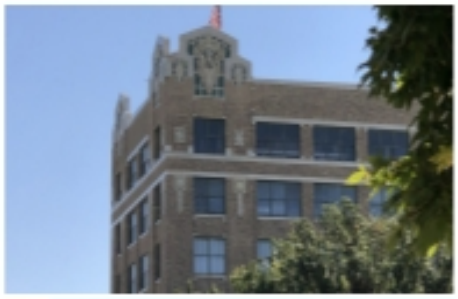
The purpose of the Facade Grant Program is to restore, improve or create historic architectural features to facades of commercial buildings anywhere within the downtown Central Business District. Applicants may be awarded up to $15,000 per 22 feet of storefront for facades, storefronts and awnings or up to $1,000 for signage with a matching dollar for dollar expenditure by the owner/tenant.

Property Acquisition

The CRA should utilize funds from their tax levy as well as ad valorem taxes from Area #1 projects to acquire and hold properties for future redevelopment. It may be necessary to improve said properties and provide other incentives to attract investor/developers to these buildings due to their age and condition"

SUMMARY

The recommendations listed above are to grant authority to the City of Hastings and the CRA in creating a viable and sustainable living environment in Hastings, through the full use of the Community Development Law.



DC - Downtown Commercial

General Purpose

The Downtown Commercial land use district is focused on the traditional building pattern of Downtown Hastings as the community's original center for trade, service, and civic life. Structures in this area are typically built with brick or stone at the sidewalk line, with parking and storage limited to alleys. In addition, upper-story residential units provides flexible and affordable housing choices for Hastings residents.

Compatible Uses

1. Commercial retail and services uses
2. Accommodations and food/beverage services
3. Arts, entertainment, and recreation
4. Public art
5. Cottage industries
6. Multi-family residential development (such as upper-floor apartments over retail/services)
7. Mixed-use development
8. Public facilities (such as city hall, county courthouse, fire station, public utility substations, community centers, etc.)
9. Religious and Educational uses and structures
10. On-Site Renewable Energy facilities, within performance standards

Incompatible Uses

1. Ground level single-family residential development is discouraged unless there are unique circumstances
2. Drive-thru facilities and multiple driveways creating conflicts with pedestrians and on-street parking - banks require special design

Issues

1. Continuing to maximizing development potential downtown
2. Site drainage
3. Sidewalks and multi-modal accessibility

Special Policies

1. No minimum lot size recommended
2. New buildings should be constructed of substantial materials (such as brick or stone)
3. Exterior finishes should be reflective of general area of downtown district.
4. On-site parking should be minimized to encourage greater utilization of downtown lots and on-street parking
5. Design standards for infill or redevelopment, including historic preservation and activation of the public realm

Department: Development Services
Staff Contact: Chad Bunger, Ember Batelaan
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

The Hastings Community Redevelopment Authority, on behalf of Queen City Development, LLC, has applied for a Redevelopment Plan Modification 2025-2 in Area #14 for the Trailside Village Redevelopment Project. The Redevelopment Plan Modification is to construct up to 31 new dwelling units on the vacant parcel generally located southeast of the intersection of East 31st Street and West Laux Drive.

The applicant has requested the use of tax increment financing (TIF) to pay for eligible expenses for the development, which can include acquisition, site preparation, and infrastructure improvements.

Names of People/Business affected by this action:

The applicant, the people of Hastings, the Community Redevelopment Authority, and the City

Why Council action is required:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall submit such plan to the planning commission or board of the city in which the redevelopment project area is located for review and recommendations as to its conformity with the general plan for the development of the city as a whole. The planning commission or board shall submit its written recommendations with respect to the proposed redevelopment plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or board or, if no recommendations are received within such thirty days, then without such recommendations, an authority may recommend the redevelopment plan to the governing body of the city for approval (N.R.S. 18-2112)

Type of action requested:

Motion
Resolution

Suggested motion:

Motion to approve Resolution No. 2025-17 to approve the Plan Modification No. 2025-2 to Redevelopment Area #14 for the Trailside Village Redevelopment Project. The Plan Modification area is generally located to the southeast of the intersection of East 31st Street and West Laux Drive, City of Hastings, Adams County, Nebraska.

Deadlines associated with action:

Department head comments:

Development Services staff have reviewed the application for the Trailside Village Redevelopment Project and Redevelopment Plan Modification 2025-2 of Area #14. The complete details of the staff review and recommendation are in the attached staff report.

The Planning Commission held a public hearing on the item at their March 15, 2025, meeting. The Commission voted 6-0 to recommend approval of the Redevelopment Plan Modification to the City Council.

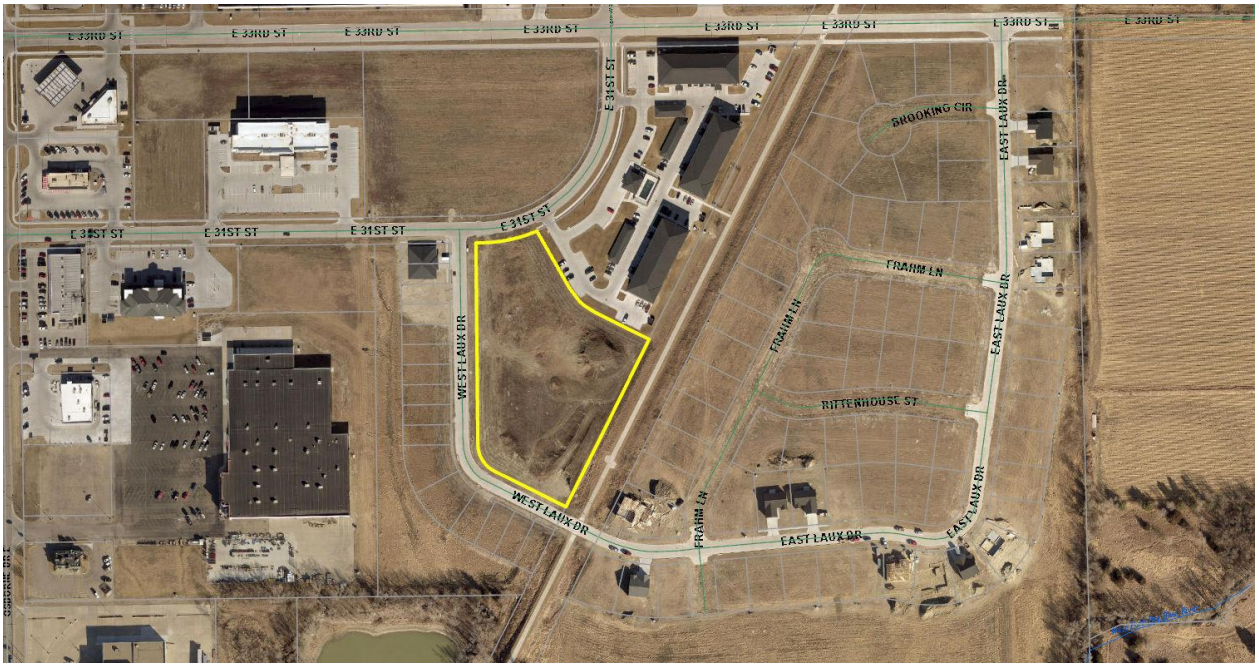
City Administrator comments:

Excellent and innovative project in the North Park Commons area. I recommend approval.

City of Hastings Planning Commission

STAFF REPORT

Request to Modify Redevelopment Plan:	**Trailside Village Redevelopment Project (Plan Modification No. 2025-2)**
Case No.	Case No. 2025-87
Applicant	Hastings Community Redevelopment Authority on behalf of the developer, Queen City Development, LLC
Property Location:	Generally located southeast of the intersection of East 31st Street and West Laux Drive.
Lot Size:	3.56-acres (155,073 square feet)
Date of Public Hearing:	March 18, 2026
Current Zoning	R-3, Multiple-Family Residential District
Adjacent Zoning:	North: R-3 District, C-3, Commercial Business District, I-2, Heavy Industrial District
	East: R-1, Urban Single-Family Residential District
	South: R-3 District, R-1 District, I-1, Light Industrial District
	West: R-3 District, C-3 District



DESCRIPTION OF PROPOSED REDEVELOPMENT PLAN MODIFICATION REQUESTS:

The Hastings Community Redevelopment Authority, on behalf of the developer, Queen City Development, LLC, has made an application for the Redevelopment Plan Modification of Area #14 for the site acquisition and development of a residential project. Queen City Development, LLC has requested the use of tax increment financing (TIF) to pay for eligible expenses for the development, which can include, site acquisition, site preparation and grading, building enhancements, and infrastructure improvements.

The developer will most likely request a rezoning to a PD, Planned District, following the approval of the Redevelopment Plan Modification, to allow for the more dense development. The development will also require a Final Plat to establish the individual lots, public rights-of-way, and needed easements.

The property is within Redevelopment Area #14. The Blight and Substandard Determination and General Redevelopment Plan were approved in September 2017. The redevelopment plan proposes the following planning and redevelopment actions:

General Development/Redevelopment Initiatives.

- Create an "Economic Development Initiative" for Redevelopment Area #14 directed at increasing the property tax base. Utilize TIF and other available sources of economic development funding, including State and Federal and Private Foundation Grants, as well as private investment, for the expansion of existing and the development of new residential and commercial uses in the Area in conformance with the City's recently completed *Comprehensive Development Plan* and current *Zoning Regulations,* pending changes or amendments to both documents.

- Develop public and private partnerships with funding entities and property developers to attract residential, commercial and industrial development to Redevelopment Area #14. Partnerships can include, but are not limited to the Hastings Economic Development Corporation, Hastings Area Chamber of Commerce, Hastings Community Redevelopment Authority (CRA), Hastings Housing Authority, South Central Economic Development District and Community Action Partnership of Mid-Nebraska. Utilize the *Hastings Comprehensive Development Plan, Hastings Community Housing Study* and any other local, relevant planning documents to provide direction for Community development projects.

- Promote the development of undeveloped land areas within the Redevelopment Area, targeting tracts of land that are currently both functionally and economically obsolete. Large, undeveloped tracts of land in Redevelopment Area #14 should be planned for

selected mixed uses of commercial and residential development. Modern street and water/sewer systems should be in place to allow for development to occur.

- Create new commercial development opportunities in and around the former Walmart building. This could include the renovation and rehabilitation of the former Walmart building, as well as additional commercial retail bays for small and large-scale commercial entities. This will also enhance the attractiveness of the Area and create a new and vibrant commercial node in the City of Hastings.
- The City of Hastings and/or the Hastings CRA could designate an Enhanced Employment Area within the Redevelopment Area in accordance with Nebraska State Statutes 18-2142.02 through 18-2142.04. These Statutes allow for the City to levy a "general business occupation tax" to pay for any or all costs and expenses of a redevelopment project within the designated Area.
- Acquire dilapidated and functionally and economically obsolescent buildings/properties within the Redevelopment Area and retain or "land bank" these tracts for future development.
- Build and utilize alternative energy systems throughout Redevelopment Area #14. This would include the potential use of one or combinations of wind, solar, biomass, geothermal, hydropower and methane energy systems in both existing and new development areas and buildings.

Infrastructure & Utility Systems Initiatives.

- Replace, as needed, deteriorated and dilapidated municipal water, sewer and storm sewer mains throughout Redevelopment Area #14, to support both existing residential and commercial developments.
- Install modern water, storm sewer, sanitary sewer and transportation systems in undeveloped tracts of land in Redevelopment Area #14 to support future development opportunities.
- Establish a program to improve the existing sidewalks, streets, street lighting, landscaping, private driveways, access roads and parking areas in the Area, identified as being in a state of deterioration and in substandard condition.

The proposed redevelopment, named Trailside Village Redevelopment Project, would redevelop the property generally located southeast of the intersection of East 31st Street and West Laux Drive.

The proposed project would create a residential neighborhood of up to 14 semi-attached dwellings (duplexes) and one attached dwelling (townhouse) with three dwelling units for up to 31 dwellings. Each dwelling will be two-story, with 3-bedrooms, 2.5 bathrooms in 1,500 square feet of above-grade living space, and a 750 square foot unfinished basement with the plumbing roughed-in.

The application states that these units will be offered for lease for the first 7 – 10 years of the development. The homes will be sold to individual home buyers after that period. The application materials state, "This business model strategy encourages the development of a high quality, highly desirable, enduring housing development, that will create a positive community impact and will ultimately allow the opportunity."

A new public street will be constructed between East 31st Street and West Laux Drive in roughly the center of the property. The townhouse and seven of the duplexes will face West Laux Drive and gain off-street parking access from the new street. The remaining seven duplexes will be located along private access roads/driveways that will connect to the new street. Additional off-street parking will be provided along this street. Common green space will be provided throughout the development and a connection to the public trail to the east will be provided.

Property Description:

The 3.56-acre development site is generally flat. The site gains access from West Laux Drive and East 31st Street. To the east is the Pioneer Spirit Trail multi-use trail.

STANDARDS TO PROPOSED REDEVELOPMENT PLAN MODIFICATION:

The provisions of N.R.E 18-2117 regulate the process of modifying a redevelopment plan within the City and its extraterritorial jurisdiction for a proposed development.

The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

a) **Is the proposed redevelopment plan modification feasible and in conformity with the Comprehensive Plan (general plan) for the development of the City of Hastings, as a whole, and is in conformity with the legislation declarations and determinations.**
   Based on the application materials provided by the Hastings CRA, the proposed redevelopment project appears to be feasible. The developer has a track record of completing development projects within Hastings. The developer has established partnerships with local and regional industry leaders who have experience providing these types of homes in other parts of the state and country.

The proforma documented in the application appears to be reasonable, using appropriate expenses and revenue for the development.

The City of Hastings "Imagine Hastings" Comprehensive Plan, adopted in 2009, initially showed the site as being Employment/Industrial. In 2018, the City Council adopted Ordinance No. 4567 amending the Comprehensive Plan to have the site and surround area designated as Mixed Use Neighborhood. The policy statement for this use designation is:

> *A Mixed-Use -Neighborhood center consists of a small commercial/retail center providing locally focused services that may include a residential component. Convenience goods, such as smaller specialty grocery store, personal services (dry cleaning, beauty salon, bank), restaurants, gas stations and small office uses are the primary commodities and services that are provided within Mixed-Use – Neighborhood centers. Typically in the range of 30,000 to 70,000 square feet in size, these centers are intended to serve the immediately adjacent neighborhoods and strive to offer a limited balance of food, personal service and local office space. Depending on their size, neighborhood centers need the support of 2,000 to 4,000 households or an average population of 4,700 to 9,400 people, based on average household size. To promote the compact, walkable centers, most of that population should be accommodated within ½ mile of the center. Small institutional uses such as a churches, libraries or schools are also appropriate for Mixed-Use - Neighborhood centers.*

The proposed development would provide a number of elements envisioned by the 2009 Comprehensive Plan, including the residential component.

The new 2025 City of Hastings Comprehensive Plan is expected to be adopted by the City Council on March 24, 2025. The new Comprehensive Plan's Future Land Use Map shows the site as High Density Residential. The policy statements for this land use category are:

> ***General Purpose***
> *The High Density Residential land use district includes both existing and new residential neighborhoods with multi-family residential development on moderate to large-sized lots with supporting community facilities. It is intended to encourage creative development patterns. Streets are paved with sidewalks, curb, and gutter. This land use type is ideally located near intersections of arterial streets to act as a buffer between more high intensity uses and lower density residential uses.*
> ***Compatible Uses***
> *1. Missing Middle residential development (such as cottage court, townhouses, duplex, fourplex)*

2. Multi-family residential development/apartment complexes
3. Residential care facilities
4. Large-scale mixed-use development
5. Public facilities (such as fire stations, public utility substations, community centers, etc.)
6. Religious and Educational uses and structures
7. Renewable Energy facilities, within performance standards

Incompatible Uses
1. Industrial uses
2. Commercial uses, except in large-scale mixed use developments

Issues
1. Off-site impacts - visual, noise odors, runoff
2. Traffic and site access
3. Natural amenities such as trees and waterways
4. Topography and drainage
5. Municipal water and sewer availability
6. Sidewalks and multi-modal accessibility

Special Policies
1. Densities should start at 15 or above dwelling units per acre

The proposed development will provide compatible uses listed in the policy statements and help address sidewalks and multi-modal accessibility to the surrounding neighborhood and nearby trail. The proposed density for the development will be 8.7 dwelling units per gross acre. This is lower than envisioned by the Comprehensive Plan, but it is a function of the design of the development as duplexes and a tri-plex, as well as the unique shape of the lot.

The proposed Redevelopment Plan Modification generally conforms to the soon to be adopted 2025 City of Hastings Comprehensive Plan.

b) If the proposed redevelopment plan is to use tax increment financing (TIF):

i. Would the redevelopment project in the plan be economically feasible without the use of tax-increment financing?

Based on the information provided in the Trailside Village Redevelopment Plan Modification application materials, the proposed development would not be economically feasible for the developer without the use of tax increment financing.

The financial plan for the project shows the total expenses to be $9,200,00. The sources of funds used to pay for the project include bank financing ($5,900,00), owner equity ($900,000), and Rural Workforce Housing Loan ($1,000,000). The total of these funds is $7,800,000.

The developer is seeking $1,400,000 in TIF funding, which will be in the form of a loan amortized over 15 years. These funds will cover the gap in financing and other funding sources for the development.

As stated in the Proforma Operating statement on page 8 of the plan modification documents, "Without the availability of TIF funding for the project, it would not be feasible for the developer to proceed with this redevelopment." The rate of return for the developer for the first four years of development without TIF funding is -10.34% to -9.78%. The rate of return for the same time period with the tax increment financing would be 0.03% to 0.55%.

The negative return on investment rate is unacceptable terms for a for-profit developer.

ii. Would the redevelopment project not occur in the community redevelopment area without the use of tax-increment financing?

This lot was created in 2018 as part of the Pioneer Trail Flats Subdivision, as part of the larger North Park Commons development. The North Park Commons development is part of Redevelopment Area #14 and was created for commercial and residential growth. To date, no

The proposed development will provide up to 31 dwellings in a unique setting not currently found in Hastings. This type of housing is considered workforce housing, a housing type shown to be in need in the City.

As stated above, without TIF to serve as financing to fill a gap in the proforma, this development will most likely not occur at this site or in the City of Hastings.

iii. Is the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services in the long-term best interest of the community impacted by the redevelopment project?

Based on the information in the redevelopment plan modification documentation, the proposed development will be in the long-term best interest of the community.

The proposed development will create up to 31 dwellings in duplexes and triplexes that would be considered workforce housing. The development plan is

to provide the units for rent 7-10 years. Following that period, the developer intends to sell each unit and the land associated with it. This type of housing has been shown as a need within the city and the region.

The proposed development will not displace any existing residents and will effectively utilize the existing infrastructure installed to serve the area. The development should not require additional investment in public services like police or fire protection.

The property currently has an assessed valuation of $13,250 and generates real estate property tax revenue of $264. Following the completion of the project, an additional valuation of 7,386,750 is anticipated. This will generate an annual review of roughly $147,555. For the duration of the TIF note (maximum 15-years), this review will go towards the development. Once the TIF note is retired, the increased tax review will go to the respective taxing entities.

c) **Is the proposed redevelopment plan within a designated enhanced employment area? If so, will the new investments proposed with the redevelopment plan modification increase employment in the area by five new employees and new investment of $250,000?** This standard does not apply, as the area is not in a designated enhanced employment area.

STAFF COMMENTS: Staff recommend the Planning Commission recommend **APPROVAL** to the City Council for the request for a Redevelopment Plan Modification for the Trailside Village Redevelopment Project, based on the findings in the staff report and the Redevelopment Plan Modification materials.

PREPARED BY: Chad Bunger, AICP, CFM Director of Development Services

DATE: March 10, 2025

ATTACHMENTS:

1. Redevelopment Plan Modification Application
2. Application materials including site plan and building plans
3. 2009 Imagine Hastings Future Land Use Map
4. 2025 City of Hastings Comprehensive Plan
5. 2018 Area Number 18 Blight and Substandard Determination Study and General Redevelopment Plan

RESOLUTION NO. 2025-17

WHEREAS, the Area #14 Redevelopment Plan prepared by the Community Redevelopment Authority of the City of Hastings, Nebraska, has previously been approved by the Mayor and City Council of the City of Hastings; and

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska, has prepared Redevelopment Plan Modification No. 2025-2 for Redevelopment Area #2; and

WHEREAS, the Community Redevelopment Authority forwarded said Plan Modification to the Hastings City Planning Commission for its review and recommendations as to the consistency with the Redevelopment Plan and development objectives for Redevelopment Area #14 and also its conformity with the Comprehensive Development Plan of the City of Hastings; and

WHEREAS, the Hastings City Planning Commission conducted a review of Plan Modification No. 2025-2 and held a public hearing on March 18, 2025, to solicit testimony from the community regarding said plan modification and at the conclusion thereof determined it was consistent with the general plan and development objectives for Redevelopment Area #14, and also consistent with the goals, policies, and objectives of the Comprehensive Development Plan of the City, and took action recommending approval of the Plan Modification to the Community Redevelopment Authority of the City of Hastings; and

WHEREAS, the Community Redevelopment Authority of the City of Hastings, Nebraska, considered the recommendation of the Plan Modification by the Hastings City Planning Commission and, on April 2, 2025, approved forwarding the Plan Modification to the Mayor and City Council for approval.

NOW THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, do hereby adopt the following resolution:

> **BE IT RESOLVED** by the Mayor and City Council of the City of Hastings, Nebraska, that the Redevelopment Plan Modification No. 2025-2 for the Trailside Village Redevelopment Project, generally located to the Southeast of the intersection of West Laux Drive and East 33rd Street, in Redevelopment Area #14 as provided herein, be and the same is hereby approved and a copy of said Redevelopment Plan Modification is attached hereto, marked as “Exhibit A”, and

incorporated herein by this reference.

PASSED AND APPROVED this 14th day of April, 2025.

_____
George, J.J. Beckby, Mayor

ATTEST:

_____
Tyler Ficken, City Clerk

(S E A L)

Approved as to form:

_____
Jesse Oswald, City Attorney

EXHIBIT A

REDEVELOPMENT PLAN #14
PLAN MODIFICATION NO. 2025-2
(Trailside Village Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #14 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for the financing of a specific redevelopment related project in Area #14.

Executive Summary:

Project Description

The Trailside Village project is a pilot project, intended to innovatively address Hastings' need for workforce housing. The build-to-rent community is intended to uniquely leverage the strengths and motivations of a progressive community, a leader in the manufactured housing industry, local development and construction expertise, and philanthropic impact investing.

Up to fourteen duplexes and one triplex (31 total units) will be developed as semi-detached single-family housing units, with basements, in a community setting, allowing the housing units to be initially leased (for the first 7-10 years of the project) and ultimately sold individually to single family home buyers. This business model strategy encourages the development of a high quality, highly desirable, enduring housing development, that will create a positive community impact and will ultimately allow the opportunity for individuals and families to build equity and contribute to the strengthening of their community.

Units will be 3-bedroom, 2.5 bathroom, 2 story homes, will have 1,500 square feet of finished, above grade space, and 750 square foot basements. The unfinished basements will have 9' sidewalls, an egress window, and rough ins for plumbing.

TAX INCREMENT FINANCING TO PAY FOR ACQUISITION AND OTHER TIF ELIGIBLE IMPROVEMENTS WILL COME FROM THE FOLLOWING REAL PROPERTY:

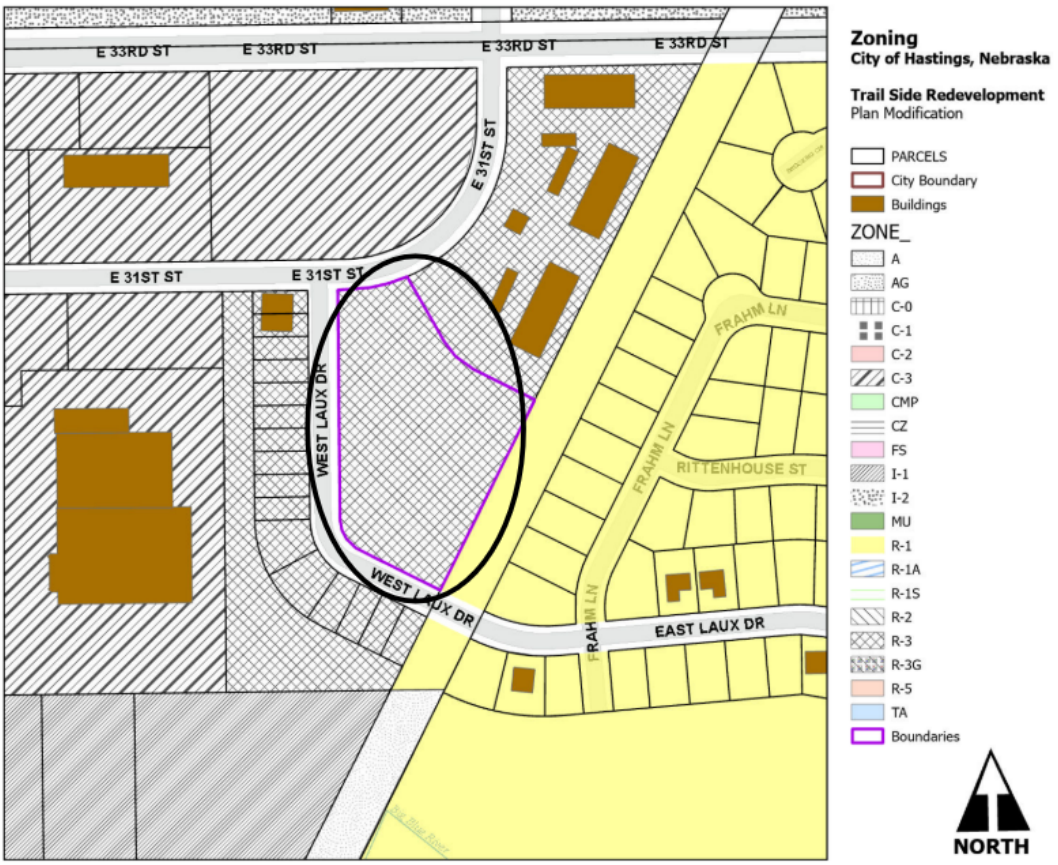
Property Description (the "Redevelopment Project Area")

East of West Laux Drive and south of 31st Street, Hastings, Nebraska

> **Legal Description:** Lot 2, Pioneer Trail Flats Subdivision in the City of Hastings, Adams County, Nebraska.

The Project shall utilize the benefits of the Nebraska Community Development Law, including the use of tax increment financing for eligible costs which shall include, but not be limited to; acquisition costs for the Project Site, site preparation and site grading, architecture and Engineering costs, sewer, water, paving and storm sewer, façade Enhancements, and capitalized interest TIF loan.

Map of Existing Land Use and Proposed Redevelopment Site



The tax increment will be captured for the tax years 2026 through 2040 inclusive.

The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase in value will come from the construction of up to fourteen duplexes and one triplex (31 total units) of semi-detached single-family housing units, as permitted in the R-3 Multi Family Planned District. The tax increment will be captured for the tax years 2026 through 2040 inclusive. Provided, however, if there is no increase in valuation for the 2026 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later.

Project costs for the acquisition, site development, installation of public infrastructure, and construction of semi-detached residential housing estimated to be $9,200,000. The anticipated project valuation when completed is $7,400,000 and the developer projects an incremental valuation increase of 7,386,750.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set

forth in the Redevelopment Contract, consistent with this Redevelopment Plan. Said taxes shall be divided as follows:

a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the current redevelopment project area valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. **The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on September 11, 2017. Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.**

2. **Conformation to the General Plan for the Municipality as a whole.**

Hastings adopted a Comprehensive Plan on February 24, 2009 and intends to adopt a new comprehensive Plan in March of 2025. This redevelopment plan amendment and project are consistent with the 2009 Comprehensive Development Plan and with the 2025 Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to construct housing for residential uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission will hold a public hearing at their meeting on March 18, 2025 to review Plan Modification No. 2025-2 to the Redevelopment Plan for Area #14 confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

3. **The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**
   a. **Land Acquisition:**

The Redevelopment Plan for Area No. 14 provides for real property acquisition and this plan amendment does not prohibit such acquisition. Queen City Development, LLC, or their assignee, plans to purchase the property prior to the start of construction of the Project.

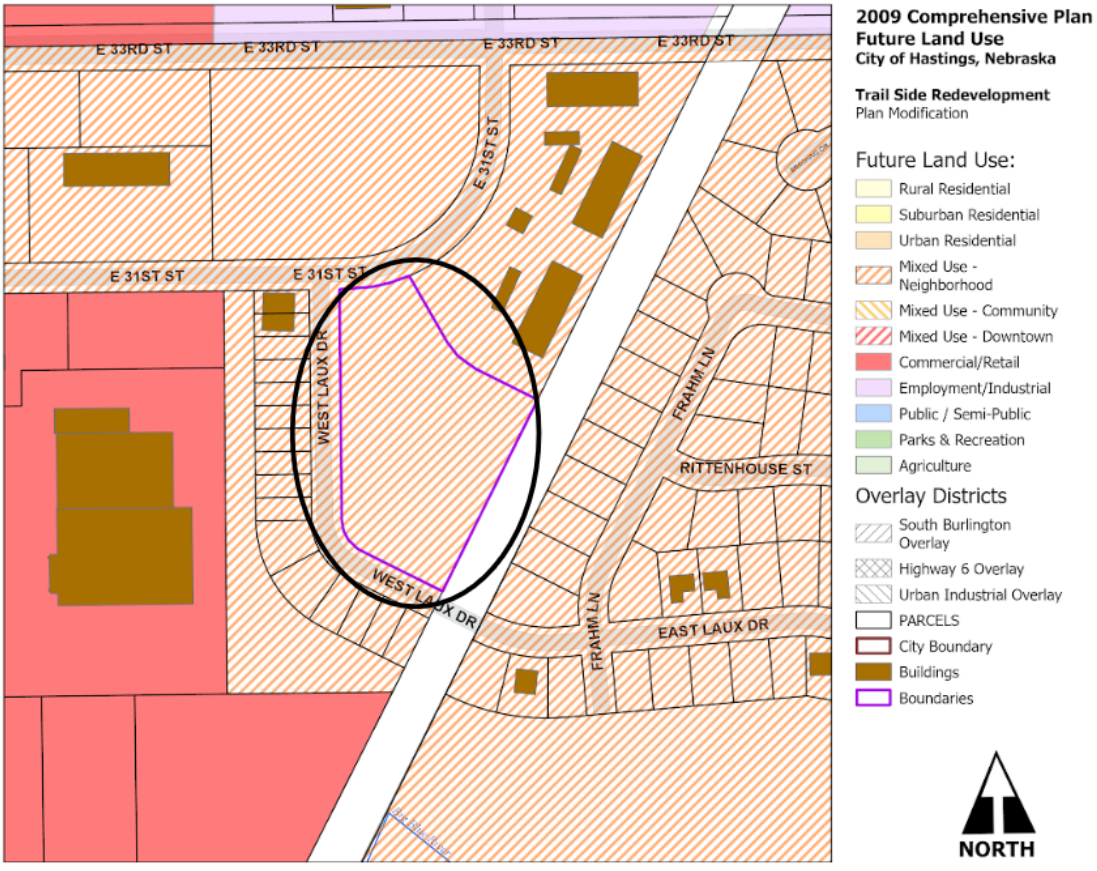
b. Demolition and Removal of Structures:

The project to be implemented with this plan does not provide for the demolition and removal of any structures on this property.

c. Future Land Use Plan

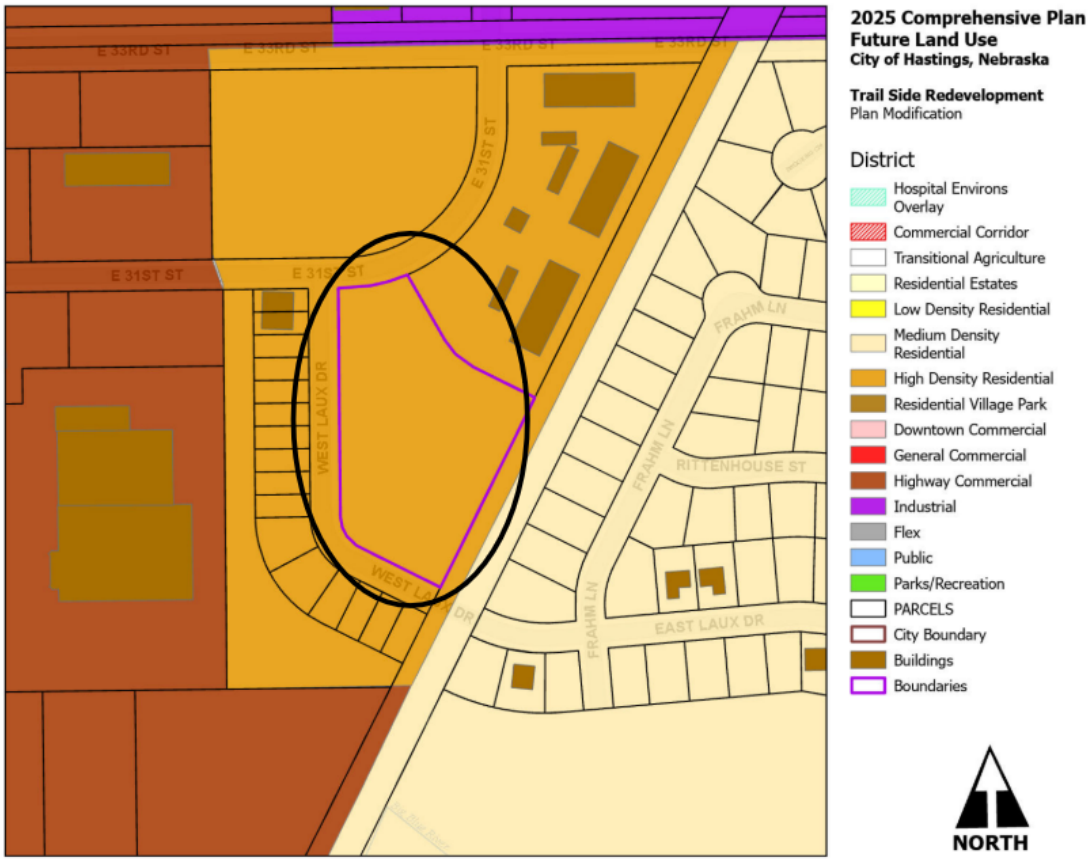
See the attached maps from the 2009 Hastings Comprehensive Development Plan and the 2025 Comprehensive Redevelopment Plan. The Project Site was originally identified as "Employment/Industrial" in the 2009 Comprehensive Development Plan. The City Council approved an amendment to the Comprehensive Plan Future Land Use Map in 2018 for this site and surrounding area, changing the future land use designation to "Mixed Use – Neighborhood" which is consistent with this Amendment. The site is planned for multi-family residential development and ancillary uses of the area after redevelopment as required by Section 18-2111(5) of the Nebraska Community Development Law.

Future Land Use Map – 2009 Comprehensive Plan



The site is identified as “High Density Residential” in the 2025 Comprehensive Development Plan which is consistent with this Amendment. The site is planned for multi-family residential development and ancillary uses of the area after redevelopment as required by Section 18-2111(5) of the Nebraska Community Development Law.

Future Land Use Map – 2025 Comprehensive Plan



d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes

The area is zoned R-3 Multi-Family District and a change to R-3 Multi-Family Planned District is anticipated to allow a greater density of units. Streets, public parking and access to the Pioneer Spirit Trail will be constructed as part of the project. No other changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances nor are any other planning changes contemplated. [§18-2103(b) and §18-2111]

e. Site Coverage and intensity of Use

The developer plans to construct up to fourteen duplex (28) and one triplex (3) units (31 total) as semi-detached single-family housing units, with basements, in a community setting. The buildings will meet the applicable regulations regarding site coverage and intensity of use after the rezoning takes place. [§18-2103(b) and §18-2111]

f. Additional Public Facilities or Utilities

Sewer, water, gas and electric are available to support this development. The developer will be required to extend new water and sewer mains and streets to convert this property into the proposed uses.

4. **The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property has previously been vacant and no relocation is contemplated or necessary. [§18-2103.02]**
5. **No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]**

6. **Section 18-2114 of the Act requires that the Authority consider:**
   1. **Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.**

The developer plans to purchase the property and acquisition is part of the request for tax increment financing. The CRA has been asked to provide $1,400,000 in TIF funding to this project to offset the cost of TIF eligible expenditures. The CRA has identified the following TIF eligible expenses for the developers' proposed improvements;

a) site acquisition - $500,000
b) architectural & engineering services - $120,000
c) sewer, water, paving and utility development - $780,000
d) façade enhancements that exceed the minimum standards - $300,000
e) capitalized interest TIF loan - $63,000

The total TIF eligible expenses for this project are $1,763,000. The property will be purchased by the developer and the developer will provide and secure all necessary financing.

2. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project. The Authority will assist the project by granting the sum of $1,400,000 from the proceeds of the TIF. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2026 through December 2040.

3. **Statement of feasible method of relocating displaced families.**

No families will be displaced as a result of this plan.

7. **Section 18-2113 of the Act requires:**

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools,

parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the 2009 Hastings Comprehensive Development Plan and the 2025 Comprehensive Development Plan by providing the following benefits;

- Prioritize public funding for projects incorporating affordable, missing middle and/or workforce housing.
- Explore partnerships with local housing manufacturers to develop home plans that can be constructed on infill lots.
- Explore shared risk loan pools for higher-risk workforce and affordable housing projects.

8. Time Frame for Development

Development of this project is anticipated to be completed between the 2nd quarter of 2025 and the winter of 2025. Excess valuation should be available for this project for 15 years beginning with the 2026 tax year.

9. Justification of Project

The project will provide new opportunities to address "missing middle" housing, as well as to meet the housing demand of area employers looking to attract new people to Hastings. The units will be developed as semi-detached single-family housing allowing the housing units to be initially leased and ultimately sold individually to single family home buyers. This business model strategy encourages the development of a high quality, desirable, enduring housing development, that will create a positive community impact and will ultimately allow the opportunity for individuals and families to build equity and contribute to the strengthening of their community.

10. **Cost Benefit Analysis**

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the City of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses.

Approximately $1,400,000 in public funds from tax increment financing provided by the Hastings Community Redevelopment Authority will be required to complete the project. This investment by the Authority and the City will leverage $7,800,000 in private and public sector financing; a private investment of $6.57 for every public/TIF dollar of investment.

USE OF FUNDS		SOURCE OF FUNDS	
Site Acquisition	$500,000	Bank Financing	$5,900,000
Sewer, water, paving & utilities	$780,000	Owner Equity	$900,000

Engineering & architecture	$120,000	Rural Workforce Housing Loan	$1,000,000
Interior and Exterior Construction	$7,800,000	TIF Loan	$1,400,000
TOTALS	**$9,200,000**	**TOTALS**	**$9,200,000**

Tax Revenue. The property to be redeveloped has a January 1, 2024, valuation of $13,250. Based on the 2024 levy rate this would result in real property taxes of approximately $264.68 which will continue to be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by $7,386,750 upon full completion, as a result of the building redevelopment. This development will result in an additional estimated tax increase of $147,555 annually. This tax increment gained from the Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for TIF eligible redevelopment costs to enable this project to berealized.

2024 assessed value:	$13,250
Annual City portion of property taxes	$174.53
Estimated value after completion	$7,400,000
Increment value	$7,386,750
Annual TIF generated (estimated)	$147,555
Annual increased Taxes not available to City	$29,164
Annual increased taxes not available to County	$25,707

Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing for proposed Project:

A large financial gap exists on this project after conventional financing is utilized. A combination of owner equity, TIF, and Rural Workforce Housing Loan Funds are needed to make the project feasible. The developer is contributing owner equity and other financing of $7,800,000 and TIF funds are intended to fill the remaining gap, making this project feasible. The project is asking for $1,400,000 in a TIF loan amortized over 15 years. Without the availability of TIF funding for the project, it would not be feasible for the developer to proceed with this redevelopment. Please see the table below which shows rate of returns from -10.34% to -9.78% without TIF funding which is an unacceptable return on investment in today's market.

Proforma Operating Statement w/o TIF				
	Year 1	Year 2	Year 3	Year 4
Rent Revenue	$ 736,176	$ 743,538	$ 750,973	$ 758,843
Expenses	$(302,709)	$(308,473)	$(314,352)	$(320,349)
NOI Without TIF	$ 433,467	$ 435,065	$ 436,621	$ 438,494
	$ (40,000)	$ (40,000)	$ (40,000)	$ (40,000)
Debt Service	$(486,549)	$(486,549)	$(486,549)	$(486,549)
Cash Flow Without TIF	$ (93,082)	$ (91,484)	$ (89,928)	$ (88,055)
Cash on Cash Return	**-10.34%**	**-10.16%**	**-9.99%**	**-9.78%**
Owner Equity	$ 900,000	$ 900,000	$ 900,000	$ 900,000

Proforma Operating Statement with TIF				
	Year 1	Year 2	Year 3	Year 4
Rent Revenue	$ 736,176	$ 743,538	$ 750,973	$ 758,483
Expenses	$(302,709)	$(308,473)	$(314,352)	$(320,349)
NOI Without TIF	$ 433,467	$ 435,065	$ 436,621	$ 438,134
RWHL Debt Service	$ (40,000)	$ (40,000)	$ (40,000)	$ (40,000)
Debt Service	$(393,169)	$(393,169)	$(393,169)	$(393,169)
Cash Flow Without TIF	$ 298	$ 1,896	$ 3,452	$ 4,965
Cash on Cash Return	**0.03%**	**0.21%**	**0.38%**	**0.55%**
Owner Equity	$ 900,000	$ 900,000	$ 900,000	$ 900,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The redevelopment project area currently has a valuation of $13,250. The proposed redevelopment will create additional valuation of $7,386,750. No tax shifts are anticipated from the project. The project creates new valuation from the construction of semi-detached residential housing units which will support taxing entities long after the project is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. Sewer, water, paving and utility extensions to serve the project will be constructed as part of development. Fire and police protection are available and should not be negatively impacted by this development.

(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment area but will create increased housing opportunities for employees and employers.

(d.) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on other employers in any manner different from any other expanding business within the Hastings area and will create increased housing opportunities for employees and employers throughout the community.

(e) Impacts on student populations of school districts within the City or Village:

The average number of persons per household in Hastings according the US Census Bureau is 2.3 occupants. According to current census numbers less than 20% of the population of Hastings is between the ages of 5 and 18. If the averages hold it would be expected that a maximum of 71 people would be housed at this location and there would be approximately 14 school age children generated by this development. These children will likely be spread over the full school age population from elementary to secondary school. It is anticipated that there will be no adverse impact on the local school districts.

(f) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the City's Comprehensive Plan, the 2021 Hastings Housing Needs Assessment, and HEDC's and the CRA's goal to increase workforce and missing middle housing in the community. The project will result in increased housing opportunities and add significant valuation to the area.

Time Frame for Development

Development of this project is anticipated to be completed between the 2nd quarter of 2025 and the 1st quarter of 2026. The base tax year should be calculated on the value of the property as of January 2025. Excess valuation should be available for this project for 15 years beginning in 2026 with taxes due in 2027. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years on an amount of $1,400,000, the projected amount of increment based upon the anticipated value of the project and current tax rate.

REDEVELOPMENT PLAN #14
PLAN MODIFICATION NO. 2025-2
(Trailside Village Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #14 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for the financing of a specific redevelopment related project in Area #14.

Executive Summary:

Project Description

The Trailside Village project is a pilot project, intended to innovatively address Hastings' need for workforce housing. The build-to-rent community is intended to uniquely leverage the strengths and motivations of a progressive community, a leader in the manufactured housing industry, local development and construction expertise, and philanthropic impact investing.

Up to fourteen duplexes and one triplex (31 total units) will be developed as semi-detached single-family housing units, with basements, in a community setting, allowing the housing units to be initially leased (for the first 7-10 years of the project) and ultimately sold individually to single family home buyers. This business model strategy encourages the development of a high quality, highly desirable, enduring housing development, that will create a positive community impact and will ultimately allow the opportunity for individuals and families to build equity and contribute to the strengthening of their community.

Units will be 3-bedroom, 2.5 bathroom, 2 story homes, will have 1,500 square feet of finished, above grade space, and 750 square foot basements. The unfinished basements will have 9' sidewalls, an egress window, and rough ins for plumbing.

TAX INCREMENT FINANCING TO PAY FOR ACQUISITION AND OTHER TIF ELIGIBLE IMPROVEMENTS WILL COME FROM THE FOLLOWING REAL PROPERTY:

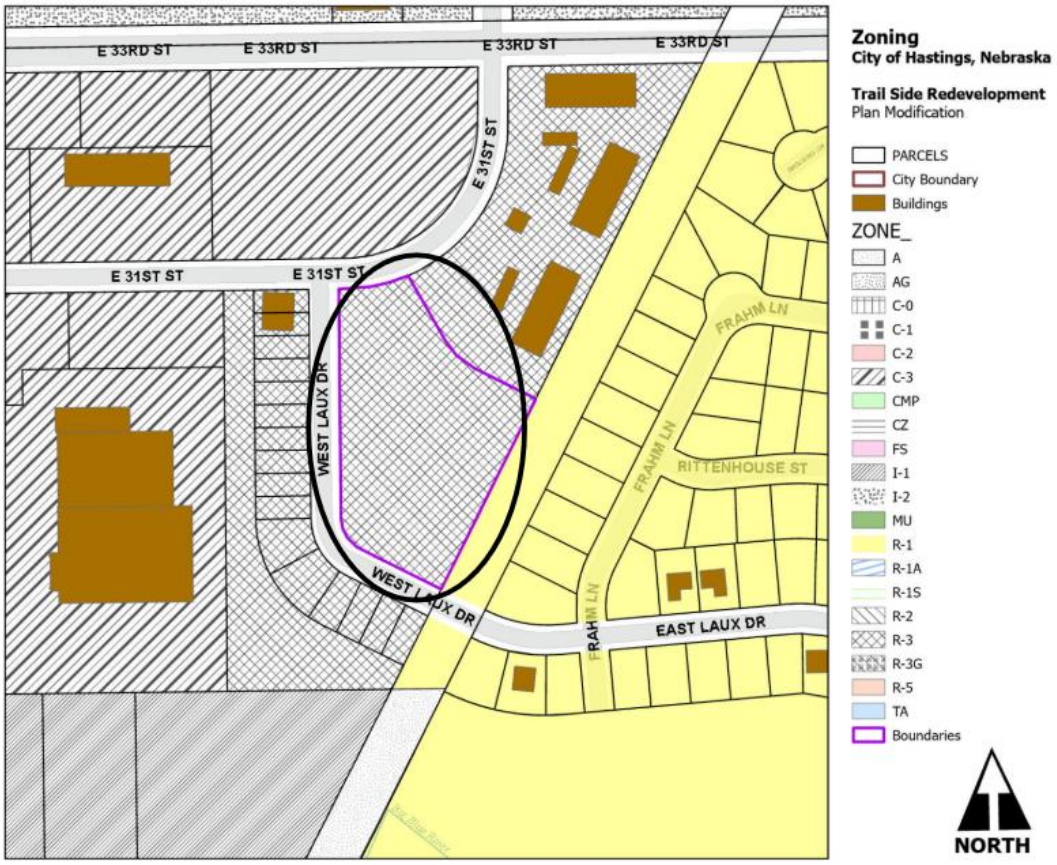
Property Description (the "Redevelopment Project Area")

East of West Laux Drive and south of 31st Street, Hastings, Nebraska

> **Legal Description:** Lot 1, Block 2, North Park Commons Addition of Hastings, Adams County, Nebraska

The Project shall utilize the benefits of the Nebraska Community Development Law, including the use of tax increment financing for eligible costs which shall include, but not be limited to; acquisition costs for the Project Site, site preparation and site grading, architecture and Engineering costs, sewer, water, paving and storm sewer, façade Enhancements, and capitalized interest TIF loan.

Map of Existing Land Use and Proposed Redevelopment Site



The tax increment will be captured for the tax years 2026 through 2040 inclusive.

The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase in value will come from the construction of up to fourteen duplexes and one triplex (31 total units) of semi-detached single-family housing units, as permitted in the R-3 Multi Family Planned District. The tax increment will be captured for the tax years 2026 through 2040 inclusive. Provided, however, if there is no increase in valuation for the 2026 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later.

Project costs for the acquisition, site development, installation of public infrastructure, and construction of semi-detached residential housing estimated to be $9,200,000. The anticipated project valuation when completed is $7,400,000 and the developer projects an incremental valuation increase of 7,386,750.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan. Said taxes shall be divided as follows:

a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the current redevelopment project area valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the

bodies; and

b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. **The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on September 11, 2017. Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.**

2. **Conformation to the General Plan for the Municipality as a whole.**

Hastings adopted a Comprehensive Plan on February 24, 2009 and intends to adopt a new comprehensive Plan in March of 2025. This redevelopment plan amendment and project are consistent with the 2009 Comprehensive Development Plan and with the 2025 Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to construct housing for residential uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission will hold a public hearing at their meeting on March 18, 2025 to review Plan Modification No. 2025-2 to the Redevelopment Plan for Area #14 confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

3. **The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**
   a. **Land Acquisition:**

The Redevelopment Plan for Area No. 14 provides for real property acquisition and this plan amendment does not prohibit such acquisition. Queen City Development, LLC, or their assignee, plans to purchase the property prior to the start of construction of the Project.

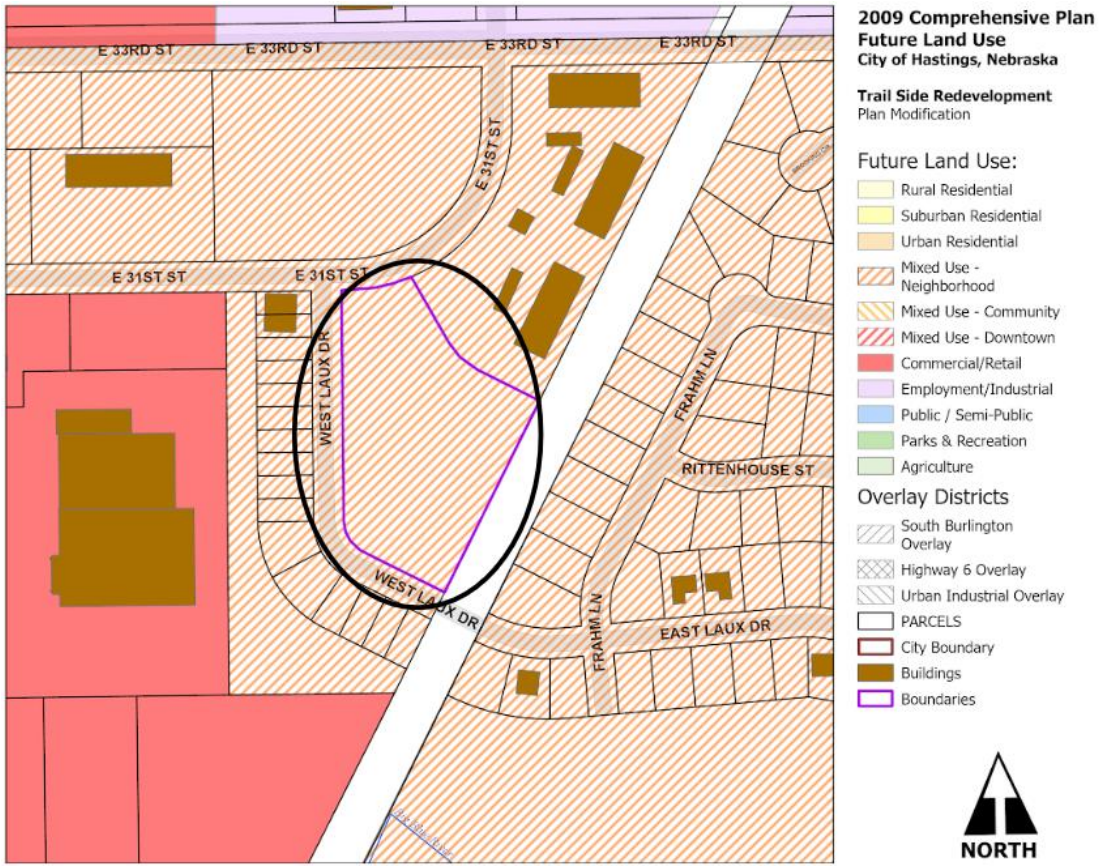
   b. **Demolition and Removal of Structures:**

The project to be implemented with this plan does not provide for the demolition and removal of any structures on this property.

   c. **Future Land Use Plan**

See the attached maps from the 2009 Hastings Comprehensive Development Plan and the 2025 Comprehensive Redevelopment Plan. The Project Site was originally identified as "Employment/Industrial" in the 2009 Comprehensive Development Plan. The City Council approved an amendment to the Comprehensive Plan Future Land Use Map in 2018 for this site and surrounding area, changing the future land use designation to "Mixed Use – Neighborhood" which is consistent with this Amendment. The site is planned for multi-family residential development and ancillary uses of the area after redevelopment as required by Section 18-2111(5) of the Nebraska Community Development Law.

Future Land Use Map – 2009 Comprehensive Plan



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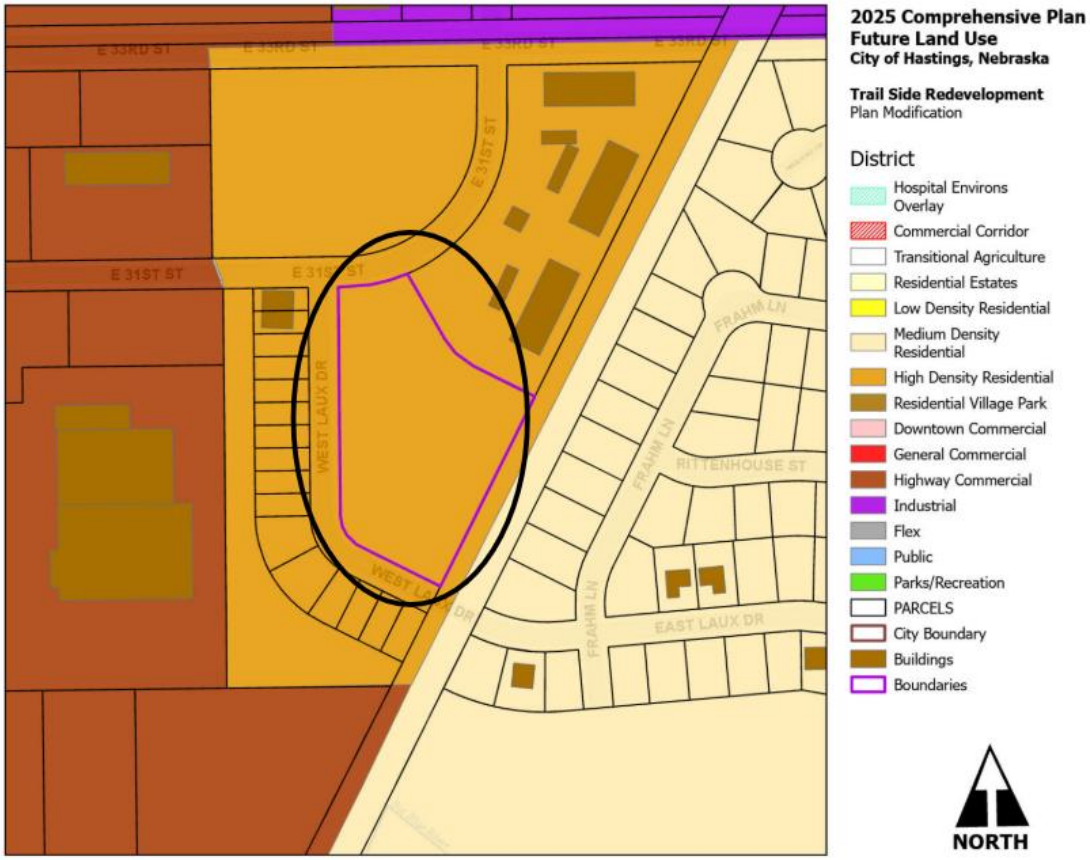

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Owner Equity	$ 900,000	$ 900,000	$ 900,000	$ 900,000

Proforma Operating Statement with TIF				
	Year 1	**Year 2**	**Year 3**	**Year 4**
Rent Revenue	$ 736,176	$ 743,538	$ 750,973	$ 758,483
Expenses	$(302,709)	$(308,473)	$(314,352)	$(320,349)
NOI Without TIF	$ 433,467	$ 435,065	$ 436,621	$ 438,134
RWHL Debt Service	$ (40,000)	$ (40,000)	$ (40,000)	$ (40,000)
Debt Service	$(393,169)	$(393,169)	$(393,169)	$(393,169)
Cash Flow Without TIF	$ 298	$ 1,896	$ 3,452	$ 4,965
Cash on Cash Return	**0.03%**	**0.21%**	**0.38%**	**0.55%**
Owner Equity	$ 900,000	$ 900,000	$ 900,000	$ 900,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The redevelopment project area currently has a valuation of $13,250. The proposed redevelopment will create additional valuation of $7,386,750. No tax shifts are anticipated from the project. The project creates new valuation from the construction of semi-detached residential housing units which will support taxing entities long after the project is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. Sewer, water, paving and utility extensions to serve the project will be constructed as part of development. Fire and police protection are available and should not be negatively impacted by this development.

(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment area but will create increased housing opportunities for employees and employers.

(d.) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on other employers in any manner different from any other expanding business within the Hastings area and will create increased housing opportunities for employees and employers throughout the community.

(e) Impacts on student populations of school districts within the City or Village:

The average number of persons per household in Hastings according the US Census Bureau is 2.3 occupants. According to current census numbers less than 20% of the population of Hastings is between the ages of 5 and 18. If the averages hold it would be expected that a maximum of 71 people would be housed at this location and there would be approximately 14 school age children generated by this development. These children will likely be spread over the full school age population from elementary to secondary school. It is anticipated that there will be no adverse impact on the local school districts.

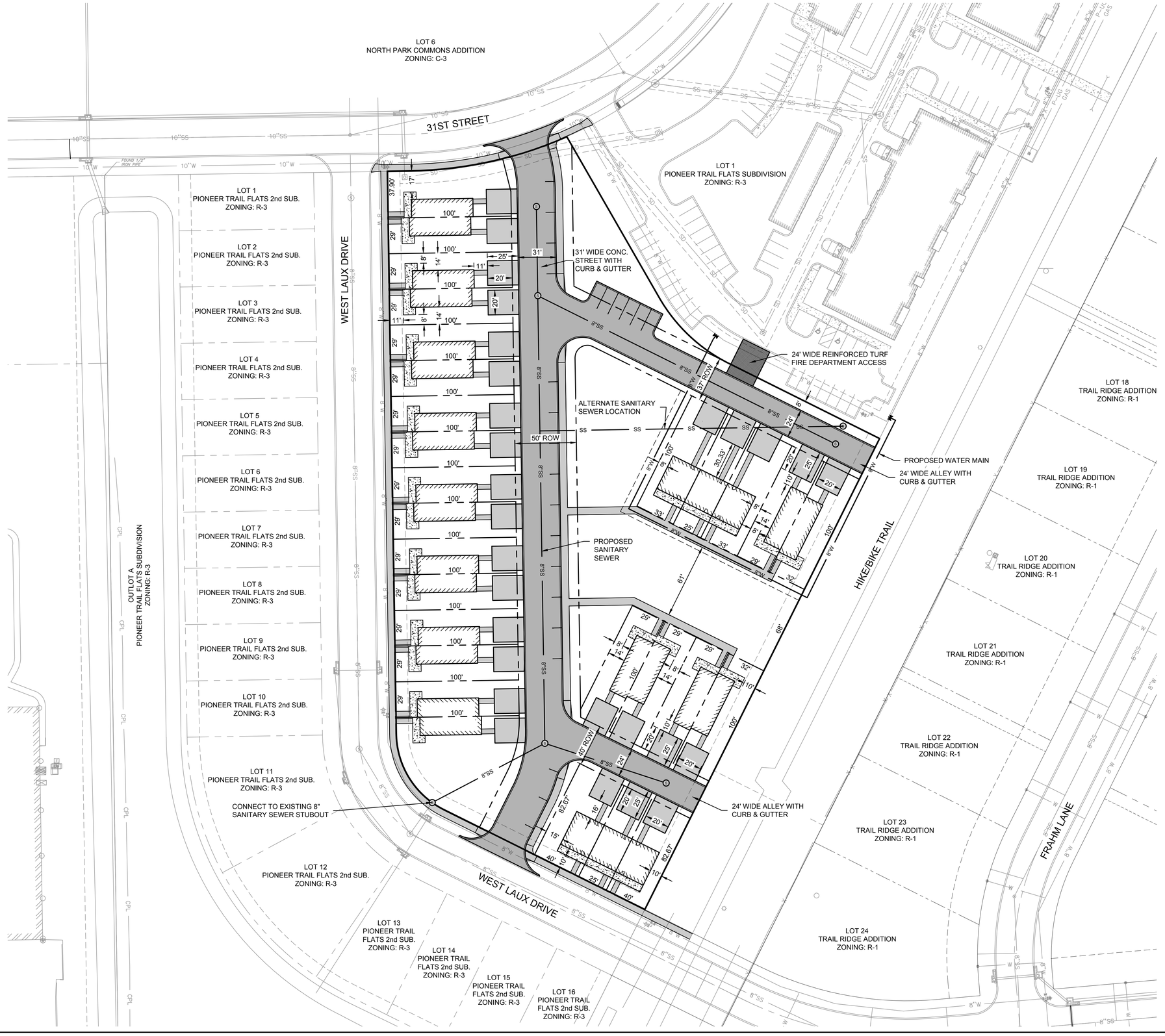
(f) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the City's Comprehensive Plan, the 2021 Hastings Housing Needs Assessment, and HEDC's and the CRA's goal to increase workforce and missing middle housing in the community. The project will result in increased housing opportunities and add significant valuation to the area.

Time Frame for Development

Development of this project is anticipated to be completed between the 2nd quarter of 2025 and the 1st quarter of 2026. The base tax year should be calculated on the value of the property as of January 2025. Excess valuation should be available for this project for 15 years beginning in 2026 with taxes

due in 2027. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years on an amount of $1,400,000, the projected amount of increment based upon the anticipated value of the project and current tax rate.



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olsson

201 East 2nd Street
Grand Island, NE 68801

olsson.com
TEL 308.384.8750
FAX 308.384.8752

Olsson - Engineering
Nebraska COA #CA-0638

REVISIONS		
REV. NO.	DATE	DESCRIPTION

SITE PLAN
OPTION 6

TRAILSIDE SUBDIVISION

HASTINGS, NEBRASKA

2025

drawn by: LH
designed by: LH
project no.: 024-07078
date: 03-04-2025

SHEET
1 of 1

Q00 - BONNAVILLA - ZONE 4

1483 PER UNIT X 2 = 2966 SQ. FT.

BONNAVILLA
A DIVISION OF CHIEF INDUSTRIES, INC.

DEALER

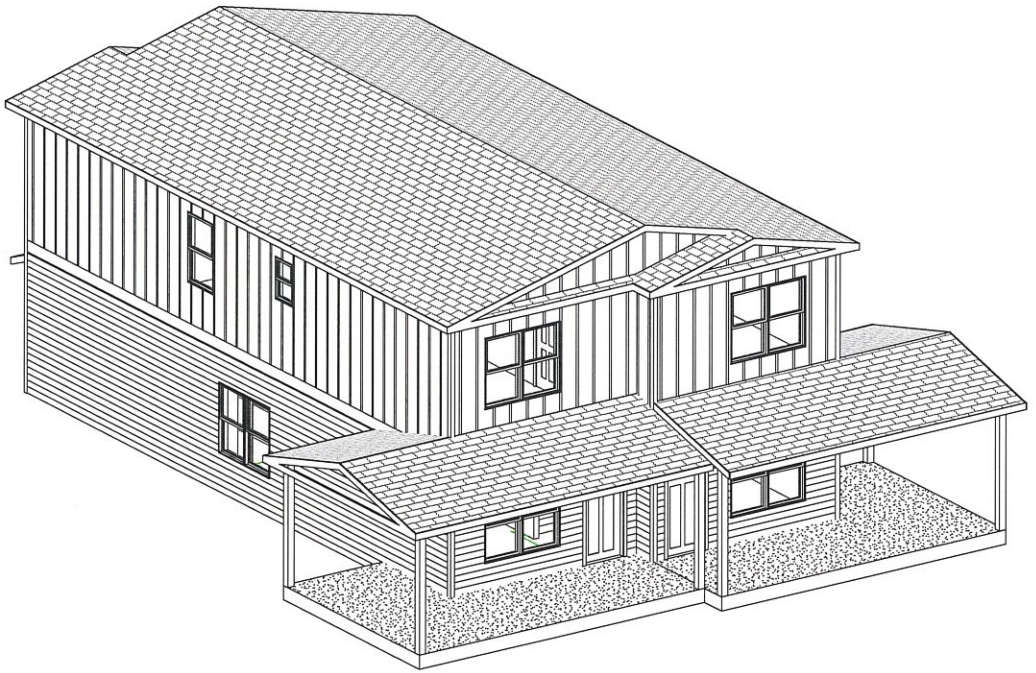
BONNAVILLA
111 GRANT STREET
P.O. BOX 127
AURORA, NE 68818
402.694.5250

CUSTOMER

ZONE 4
HASTINGS, NE 68901

SHEET LIST

NO.	SHEET NAME
00	COVER SHEET
01A	1ST FLOOR PLAN
08A	ELECTRICAL PLAN 1ST FLR
08B	ELECTRICAL PLAN 2ND FLR
09A	EXTERIOR ELEVATIONS
09B	EXTERIOR ELEVATIONS
14	FOUNDATION PLAN
15A	CABINET DETAILS - UNIT 1
15B	CABINET DETAILS - UNIT 2
16	BUILDING SECTION



NO.	DATE	DRN BY	DESCRIPTION
A	8/26/24	KSE	PRELIMINARY ISSUE

CODE: 2018 IRC
FLOOR LOAD: 40 PSF
ROOF LOAD: 40 PSF
WIND ZONE: 115 VULT MPH

QUOTE NO: Q00

PID: 7535

CUSTOMER ZONE 4

DEALER BONNAVILLA

SITE ADDRESS HASTINGS, NE

DRAWING TITLE COVER SHEET

BONNAVILLA
A DIVISION OF CHIEF INDUSTRIES, INC.
111 GRANT STREET
P.O. BOX 127
AURORA, NEBRASKA 68818
(402) 694-5250 FAX 694-5490

DRN. BY: KSE
DATE: 8/26/24

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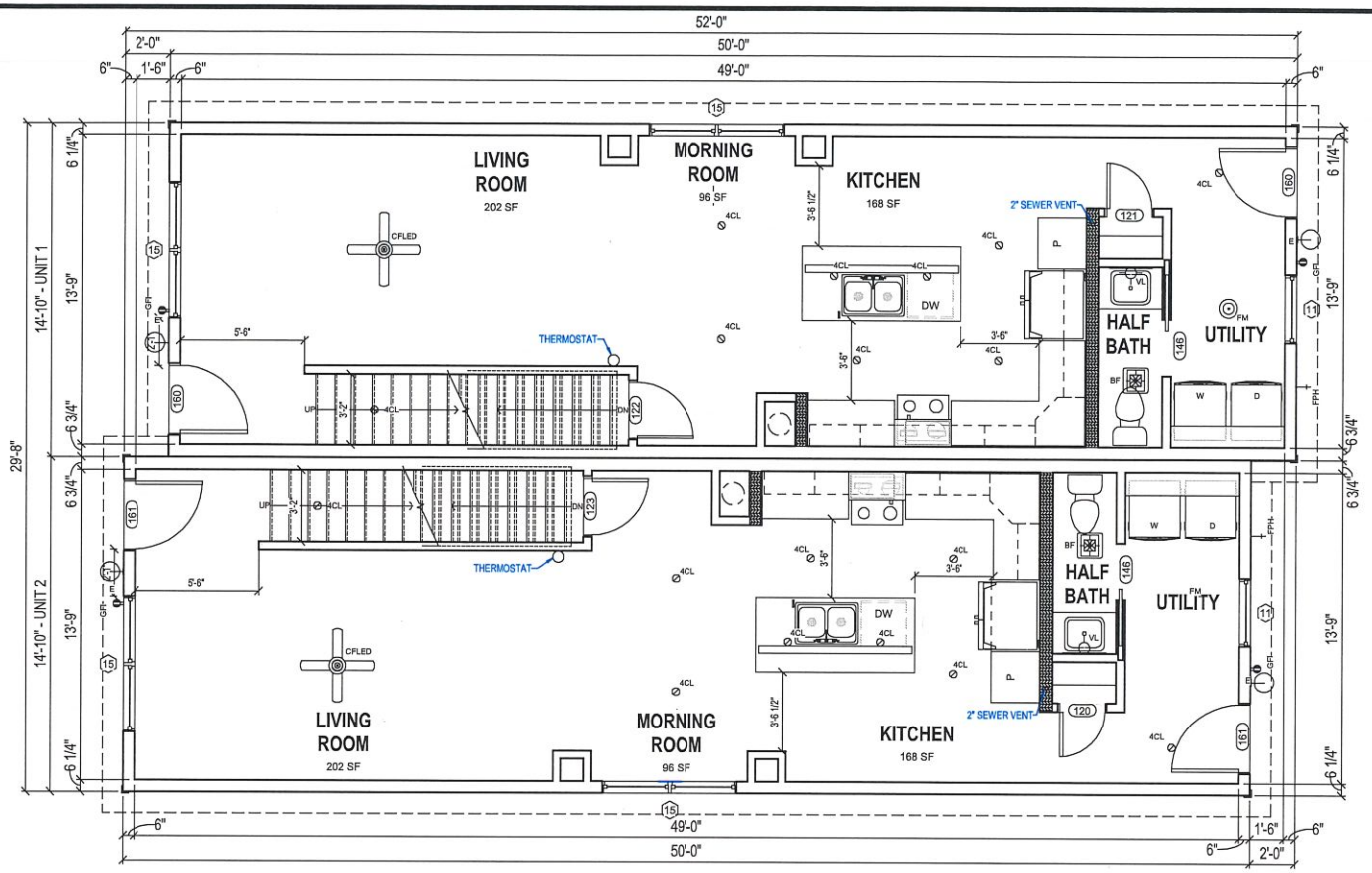

1 / 01A 1ST FLOOR PLAN

SCALE (22x34): 3/8" = 1'-0"
SCALE (11x17): 3/16" = 1'-0"

LEGEND

- WALL FRAMING ELEVATION (01)
- KEYNOTE (FP01)
- 6" WALL THICKNESS
- HALF WALL
- ISLAND WALL (HEIGHT VARIES)

GENERAL NOTES

1. ALL CLOSETS TO BE 2'-0" DEEP U.N.O.
2. ALL SHELVING TO BE SINGLE SHELF WIROD U.N.O.
3. ALL EXTERIOR WALLS TO BE 2x6 CONSTRUCTION U.N.O.
4. ALL DIMENSTION ARE TO EDGE OF GYP BOARD OR OSB U.N.O.

ABBREVIATIONS

DB	DRAWER BANK
DW	DISHWASHER
L	LINEN
P	PANTRY
PP	POTS & PANS PULLOUT
UNO	UNLESS OTHERWISE NOTED
W	WASHER
D	DRYER
DOV	DOUBLE OVEN CABINET
MWOV	MICROWAVE & OVEN CABIENT
OV	OVEN CABINET
MW	MICROWAVE OR MICROWAVE CABINET

KEYNOTES

FP01 RETURN AIR GRILLE

NOTE:
NEED LOCATIONS FOR
PANEL BOX DROP
WH & FURNACE
DISCONNECT BREAKER

EXTERIOR DOOR SCHEDULE

ID #	QTY	DESCRIPTION	SWING	JAMB	COMMENTS
160	2	36"x80" 3-PANEL FIBERGLASS	RIGHT	6"	
161	2	36"x80" 3-PANEL FIBERGLASS	LEFT	6"	

INTERIOR DOOR SCHEDULE

ID #	QTY	DESCRIPTION	SWING	JAMB	COMMENTS
120	1	24"x80"	RIGHT	4 1/2"	
121	1	24"x80"	LEFT	4 1/2"	
122	7	30"x80"	RIGHT	4 1/2"	
123	7	30"x80"	LEFT	4 1/2"	
146	2	30"x80" SINGLE POCKET	NA	4 1/2"	
148	4	48" BI-PASS DOORS	NA	4 1/2"	

WINDOW SCHEDULE

ID #	QTY	DESCRIPTION	COMMENTS
10	2	24"x36" S/H TEMPERED	
11	2	36"x36" S/H	
12	4	36"x60" S/H EGRESS	W/ LIMITERS
15	4	DOUBLE 36"x60" S/H EGRESS	
15	2	DOUBLE 36"x60" S/H EGRESS	W/ LIMITERS

LIGHTING FIXTURE SCHEDULE

ID #	QTY	DESCRIPTION	COMMENTS
4CL	26	FIXED 4" CAN LIGHT	
4CLW	4	WATERPROOF 4" CAN LIGHT	
BF	6	BATHFAN/LIGHT COMBO	
CFLED	4	CEILING FAN/LED LIGHT	
E	4	EXTERIOR CLEAR GLASS LIGHT	
FM	6	FLUSH MOUNT LIGHT	
VL	8	VANITY LIGHT	

ROOM SQ FT SCHEDULE

Name	Area
1BCLO	24.81 SF
1BCLO	24.81 SF
2BCLO	11.25 SF
2BCLO	11.25 SF
2ND BEDROOM	87.83 SF
2ND BEDROOM	87.83 SF
3BCLO	11.25 SF
3BCLO	11.25 SF
3RD BEDROOM	109.50 SF
3RD BEDROOM	109.50 SF
ENTRY	23.24 SF
ENTRY	29.33 SF
GCLO	5.19 SF
GCLO	5.19 SF
HALF BATH	22.67 SF
HALF BATH	22.67 SF
HALL 1	130.37 SF
HALL 1	130.37 SF
KITCHEN	168.40 SF
KITCHEN	168.40 SF

ROOM SQ FT SCHEDULE

Name	Area
LIVING ROOM	202.32 SF
LIVING ROOM	201.52 SF
MAIN BATH	52.51 SF
MAIN BATH	52.61 SF
MASTER BATH	76.34 SF
MASTER BATH	76.34 SF
MASTER BEDROOM	127.29 SF
MASTER BEDROOM	127.29 SF
MORNING ROOM	95.69 SF
MORNING ROOM	95.69 SF
STAIRS	37.84 SF
STAIRS	43.94 SF
UTILITY	81.77 SF
UTILITY	81.77 SF

2548.02 SF

CODE:	2018 IRC
FLOOR:	40 PSF
ROOF:	40 PSF
ZONE:	
WIND:	115 VULT MPH
ZONE:	

REV	DATE	BY	DESCRIPTION
A	8/26/24	KSE	PRELIMINARY ISSUE

QUOTE NO: Q00
PID: 7535
CUSTOMER ZONE 4
DEALER BONNAVILLA
SITE ADDRESS HASTINGS, NE
DRAWING TITLE 1ST FLOOR PLAN

BONNAVILLA
A DIVISION OF CMH HOMES, INC.
111 GRANT STREET
P.O. BOX 127
AURORA, NEBRASKA 68818
WWW.BONNAVILLA.COM

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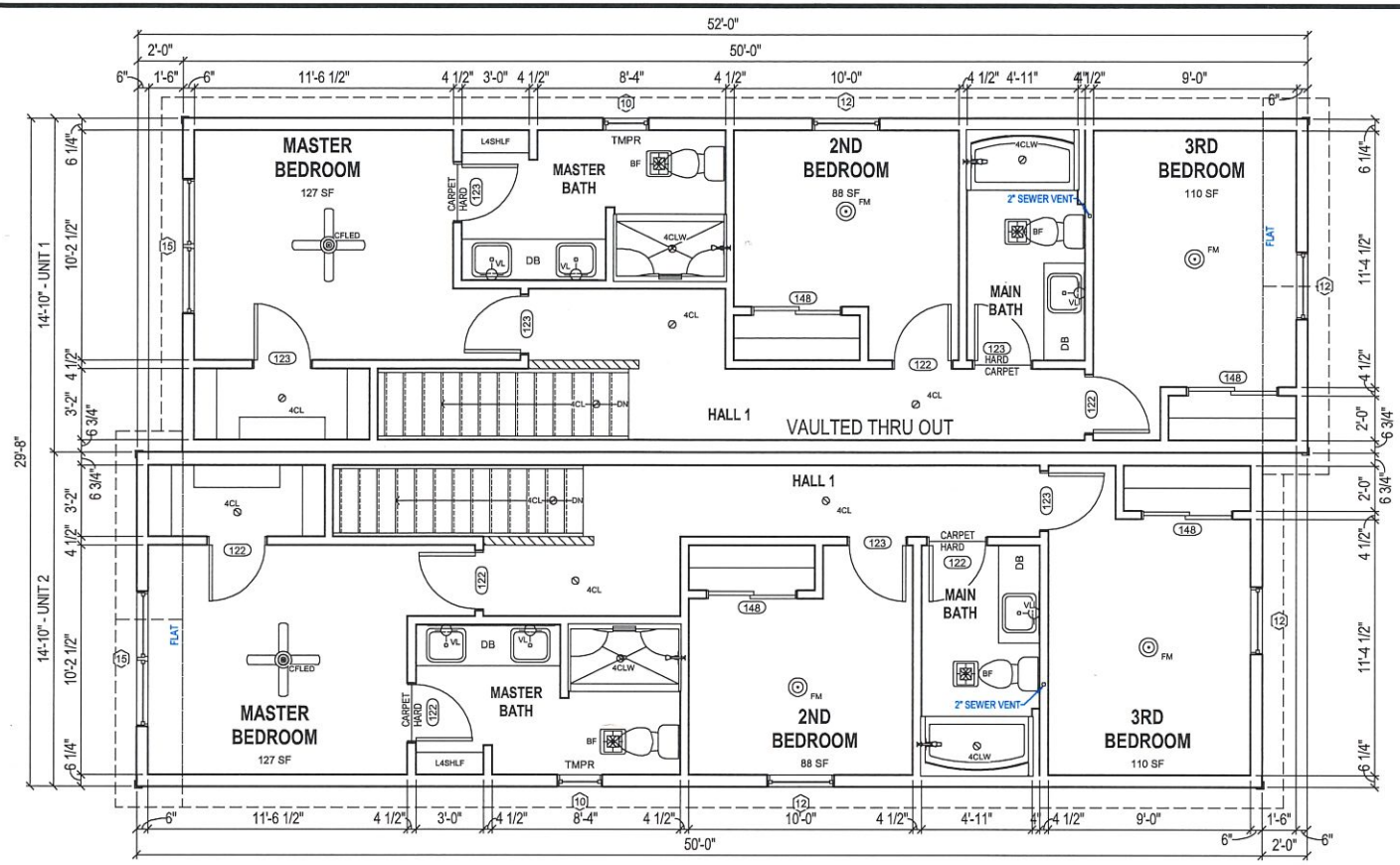

1 / 01B 2ND FLOOR PLAN

SCALE (22x34): 3/8" = 1'-0"
SCALE (11x17): 3/16" = 1'-0"

LEGEND

- 01 — WALL FRAMING ELEVATION
- FP01 — KEYNOTE
- 6" WALL THICKNESS
- HALF WALL
- ISLAND WALL (HEIGHT VARIES)

GENERAL NOTES

1. ALL CLOSETS TO BE 2'-0" DEEP U.N.O.
2. ALL SHELVING TO BE SINGLE SHELF W/ROD U.N.O.
3. ALL EXTERIOR WALLS TO BE 2x6 CONSTRUCTION U.N.O.
4. ALL DIMENSTION ARE TO EDGE OF GYP BOARD OR OSB U.N.O.

ABBREVIATIONS

DB	DRAWER BANK
DW	DISHWASHER
L	LINEN
P	PANTRY
PP	POTS & PANS PULLOUT
UNO	UNLESS OTHERWISE NOTED
W	WASHER
D	DRYER
DOV	DOUBLE OVEN CABINET
MWOV	MICROWAVE & OVEN CABIENT
OV	OVEN CABINET
MW	MICROWAVE OR MICROWAVE CABINET

KEYNOTES

FP01 RETURN AIR GRILLE

ROOM SQ FT SCHEDULE	
Name	Area
1BCLO	24.81 SF
1BCLO	24.81 SF
2BCLO	11.25 SF
2BCLO	11.25 SF
2ND BEDROOM	87.83 SF
2ND BEDROOM	87.83 SF
3BCLO	11.25 SF
3BCLO	11.25 SF
3RD BEDROOM	109.50 SF
3RD BEDROOM	109.50 SF
ENTRY	23.24 SF
ENTRY	29.33 SF
GCLO	5.19 SF
GCLO	5.19 SF
HALF BATH	22.67 SF
HALF BATH	22.67 SF
HALL 1	130.37 SF
HALL 1	130.37 SF
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MORNING ROOM	95.69 SF
STAIRS	37.84 SF
STAIRS	43.94 SF
UTILITY	81.77 SF
UTILITY	81.77 SF
	2548.02 SF

INTERIOR DOOR SCHEDULE					
ID #	QTY	DESCRIPTION	SWING	JAMB	COMMENTS
120	1	24"x80"	RIGHT	4 1/2"	
121	1	24"x80"	LEFT	4 1/2"	
122	7	30"x80"	RIGHT	4 1/2"	
123	7	30"x80"	LEFT	4 1/2"	
146	2	30"x80" SINGLE POCKET	NA	4 1/2"	
148	4	48" BI-PASS DOORS	NA	4 1/2"	

LIGHTING FIXTURE SCHEDULE			
ID #	QTY	DESCRIPTION	COMMENTS
4CL	26	FIXED 4" CAN LIGHT	
4CLW	4	WATERPROOF 4" CAN LIGHT	
BF	6	BATHFAN/LIGHT COMBO	
CFLED	4	CEILING FAN/LED LIGHT	
E	4	EXTERIOR CLEAR GLASS LIGHT	
FM	6	FLUSH MOUNT LIGHT	
VL	8	VANITY LIGHT	

WINDOW SCHEDULE			
ID #	QTY	DESCRIPTION	COMMENTS
10	2	24"x36" S/H TEMPERED	
11	2	36"x36" S/H	
12	4	36"x60" S/H EGRESS	W/ LIMITERS
15	4	DOUBLE 36"x60" S/H EGRESS	
15	2	DOUBLE 36"x60" S/H EGRESS	W/ LIMITERS

NO.	DESCRIPTION	DATE	DRW BY
A	PRELIMINARY ISSUE	8/26/24	KSE

CODE: 2018 IRC
FLOOR LOAD: 40 PSF
ROOF: 40 PSF
ZONE:
WIND ZONE: 115 VULT MPH

QUOTE NO: Q00

PID: 7535

CUSTOMER: ZONE 4

DEALER: BONNAVILLA

SITE ADDRESS: HASTINGS, NE

DRAWING TITLE: 2ND FLOOR PLAN

BONNAVILLA
A DIVISION OF NVR, INC.
111 GRANT STREET
P.O. BOX 127
AURORA, NEBRASKA 68818
www.bonnavilla.com

DRN. BY: KSE
DATE: 8/26/24

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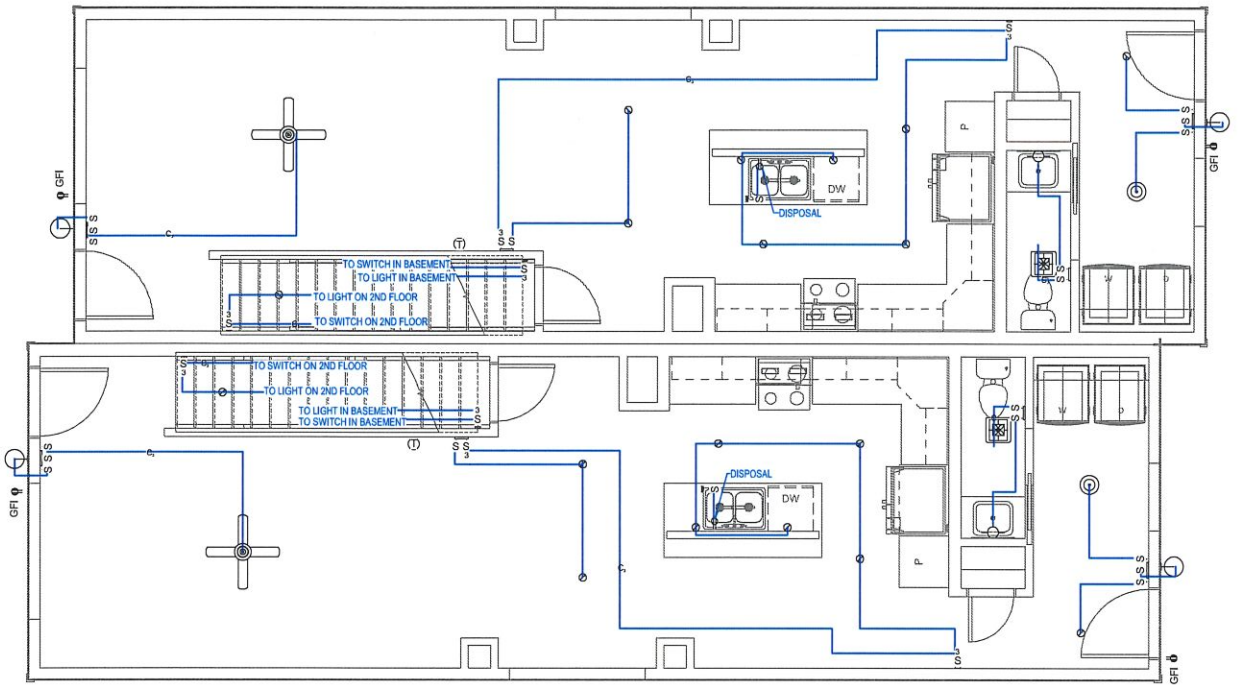


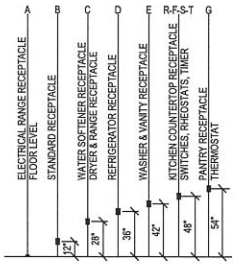
1 ELECTRICAL PLAN 1ST FLR

ELECTRICAL LEGEND

	INTERIOR DUPLEX RECEPT	S	SWITCH
	INTERIOR SINGLE RECEPT	S3	3-WAY SWITCH
	INTERIOR GROUND FAULT DUPLEX RECEPT	SR	RHEOSTAT
	EXTERIOR GROUND FAULT DUPLEX RECEPT	S3R	3-WAY RHEOSTAT
	EXTERIOR DUPLEX RECEPT	ST	TIMER SWITCH
	FLOOR DUPLEX RECEPT		PANEL BOX
	SOFFIT GROUND FAULT DUPLEX RECEPT		JACK SYMBOL FOR TV, PH, CA5, WPH
	ELECTRIC RANGE RECEPT	TV	CABLE JACK
	DRYER RECEPT	PH	PHONE JACK
	220 OUTLET	CA5	DATA JACK
T	THERMOSTAT	WPH	WALL PHONE JACK
SD	SMOKE DETECTOR		
SDCO	SMOKE-CO DETECTOR		

ELECTRICAL NOTES

1. ALL 125-VOLT, 15 & 20 AMP RECEPTACLES SHALL BE LISTED TAMPER-RESISTANT RECEPTACLES.
2. OUTDOOR RECEPTACLES EQUIPPED WITH IN USE WEATHER PROOF COVERS & "EXTRA DUTY" TYPE.
3. ALL RECEPTACLE AND SWITCH LOCATIONS ARE TYPICAL HEIGHT U.N.O.
4. NO AMP CONNECTORS - ALL CONNECTIONS MUST BE MADE IN BOX. (NORTH DAKOTA ONLY)
5. LIGHTS WITH DIMENSIONS WILL BE LOCATED IN DROPPED CEILINGS.
6. EXTERIOR LIGHTS ARE TO BE LISTED FOR WET LOCATIONS.



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ROOF LOAD: 40 PSF
WIND ZONE: 115 VULT MPH

REV.	DATE	DRAFT BY	DESCRIPTION
A	8/26/24	KSE	PRELIMINARY ISSUE

QUOTE NO: Q00

PID: 7535

CUSTOMER ZONE 4

DEALER BONNAVILLA

SITE ADDRESS HASTINGS, NE

DRAWING TITLE ELECTRICAL PLAN 1ST FLR

BONNAVILLA
A DIVISION OF MID-WEST HOMES, INC.
111 GRANT STREET
P.O. BOX 127
AURORA, NEBRASKA 68818
www.bonnavilla.com

DRN. BY: KSE
DATE: 8/26/24

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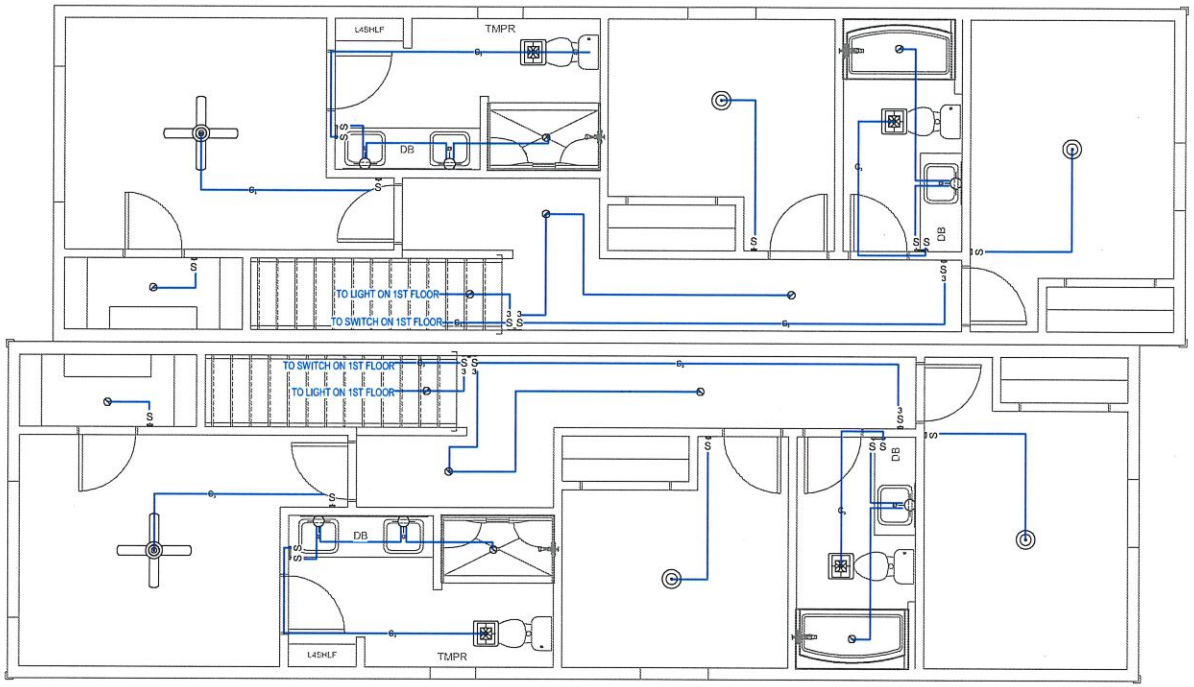

1 ELECTRICAL PLAN 2ND FLR

ELECTRICAL LEGEND

	INTERIOR DUPLEX RECEPT	S	SWITCH
	INTERIOR SINGLE RECEPT	S3	3-WAY SWITCH
	INTERIOR GROUND FAULT DUPLEX RECEPT	RS	RHEOSTAT
	EXTERIOR GROUND FAULT DUPLEX RECEPT	RS3	3-WAY RHEOSTAT
	EXTERIOR DUPLEX RECEPT	T	TIMER SWITCH
	FLOOR DUPLEX RECEPT		PANEL BOX
	SOFFIT GROUND FAULT DUPLEX RECEPT		JACK SYMBOL FOR TV, PH, CA5, WPH
	ELECTRIC RANGE RECEPT	TV	CABLE JACK
	DRYER RECEPT	PH	PHONE JACK
	220 OUTLET	CA5	DATA JACK
T	THERMOSTAT	WPH	WALL PHONE JACK
SD	SMOKE DETECTOR		
SCO	SMOKE-CO DETECTOR		

ELECTRICAL NOTES

1. ALL 125-VOLT, 15 & 20 AMP RECEPTACLES SHALL BE LISTED TAMPER-RESISTANT RECEPTACLES.
2. OUTDOOR RECEPTACLES EQUIPPED WITH IN USE WEATHER PROOF COVERS & "EXTRA DUTY" TYPE.
3. ALL RECEPTACLE AND SWITCH LOCATIONS ARE TYPICAL HEIGHT U.N.O.
4. NO AMP CONNECTORS - ALL CONNECTIONS MUST BE MADE IN BOX. (NORTH DAKOTA ONLY)
5. LIGHTS WITH DIMENSIONS WILL BE LOCATED IN DROPPED CEILINGS.
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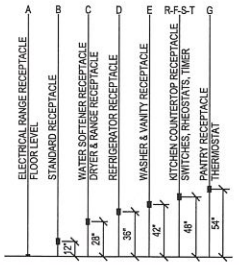

CODE: 2018 IRC
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ROOF: 40 PSF
ZONE:
WIND ZONE: 115 VULT MPH

REV	DATE	BY	DESCRIPTION
A	8/26/24	KSE	PRELIMINARY ISSUE

QUOTE NO: Q00

PID: 7535

CUSTOMER ZONE 4

DEALER BONNAVILLA

SITE ADDRESS HASTINGS, NE

DRAWING TITLE ELECTRICAL PLAN 2ND FLR

BONNAVILLA
A DIVISION OF HIRZ HOMES, INC.
111 GRANT STREET
P.O. BOX 127
AURORA, NEBRASKA 68818
www.bonnaville.com

DRN. BY: KSE
DATE: 8/26/24

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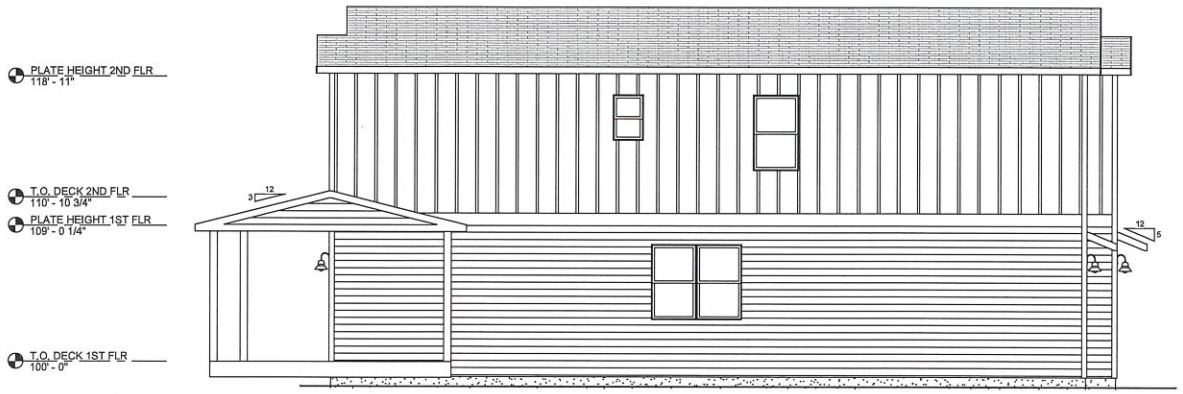
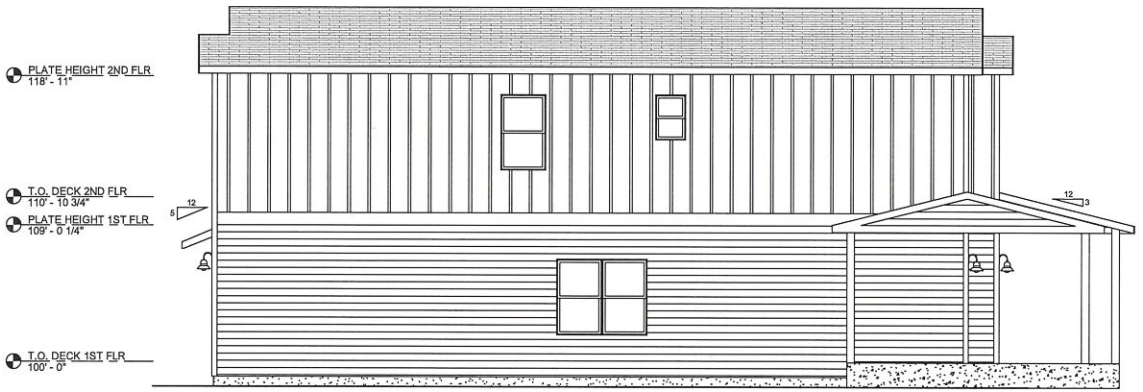


1 FRONT ELEVATION



2 REAR ELEVATION

1		8/26/24	KSE
2			
3			
4			
5			
6			
NO.	DESCRIPTION	DATE	DRN BY

PRELIMINARY ISSUE

CODE: 2018 IRC
FLOOR LOAD: 40 PSF
ROOF LOAD: 40 PSF
ZONE: WIND ZONE: 115 V ULT MPH

QUOTE NO: Q00

PID: 7535

CUSTOMER ZONE 4

DEALER BONNAVILLA

SITE ADDRESS HASTINGS, NE

DRAWING TITLE EXTERIOR ELEVATIONS

BONNAVILLA
A DIVISION OF WEST POINTE HOMES, INC.
111 GRANT STREET
P.O. BOX 127
AURORA, NEBRASKA 68818
www.bonnavilla.com

DRN. BY: KSE
DATE: 8/26/24

DWG No. 09A

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1 LEFT ELEVATION

2 RIGHT ELEVATION

CODE: 2018 IRC
FLOOR: 40 PSF
LOOR: 40 PSF
ROOF:
ZONE:
WIND: 115 VULT MPH
ZONE:

QUOTE NO: Q00

PID: 7535

CUSTOMER ZONE 4

DEALER BONNAVILLA

SITE ADDRESS HASTINGS, NE

DRAWING TITLE EXTERIOR ELEVATIONS

BONNAVILLA
A DIVISION OF WARM GLOW IPC, INC.
111 GRANT STREET
P.O. BOX 127
AURORA, NEBRASKA 68818
www.bonnavilla.com

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DATE: 8/26/24

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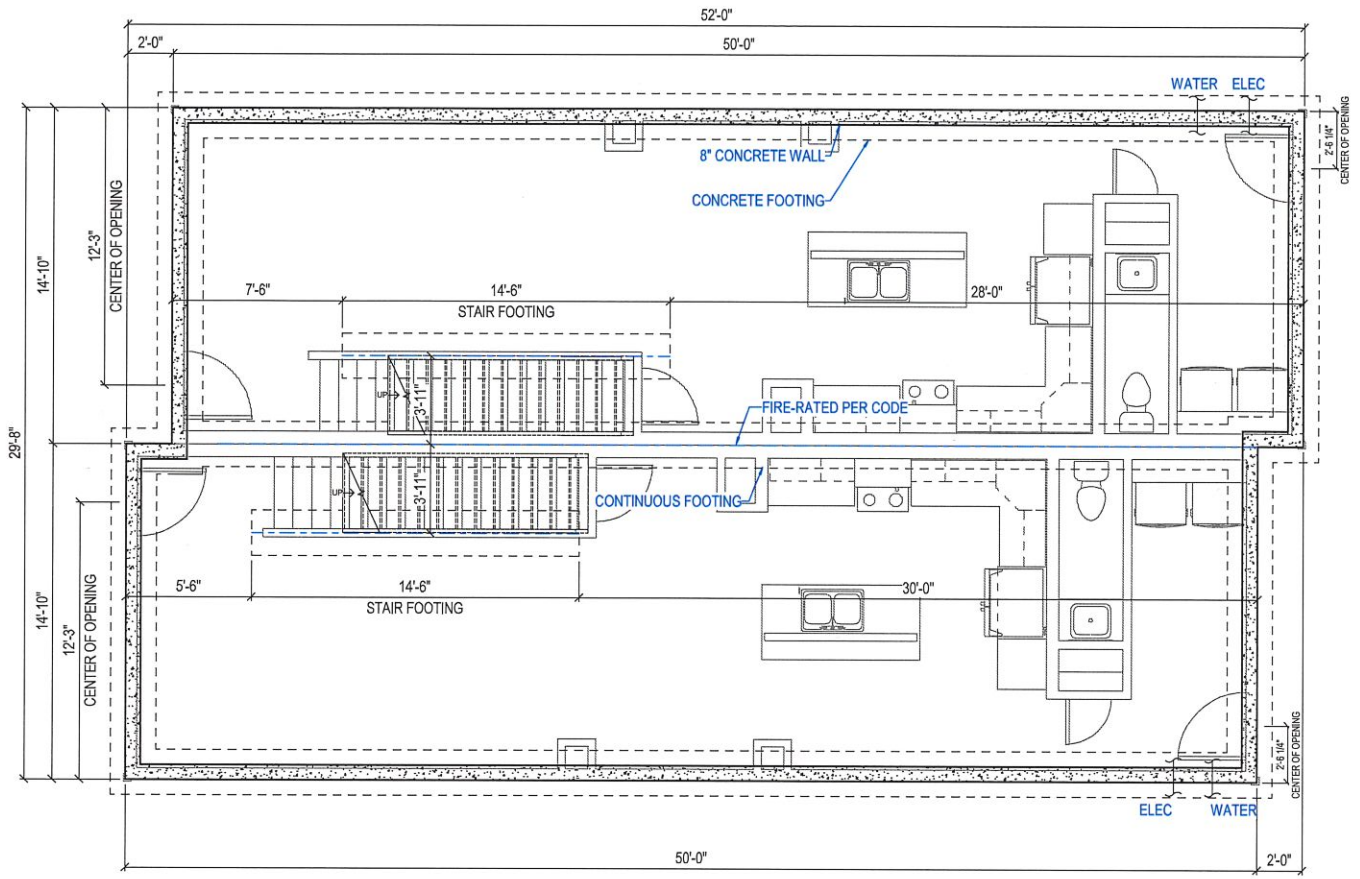

1 FOUNDATION PLAN

NEED LOCATIONS FOR:
DROPPED PANEL BOX
WH & FURNACE

FOUNDATION NOTES:

1. FOUNDATION, FOOTINGS, AND/OR PIERS DESIGNED TO THE FOLLOWING LOADING CRITERIA:
   a. FLOOR 40 PSF LL, 15 PSF DL
   b. WALL 5 PLF DL
   c. ROOF 45 PSF LL, 15 PSF DL
2. FOR CRAWLSPACE APPLICATION, THE MINIMUM NET AREA OF VENTILATION OPENINGS FOR UNDER-FLOOR VENTILATION SHALL MEET THE MINIMUM REQUIREMENTS OF THE APPLICABLE BUILDING CODES (OR LOCAL REQUIREMENTS IF MORE STRINGENT).
3. FOUNDATION ACCESS SHALL BE DETERMINED, LOCATED, VERIFIED, AND INSTALLED IN FIELD, BY OTHERS TO THE APPLICABLE BUILDING CODES.
4. THE RIM JOIST ALONG THE MARRIAGE LINE CONSISTS OF 1-1/2" x 11-7/8" LAMINATED BEAMS. PROVIDE SUPPORTS PIERS ALONG THE MARRIAGE LINE 2-3/4" SHORTER THAN PERIMETER SUPPORTS. (NOT APPLICABLE WITH TRUSS FLOOR SYSTEMS)
5. THE HOME SHALL BE GROUNDED AS DEFINED IN ARTICLE 250, SECTION III, OF THE 2017 NATIONAL ELECTRICAL CODE AS PART OF THOSE REQUIREMENTS, A FOOTING/FOUNDATION REBAR SHALL BE LEFT EXPOSED SO A CONNECTION CAN BE MADE WITH THE BUILDING STRUCTURE, AS DEFINED IN NEC ARTICLE 250, SECTION III, PART 50.
6. BONNAVILLA HOMES SHALL NOT BE IN ANY WAY RESPONSIBLE FOR THE QUALITY OF THE QUANTITY OF MATERIALS USED (OR NOT USED)
7. IN THE FABRICATION AND FINAL CONSTRUCTION OF THIS FOUNDATION, BONNAVILLA HOMES SHALL NOT BE RESPONSIBLE FOR ANY STANDARDS OF WORKMANSHIP.
8. WHERE REPRESENTATIVES AND/OR DEALERS OF BONNAVILLA HOMES ARE ACTING AS INDEPENDENT CONTRACTORS, THEY DO SO AS THEIR OWN REPRESENTATIVE.
9. IT IS THE RESPONSIBILITY OF THE HOMEOWNER AND/OR FOUNDATION CONTRACTOR TO MEET ALL ELECTRICAL, MECHANICAL, ENERGY, AND BUILDING CODES WHICH MAY APPLY TO THIS FOUNDATION PLAN.
10. CRAWLSPACE FOUNDATIONS REQUIRE AN ACCESS MEETING THE REQUIREMENTS OF THE IBC SECTION R408 ACCESS OPENING TO BE 16" x 24". WHEN ACCESS IS LOCATED BELOW GRADE, AN AREAWAY OF 16" x 24" SHALL BE PROVIDED DIRECTLY IN FRONT OF THE ACCESS. AREAWAY SHALL BEGIN BELOW THE LEVEL OF THE CRAWLSPACE ACCESS. ACCESSES SHALL NOT BE LOCATED BENEATH A DOOR OF THE UPPER STORY.
11. FOUNDATION ACCESS SHALL BE DETERMINED, LOCATED, VERIFIED, AND INSTALLED IN FIELD, BY OTHER
12. VERIFY LOCATION, SIZE, AND QUALITY OF EXTERIOR WINDOWS.
13. FOOTINGS WIDTH AND DEPTH - FOOTINGS ARE TO BE CALCULATED BY AN ARCHITECT OR ENGINEER BASED ON HOME DESIGN. TYPICAL SPECIFICATIONS FOR PERIMETER FOOTINGS IS 16" x 8", CENTERLINE FOOTING DIMENSION IS 16" WIDE AND 8" DEEP. THESE DIMENSIONS ARE TYPICAL AND ARE AFFECTED BY SOIL TYPE, SOIL COMPACTION, SPECIAL LOADS, ETC.
14. ADJUSTABLE COLUMN SUPPORTS MAY BE REPLACED WITH CONTINUOUS BEARING WALL (MINIMUM REQUIREMENTS FOR WALL WILL BE DOUBLE 2 x 4 TOP PLATE, SINGLE 2 x 4 BOTTOM PLATE AND DOUBLE 2 x 4 STUDS @ 16" O.C. OR DOUBLE 2 x 6 TOP PLATE, SINGLE 2 x 6 BOTTOM PLATE AND SINGLE 2 x 6 STUDS @ 16" O.C.
15. FOUNDATION ENGINEER TO PROVIDE LOAD PATH FOR UPLIFT FORCES FROM SHEARWALLS TO FOUNDATION (i.e. HOLDOWNS, STRAPPING, ETC.). SUGGESTED DESIGN LOADS TO BE EQUAL TO CAPACITY OF HOLDOWN. (i.e. SIMPSON LSTHD8RJ = 3115# UPLIFT).
16. THE RIM JOIST ALONG THE MARRIAGE LINE CONSISTS OF 1-1/2" x 11-7/8" LAMINATED BEAMS. PROVIDE SUPPORTS PIERS ALONG THE MARRIAGE LINE 2-3/4" SHORTER THAN PERIMETER SUPPORTS. (NOT APPLICABLE WITH TRUSS FLOOR SYSTEMS)
17. NOTE: ***THE POINT LOADS THAT ARE SHOWN ON THIS FOUNDATION DRAWING ARE ESTIMATED VALUES. THESE VALUES COULD CHANGE WHEN THE HOME IS ENGINEERED. THESE ESTIMATED VALUES SHOULD NOT BE USED TO SIZE FOOTINGS. THE COMPLETE FOUNDATION DESIGN IS NOT THE RESPONSIBILITY OF BONNAVILLA HOMES.***

1	8/26/24	KSE	PRELIMINARY ISSUE

CODE: 2018 IRC
FLOOR LOAD: 40 PSF
ROOF LOAD: 40 PSF
ZONE: WIND 115 VULT MPH
ZONE 1

QUOTE NO: Q00

PID: 7535

CUSTOMER ZONE 4

DEALER BONNAVILLA

SITE ADDRESS HASTINGS, NE

DRAWING TITLE FOUNDATION PLAN

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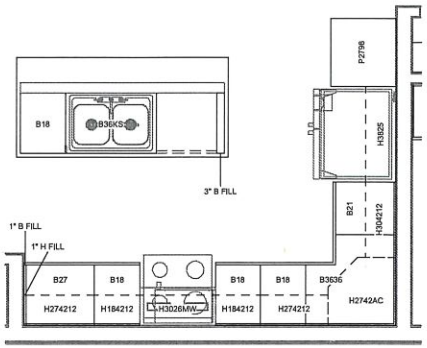
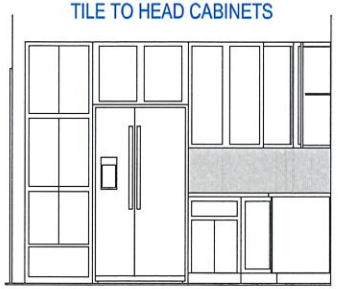


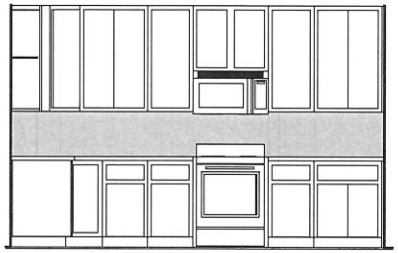
1 KITCHEN

TILE TO HEAD CABINETS



1A KITCHEN

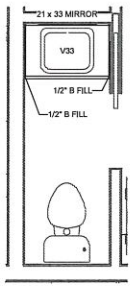
TILE TO HEAD CABINETS



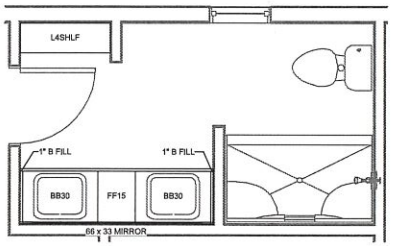
1B KITCHEN

QUARTZ COUNTERTOPS
THRU OUT

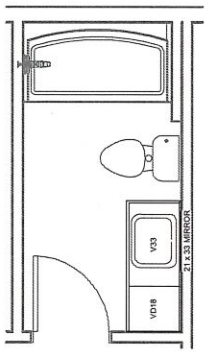
CABINET SCHEDULE - KITCHEN (1)													
		DOOR							DRAWER				
QTY	CABINET	9 3/4"x27	9x21	12x21	12x27	12x39	15x21	15x39	15x6	18x6	24x6	24x12	Comments
1	1" B FILL												
1	1" H FILL												
1	3" B FILL												
4	B18						1		1				
1	B21		2							1			
1	B27			2							1		
1	B36KS						2		2				
1	B3636	2											
1	H2742AC							1					
1	H3026MW			2									
1	H3825						2						
2	H184212							1					
2	H274212					2							
1	H304212					2							
1	P2796			2	4							1	



2 HALF BATH



3 MASTER BATH



4 MAIN BATH

CABINET SCHEDULE - HALF BATH (1)			
		DOOR	
QTY	CABINET	15x21	Comments
2	1/2" B FILL		
1	21 x 33 MIRROR		
1	V33	2	

CABINET SCHEDULE - MASTER BATH (1)					
		DOOR	DRAWER		
QTY	CABINET	12x27	12x6	12x12	Comments
2	1" B FILL				
1	66 x 33 MIRROR				
2	BB30	2			
1	FF15		2	1	

CABINET SCHEDULE - MAIN BATH (1)				
		DOOR	DRAWER	
QTY	CABINET	15x21	15x6	Comments
1	21 x 33 MIRROR			
1	V33	2		
1	VD18		3	

CABINET LIST		
QTY	CABINET	Comments
2		IL04
6	1" B FILL	
2	1" H FILL	
4	1/2" B FILL	
2	3" B FILL	
4	21 x 33 MIRROR	
2	66 x 33 MIRROR	
8	B18	
2	B21	
2	B27	
2	B36KS	
2	B3636	
4	BB30	
2	FF15	
2	H2742AC	
2	H3026MW	
1	H3825	
1	H3825D	
4	H184212	
4	H274212	
2	H304212	
2	L4SHLF	
2	P2796	
4	V33	
2	VD18	

CODE:	2018 IRC		
FLOOR LOAD:	40	PSF	
ROOF LOAD:	40	PSF	
WIND ZONE:	115 VULT	MPH	
A	8/26/24	KSE	PRELIMINARY ISSUE
REV.	DATE	DRWN BY	DESCRIPTION

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CUSTOMER ZONE 4

DEALER BONNAVILLA

SITE ADDRESS HASTINGS, NE

DRAWING TITLE CABINET DETAILS - UNIT 1

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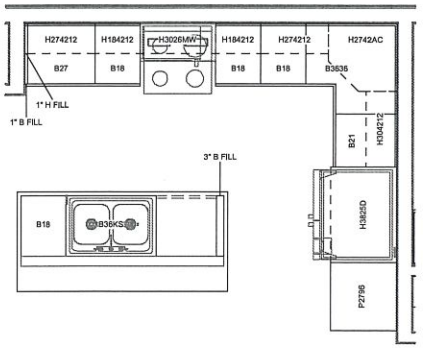
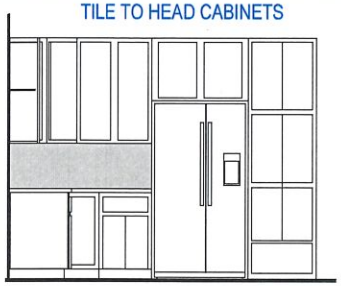


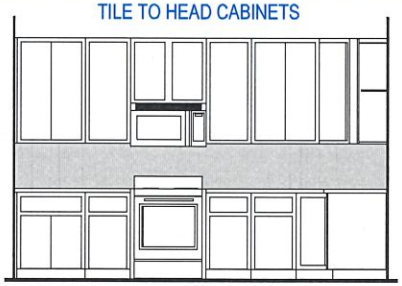
1 KITCHEN

TILE TO HEAD CABINETS



1A KITCHEN

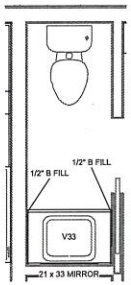
TILE TO HEAD CABINETS



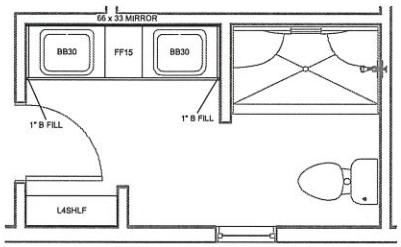
1B KITCHEN

QUARTZ COUNTERTOPS
THRU OUT

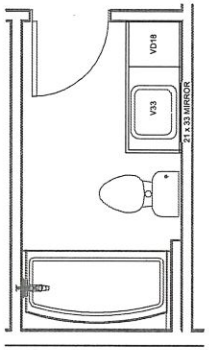
CABINET SCHEDULE - KITCHEN (2)													
		DOOR							DRAWER				
QTY	CABINET	9 3/4"x27	9x21	12x21	12x27	12x39	15x21	15x39	15x6	18x6	24x6	24x12	Comments
1	1" B FILL												
1	1" H FILL												
1	3" B FILL												
4	B18						1		1				
1	B21		2							1			
1	B27			2							1		
1	B36KS						2		2				
1	B3636	2											
1	H2742AC							1					
1	H3026MW			2									
1	H3825D						2						
2	H184212							1					
2	H274212					2							
1	H304212					2							
1	P2796			2	4							1	



2 HALF BATH



3 MASTER BATH



4 MAIN BATH

CABINET SCHEDULE - HALF BATH (2)			
		DOOR	
QTY	CABINET	15x21	Comments
2	1/2" B FILL		
1	21 x 33 MIRROR		
1	V33	2	

CABINET SCHEDULE - MASTER BATH (2)					
		DOOR	DRAWER		
QTY	CABINET	12x27	12x6	12x12	Comments
2	1" B FILL				
1	66 x 33 MIRROR				
2	BB30	2			
1	FF15		2	1	

CABINET SCHEDULE - MAIN BATH (2)				
		DOOR	DRAWER	
QTY	CABINET	15x21	15x6	Comments
1	21 x 33 MIRROR			
1	V33	2		
1	VD18		3	

CABINET LIST		
QTY	CABINET	Comments
2		IL04
6	1" B FILL	
2	1" H FILL	
4	1/2" B FILL	
2	3" B FILL	
4	21 x 33 MIRROR	
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2	B3636	
4	BB30	
2	FF15	
2	H2742AC	
2	H3026MW	
1	H3825	
1	H3825D	
4	H184212	
4	H274212	
2	H304212	
2	L4SHLF	
2	P2796	
4	V33	
2	VD18	

CODE: 2018 IRC
FLOOR LOAD: 40 PSF
ROOF: 40 PSF
ZONE: WIND 115 VULT MPH
ZONE 1

3		8/26/24	KSE
2			
1			PRELIMINARY ISSUE
REV.		DATE	DRAWN BY

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CUSTOMER ZONE 4
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SITE ADDRESS HASTINGS, NE
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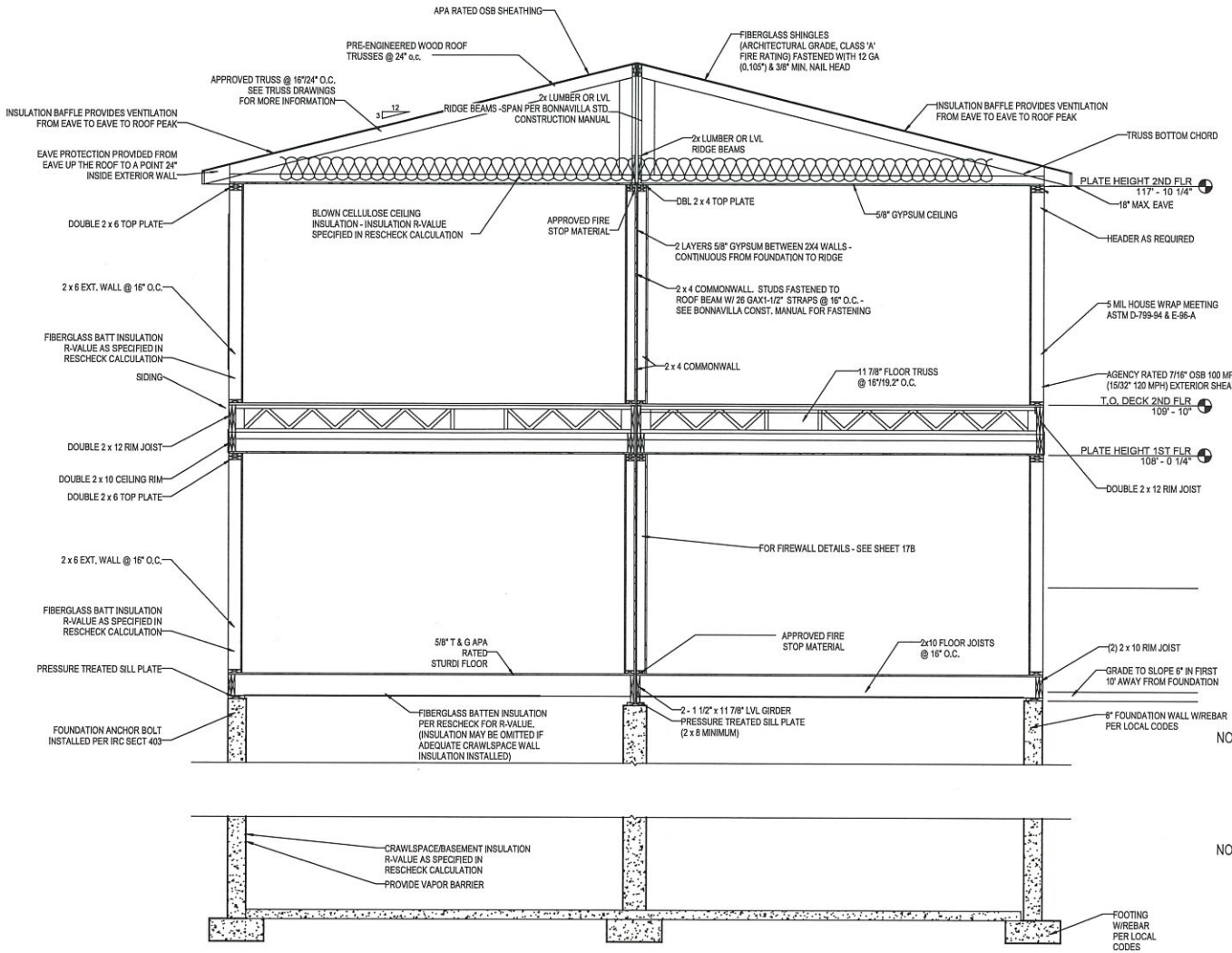

1 BUILDING SECTION

NOTE:
WHEN A CRAWLSPACE IS USED IN LIEW OF A BASEMENT FOUNDATION, CONSTRUCTION OF CRAWLSPACE SHALL BE SPECIFIED IN THE INTERNATIONAL RESIDENTIAL CODE CHAPTER 4

NOTE:
THE HOME SHOULD BE GROUNDED AS DEFINED IN ARTICLE 250, SECTION III, OF THE NATIONAL ELECTRICAL CODE. AS PART OF THOSE REQUIREMENTS, A FOOTING REBAR SHALL BE LEFT EXPOSED SO A CONNECTION CAN BE MADE WITH THE BUILDING STRUCTURE, AS DEFINED IN NEC ARTICLE 250, SECTION III, PART 50.

3			
2			
1			
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ROOF LOAD: 40 PSF
WIND ZONE: 115 VULT MPH

QUOTE NO: Q00

PID: 7535

CUSTOMER: ZONE 4

DEALER: BONNAVILLA

SITE ADDRESS: HASTINGS, NE

DRAWING TITLE: BUILDING SECTION

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TRAILSIDE VILLAGE

HASTINGS, NE

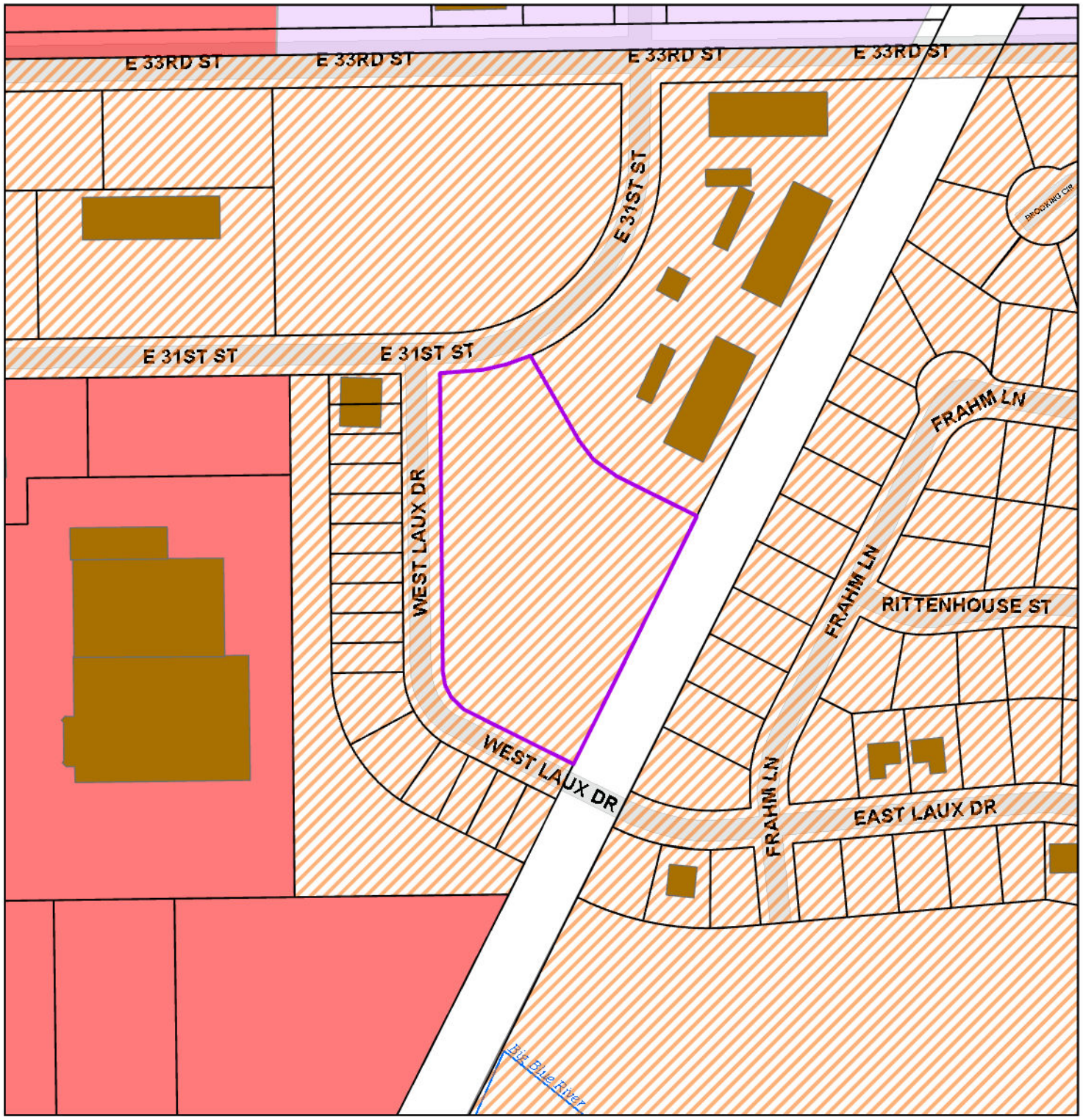
INTERIOR LAYOUT

COLOR SCHEME A

COLOR SCHEME C

COLOR SCHEME B

COLOR SCHEME D



2009 Comprehensive Plan
Future Land Use
City of Hastings, Nebraska

Trail Side Redevelopment
Plan Modification

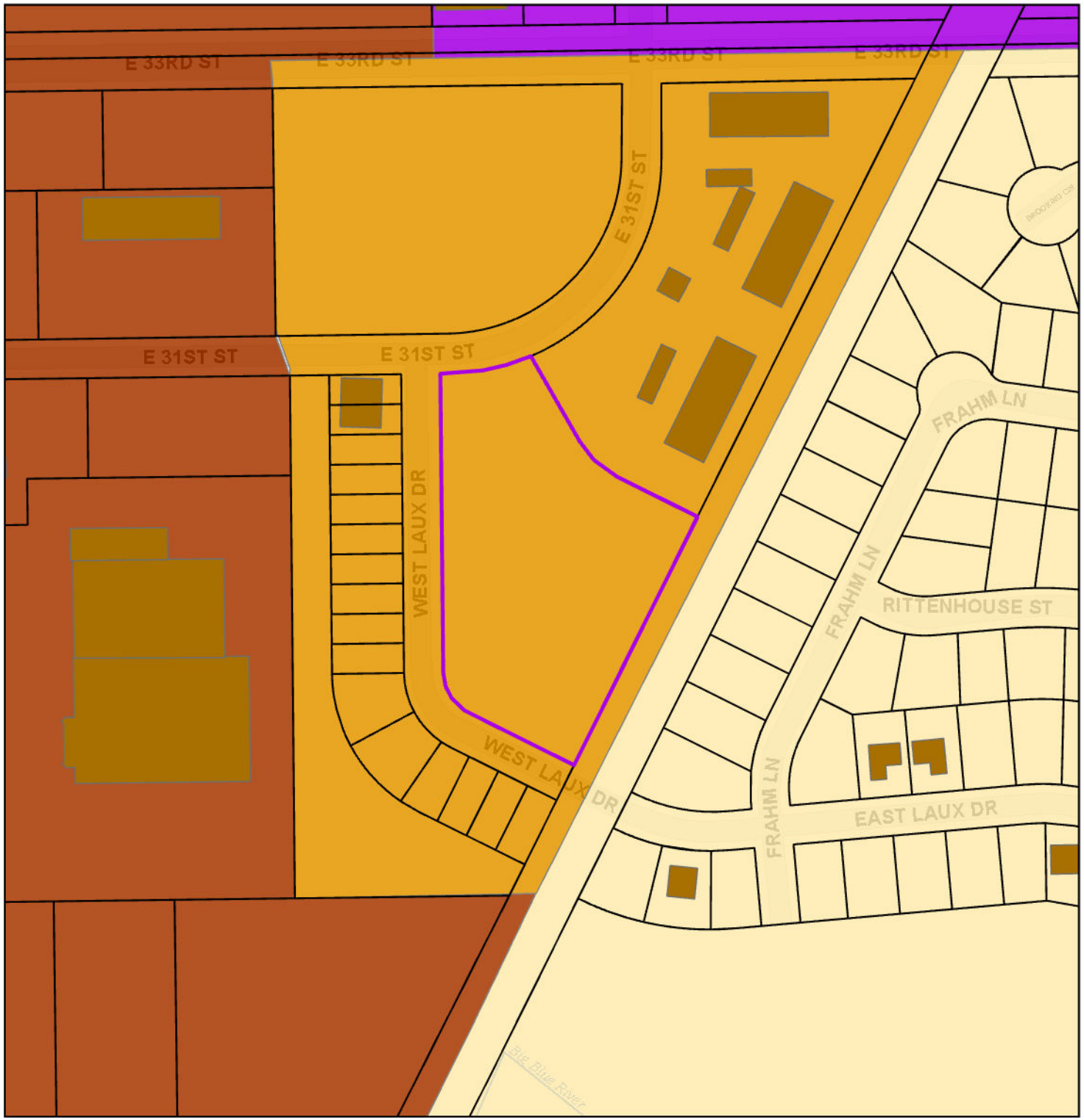
Future Land Use:

- Rural Residential
- Suburban Residential
- Urban Residential
- Mixed Use - Neighborhood
- Mixed Use - Community
- Mixed Use - Downtown
- Commercial/Retail
- Employment/Industrial
- Public / Semi-Public
- Parks & Recreation
- Agriculture

Overlay Districts

- South Burlington Overlay
- Highway 6 Overlay
- Urban Industrial Overlay
- PARCELS
- City Boundary
- Buildings
- Boundaries

NORTH



2025 Comprehensive Plan
Future Land Use
City of Hastings, Nebraska

Trail Side Redevelopment
Plan Modification

District

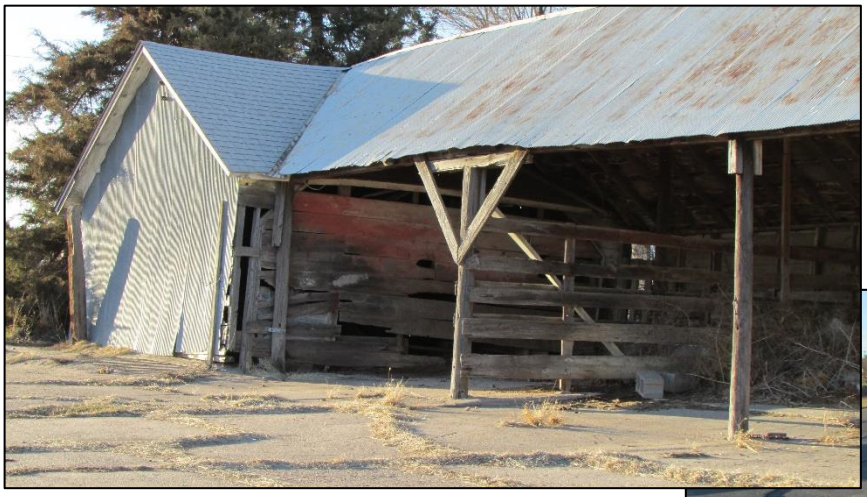
- Hospital Environs Overlay
- Commercial Corridor
- Transitional Agriculture
- Residential Estates
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Residential Village Park
- Downtown Commercial
- General Commercial
- Highway Commercial
- Industrial
- Flex
- Public
- Parks/Recreation
- PARCELS
- City Boundary
- Buildings
- Boundaries

NORTH

Hastings, Nebraska

Blight & Substandard Determination Study & General Redevelopment Plan.

"Redevelopment Area #14."



Prepared for:

The City of Hastings, Nebraska.

HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

March, 2017

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COMMUNITY PLANNING & RESEARCH

*COMPREHENSIVE PLANS & ZONING * HOUSING STUDIES *
DOWNTOWN, NEIGHBORHOOD & REDEVELOPMENT PLANNING *
CONSULTANTS FOR AFFORDABLE HOUSING DEVELOPMENTS**

Lincoln, Nebraska 402.464.5383 *

* Becky Hanna, Tim Keelan, Lonnie Dickson, AICP & Keith Carl *

BLIGHT & SUBSTANDARD DETERMINATION STUDY.

EXECUTIVE SUMMARY.

Purpose of Study/Conclusion

The purpose of this **Blight and Substandard Determination Study** is to apply the criteria set forth in the **Nebraska Community Development Law,** Section 18-2103, to the designated **Redevelopment Area #14** in **Hastings, Nebraska.** The results of this **Study** will assist the City in declaring **Area #14** as both **blighted and substandard**.

Location

Redevelopment Area #14 is located in the northeast corner of the City of Hastings, Nebraska, at the southeast corner of the intersection of East 33rd Street and Osborne Drive East. A portion of the **Redevelopment Area** adjacent Osborne Drive East is within the Corporate Limits of Hastings, with portions also adjacent, but beyond the current Corporate Limits. **Illustration 1, Context Map,** identifies **Area #14** in relationship to the City of Hastings. Key development features in **Area #14** include the former Walmart commercial area, three former farmsteads with several outbuildings and large undeveloped tracts of land.

Additionally, the right-of-way of portions of East 33rd Street, Osborne Drive East and 26th Street East are also included in the **Redevelopment Area**.

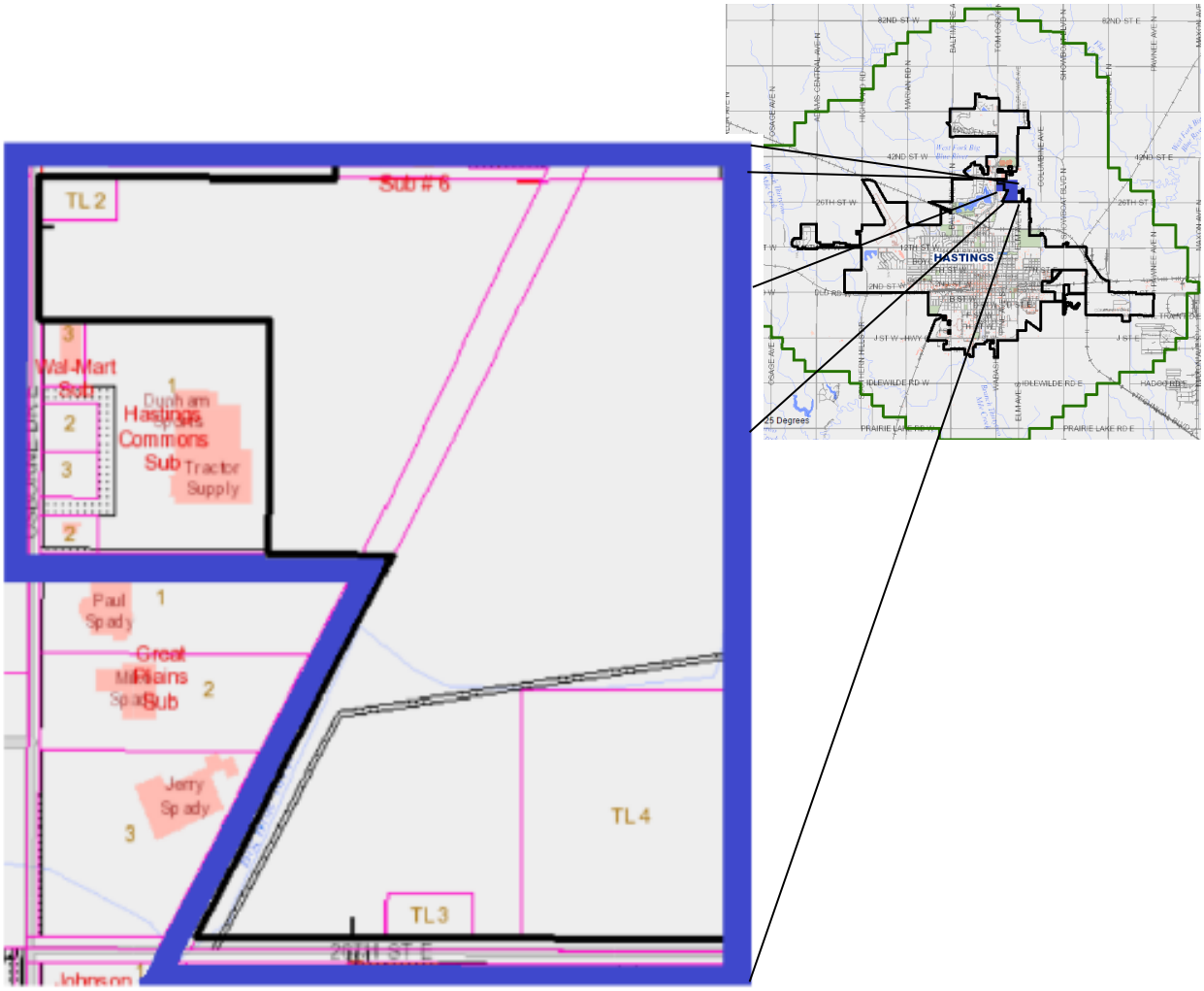
The referenced **Redevelopment Area #14,** in the City of Hastings, Nebraska, includes the following Adams County Parcel ID #s:

1. #060001000. 3210 Osborne Drive East.
2. #010000008. East side of Osborne Drive East.
3. #010013898. Wal-Mart Subdivision Lot 3.
4. #010013896. Hastings Commons Subdivision Lot 1.
5. #010018600. Hastings Commons Subdivision Lot 2.
6. #010013897. Hastings Commons Subdivision Lot 3.
7. #010018601. Wal-Mart Subdivision Lot 2.
8. #010017957. 31-08-09 TR Land in S1/2 FR Sec 31-8-9 Abandoned RR (Tract 5).
9. #010000137. 31-08-09 Pt. FR S1/2 E of RR Ex Road & Ex. Tract 300x200 & 54 RDS x 441/2 RDS.
10. #010000136. 31-08-09 Pt. SE1/4 Tax Lot 3.
11. #010000138. 31-08-09 Pt. SE1/4 Tax Lot 4.

CONTEXT MAP

REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

NORTH



LEGEND

Redevelopment Area Boundary.
Hastings Corporate Limits.

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ILLUSTRATION 1

The **blight and substandard evaluation** for **Redevelopment Area #14** included the implementation of an **exterior structural survey** of **23 individual buildings,** a **site/conditions evaluation** of **11 legal parcels,** conversations with City of Hastings administrative and utilities staff and a review of available reports and documents containing information which could substantiate the existence of **blight and substandard conditions.**

SUBSTANDARD AREA

As set forth in the Nebraska legislation, a **substandard area** shall mean one in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of the following factors:

1. Dilapidated/deterioration;

2. Age or obsolescence;

3. Inadequate provision for ventilation, light, air, sanitation or open spaces;

4. (a) High density of population and overcrowding; or
   (b) The existence of conditions which endanger life or property by fire and other causes; or
   (c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

BLIGHTED AREA

As set forth in the Section 18-2103 (11) Nebraska Revised Statutes (Cumulative Supplement 1994), a **blighted area** shall mean "an area, which by reason of the presence of the following factors:

1. A substantial number of deteriorated or deteriorating structures;

2. Existence of defective or inadequate street layout;

3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

4. Insanitary or unsafe conditions;

5. Deterioration of site or other improvements;

6. Diversity of ownership;

7. Tax or special assessment delinquency exceeding the fair value of the land;

8. Defective or unusual conditions of title;

9. Improper subdivision or obsolete platting;

10. The existence of conditions which endanger life or property by fire or other causes;

11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability; and

12. Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists;

    1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;

    2. The average age of the residential or commercial units in the area is at least 40 years;

    3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;

    4. The per capita income of the study or designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or

    5. The area has had either stable or decreasing population based on the last two decennial censuses."

While it may be concluded the mere presence of a majority of the stated **Factors** may be sufficient to make a finding of **blight and substandard,** this evaluation was made on the basis that existing **Blight and Substandard Factors** must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of **Blight and Substandard Factors** throughout **Redevelopment Area #14** must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are **blighted and substandard.**

On the basis of this approach, Redevelopment Area #14 is found to be eligible as "blighted" and "substandard", within the definition set forth in the legislation. Specifically:

SUBSTANDARD FACTORS

Three Substandard Factors set forth in the **Nebraska Community Development Law** have a **"strong presence,"** while an additional **Factor** was found to have a **"reasonable presence"** within **Redevelopment Area #14.** The **Substandard Factors** are described in detail, below.

TABLE 1
SUBSTANDARD FACTORS
REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

1.	Dilapidated/deterioration.	◙
2.	Age or obsolescence.	◙
3.	Inadequate provision for ventilation, light, air, sanitation or open spaces.	◘
4.	Existence of conditions which endanger life or property by fire and other causes.	◙

Strong Presence of Factor ◙
Reasonable Presence of Factor ◘
No Presence of Factor ○
Source: Hanna:Keelan Associates, P.C., 2017.

Strong Presence of Factor -

The Structural/Site Conditions Survey recorded **19 structures,** or **83 percent of the 23 total structures** in **Redevelopment Area #14** as being ***deteriorated, with major defects, or dilapidated.*** This **Factor** is a **strong presence** in the **Area.**

Based on the results of the **Survey,** a total of 20, or 87 percent of the 23 total buildings in the **Area** are ***40+ years of age*** (built prior to 1977). Also, according information from the Adams County Assessor Office and field work examination, the **average age** of residential structures in the **Redevelopment Area** is **95 years old.** The **Factor** of ***Age or Obsolescence*** is a **strong presence** within the **Area.**

The Structural/Site Conditions Survey provided evidence that the **Substandard Factor, *Existence of Conditions Which Endanger Life or Property,*** by fire and other causes, is a **strong presence** throughout **Redevelopment Area #14**. Primary contributing elements include deteriorating and dilapidated buildings, as well as the existence of wood frame buildings containing combustible elements and fixtures. Undeveloped tracts of land lack municipal water, making fire protection difficult without a sustained source of water and are both functionally and economically obsolete.

Reasonable Presence of Factor -

The conditions which result in the ***Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Space*** are a **reasonable presence** throughout the **Redevelopment Area**. The closest water and sewer mains to **Area #14** include a 10" diameter water mains located along Osborne Drive East and 26th Street East, while a 12" diameter sewer main is along Osborne Drive East and an 8" sewer line is located along 26th Street East. Although a 24" trunk line outfall sewer main follows the West Fork of the Big Blue River in the southern half of the **Area**, both water and sewer mains currently are lacking within undeveloped tracts of land within the **Redevelopment Area** and would need to be extended throughout the **Area** in support of future development.

The prevailing substandard conditions, evident in buildings and the public infrastructure, in Redevelopment Area #14, as determined by the field survey, include:

1. Aging and deteriorating structures;

2. Frame buildings and masonry buildings with wooden structural elements that both contain combustible building components and materials are potential fire hazards;

3. Average age of the residential structure is in excess of 40+ years of age; and

4. **Redevelopment Area #14** is currently not serviced by municipal water and sewer service, thus limiting development opportunities.

5. Large, undeveloped tracts of land, in current state, are both functionally and economically obsolete.

BLIGHT FACTORS

Of the **12 Blight Factors** set forth in the **Nebraska Community Development Law, seven** represent a **"strong presence,"** while **two** are present to a lesser, but **"reasonable presence"** within **Redevelopment Area #14.** The **Factors,** "diversity of ownership" and "tax or special assessment exceeding the fair value of land," were of "little or no presence," while the **Factor** "defective or unusual condition of title," was not reviewed. **Blight Factors** are reasonably distributed throughout the **Redevelopment Area.**

TABLE 2
BLIGHT FACTORS
REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

1.	A substantial number of deteriorated or dilapidated structures.	◙
2.	Existence of defective or inadequate street layout.	◘
3.	Faulty lot layout in relation to size, adequacy, accessibility or usefulness.	◘
4.	Insanitary or unsafe conditions.	◙
5.	Deterioration of site or other improvements.	◙
6.	Diversity of Ownership.	O
7.	Tax or special assessment delinquency exceeding the fair value of land.	O
8.	Defective or unusual condition of title.	**NR**
9.	Improper subdivision or obsolete platting.	◙
10.	The existence of conditions which endanger life or property by fire or other causes.	◙
11.	Other environmental and blighting factors.	◙
12.	One of the other five conditions.	◙

Strong Presence of Factor	◙
Reasonable Presence of Factor	◘
Little or No Presence of Factor	O
Not Reviewed	**NR**

Source: Hanna:Keelan Associates, P.C., 2017.

Strong Presence of Factor –

Deteriorated Structures are a **strong presence** in **Redevelopment Area #14**. A total of 19 structures, or 83 percent of the 23 total structures were recorded as being **deteriorated to a major extent, or dilapidated.**

Insanitary or Unsafe Conditions are a **strong presence** throughout the entire **Redevelopment Area**. Conditions contributing to this **Factor** include substandard structures and properties within and adjacent the Corporate Limits of the City of Hastings that lack access to municipal infrastructure.

Deterioration of Site or Other Improvements is a **strong presence** throughout the **Redevelopment Area.** Of the total 11 parcels examined, seven have "fair" overall site conditions and one additional parcel has "poor" site conditions. These parcels combine for a total of 73 percent, or eight of the total 11 parcels as having "fair" to "poor" overall site conditions.

Improper Subdivision or Obsolete Platting is a **strong presence** throughout **Redevelopment Area #14**. Three Tax Lots exist that have been incrementally split off from larger undeveloped tracts in support of rural dwellings. Undeveloped tracts of land are prone to piecemeal development of individual lot splits, lack access to municipal infrastructure and are considered to be both **functionally and economically obsolescent.**

The ***Existence of Conditions Which Endanger Life or Property*** by fire or other causes is a **strong presence** within the **Redevelopment Area #14**. Conditions associated with this **Factor** include the existence of deteriorating and dilapidated structures, including wood frame buildings containing combustible elements and fixtures. Additionally, the majority of the **Redevelopment Area** lacks modern municipal infrastructure for the adequate protection of health and human safety.

***Other Environmental and Blighting Factors,* including economically and socially undesirable land uses and functional obsolescence** is a **strong presence** throughout **Redevelopment Area #14**. The **Area** contains an abandoned farmstead that is no longer associated with adjacent agricultural production and two additional rural dwellings that were split off from adjacent land areas and contain outbuildings no longer utilized for agricultural uses. The outbuildings, including a barn, equipment sheds, tool sheds and grain silos, are deteriorating with major defects or are dilapidated, not cost effective to rehabilitate, and are thus functionally obsolescent. Two tracts of undeveloped land adjacent the Corporate Limits of Hastings lack modern municipal infrastructure rendering the tracts of undeveloped land both **economically** and **functionally obsolescent.**

One of the Required Five Additional Blight Factors has a **strong presence** throughout the **Redevelopment Area**. Based on the results of research activities, the estimated **average age** of residential structures is **95 years, while the average age of commercial structures is 20 years.**

Reasonable Presence of Factor –

Defective or Inadequate Street Layout is a **reasonable presence** in **Redevelopment Area #14.** The undeveloped tracts of land within **Area #14** lack municipal streets that limits future development opportunities.

Faulty Lot Layout is a **reasonable presence** throughout **Redevelopment Area #14**. Conditions contributing to the presence of this **Factor** include inadequate lot sizes, consisting of undeveloped tracts of land in the central and eastern portions of the **Redevelopment Area**. These tracts of land, although adjacent the Corporate Limits of Hastings, have remained as such due to the lack of appropriate infrastructure and, thus, are both **functionally** and **economically obsolete.** Water and sewer mains are within reasonable distances of these undeveloped tracts and will need to be in place to promote new development on the tracts.

Little or No Presence of Factor –

The ***Diversity of Ownership*** is of **little or no presence** throughout **Redevelopment Area #14**. Research of public records from the Adams County Assessor office identified that **eight individuals or corporations** own property in the **Area**.

The Factor of ***Tax or Special Assessment Delinquency Exceeding the Fair Value of Land*** was found to be of little or no presence throughout **Redevelopment Area #14.** None of the 11 parcels within the **Area** were property tax delinquent.

Conclusion

It is the conclusion of the Consultant retained by the City of Hastings that the number, degree and distribution of **Blight and Substandard Factors,** as documented in this **Executive Summary,** are beyond remedy and controlled solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the financial aids provided in the **Nebraska Community Development Law.** It is also the opinion of the Consultant that the findings of this **Blight and Substandard Determination Study** warrant designating **Redevelopment Area #14** as **"substandard" and "blighted."**

The conclusions presented in this **Study** are those of the Consultant engaged by the City of Hastings to examine conditions of **blight and substandard**. The Hastings City Council should review this **Study** and, if satisfied with the summary of findings contained herein, may adopt a resolution making a **finding of blight and substandard** and this **Study** a part of the public record.

BASIS FOR REDEVELOPMENT

For a project in the City of Hastings to be eligible for redevelopment under the **Nebraska Community Development Law,** for the use of Tax Increment Financing, the subject area or areas must first qualify as both a **"substandard"** and **"blighted" area,** within the definition set forth in the **Nebraska Community Development Law.** This **Study** has been undertaken to determine whether conditions exist which would warrant designation of **Redevelopment Area #14** as a **"blighted and substandard area"** in accordance with provisions of the law.

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (Cumulative Supplement 1994), a **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. Dilapidation/deterioration;

2. Age or obsolescence;

3. Inadequate provision for ventilation, light, air, sanitation or open spaces;

4. (a) High density of population and overcrowding; or
   (b) The existence of conditions which endanger life or property by fire and other causes; or
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As set forth in the Nebraska legislation, a **blighted area** shall mean an area, which by reason of the presence of:

1. A substantial number of deteriorating structures;

2. Existence of defective or inadequate street layout;

3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;

4. Insanitary or unsafe conditions;

5. Deterioration of site or other improvements;

6. Diversity of ownership;

7. Tax or special assessment delinquency exceeding the fair value of the land;

8. Defective or unusual conditions of title;

9. Improper subdivision or obsolete platting;

10. The existence of conditions which endanger life or property by fire or other causes;

11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;

12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:

    1. Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;

    2. The average age of the residential or commercial units in the area is at least 40 years;

    3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;

    4. The per capita income of the designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or

    5. The area has had either stable or decreasing population based on the last two decennial censuses.

The Consultant for this **Blight and Substandard Determination Study** was guided by the premise that the finding of **blight and substandard** must be defensible and sufficient evidence of the presence of **Factors** should exist so members of the City Council of Hastings (local governing body), acting as reasonable and prudent persons, could conclude public intervention is necessary or appropriate. Therefore, each factor was evaluated in the context of the extent of its presence and the collective impact of all **Factors** found to be present.

Also, these deficiencies should be reasonably distributed throughout **Redevelopment Area #14**. Such a "reasonable distribution of deficiencies test" would preclude localities from taking concentrated **areas of blight and substandard conditions** and expanding the areas arbitrarily into non-blighted/ substandard areas for planning or other reasons. The only exception which should be made to this rule is where projects must be brought to a logical boundary to accommodate new development and ensure accessibility, but even in this instance, the inclusion of such areas should be minimal and related to an area otherwise meeting the reasonable distribution of deficiencies test.

THE STUDY AREA

The purpose of this **Study** is to determine whether **Redevelopment Area #14** in Hastings, Nebraska, qualifies as a **blighted and substandard area**, within the definition set forth in the **Nebraska Community Development Law,** Section 18-2103.

Location

Redevelopment Area #14 is located in the northeast corner of the City of Hastings, Nebraska, at the southeast corner of the intersection of East 33rd Street and Osborne Drive East. A portion of the **Redevelopment Area** adjacent Osborne Drive East is within the Corporate Limits of Hastings, with portions also adjacent, but beyond the current Corporate Limits. **Illustration 1, Context Map,** identifies **Area #14** in relationship to the City of Hastings. Key development features in **Area #14** include the former Walmart commercial area, three former farmsteads with several outbuildings and large undeveloped tracts of land.

Additionally, the right-of-way of portions of East 33rd Street, Osborne Drive East and 26th Street East are also included in the **Redevelopment Area**.

The referenced **Redevelopment Area #14,** in the City of Hastings, Nebraska, includes the following Adams County Parcel ID #s:

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10. #010000136. 31-08-09 Pt. SE1/4 Tax Lot 3.
11. #010000138. 31-08-09 Pt. SE1/4 Tax Lot 4.

Table 3 identifies the **existing land use pattern** in **Redevelopment Area #14,** in terms of number of acres and percentage of total for all existing land uses. This includes, primarily, residential, commercial, trail and undeveloped land uses. **Area #14** consists of an estimated 126.4 acres, of which an estimated 18.4 percent is developed. The existing land use is graphically presented on **Illustration 2.**

TABLE 3
EXISTING LAND USE
REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

Land Use	Acres	Percent
Residential	4.6	3.6%
Commercial	9.7	7.7%
Municipal Streets	5.3	4.2%
Trail	3.6	2.9%
Undeveloped	103.2	81.6%
Total Acreage	**126.4**	**100.0%**

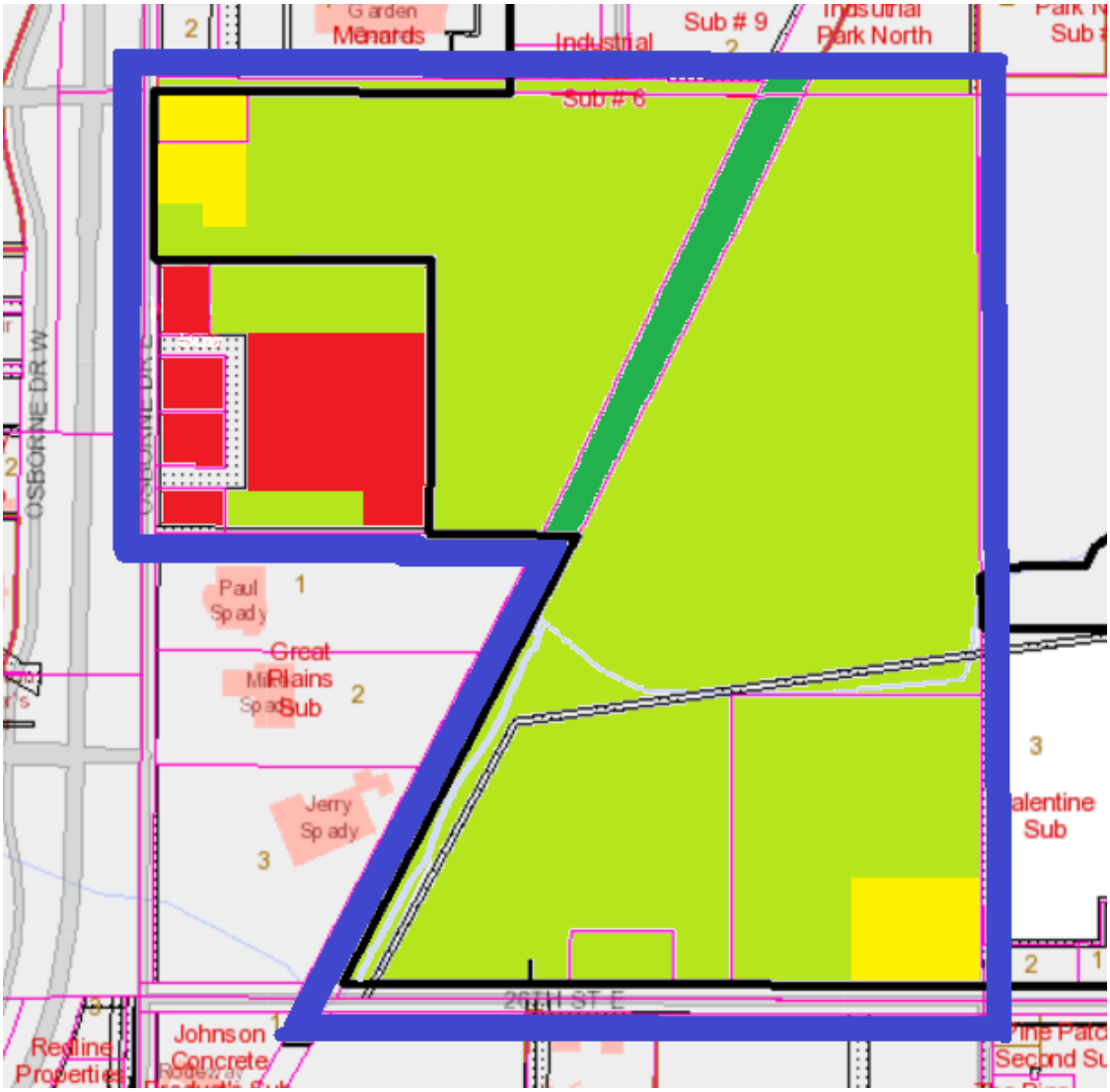
Source: Hanna:Keelan Associates, P.C., 2017.

Illustration 3 identifies the existing **Zoning Classifications** in **Redevelopment Area #14,** "A - Agricultural District" occupies the majority of the **Area.** A square shaped area adjacent the Osborne Drive East is zoned "C-3" Commercial Business District in support of former Walmart property and strip mall development. Zoning activities throughout **Area #14** are controlled by the City of Hastings. All parcels within the **Area,** with the exception of the C-3 zoned properties, are located directly adjacent, but beyond the current Corporate Limits of Hastings.

EXISTING LAND USE MAP

REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

NORTH



LEGEND

- UNDEVELOPED
- TRAIL
- SINGLE FAMILY RESIDENTIAL
- COMMERCIAL
- REDEVELOPMENT AREA #14 BOUNDARY
- CITY OF HASTINGS CORPORATE LIMITS

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COMMUNITY PLANNING & RESEARCH
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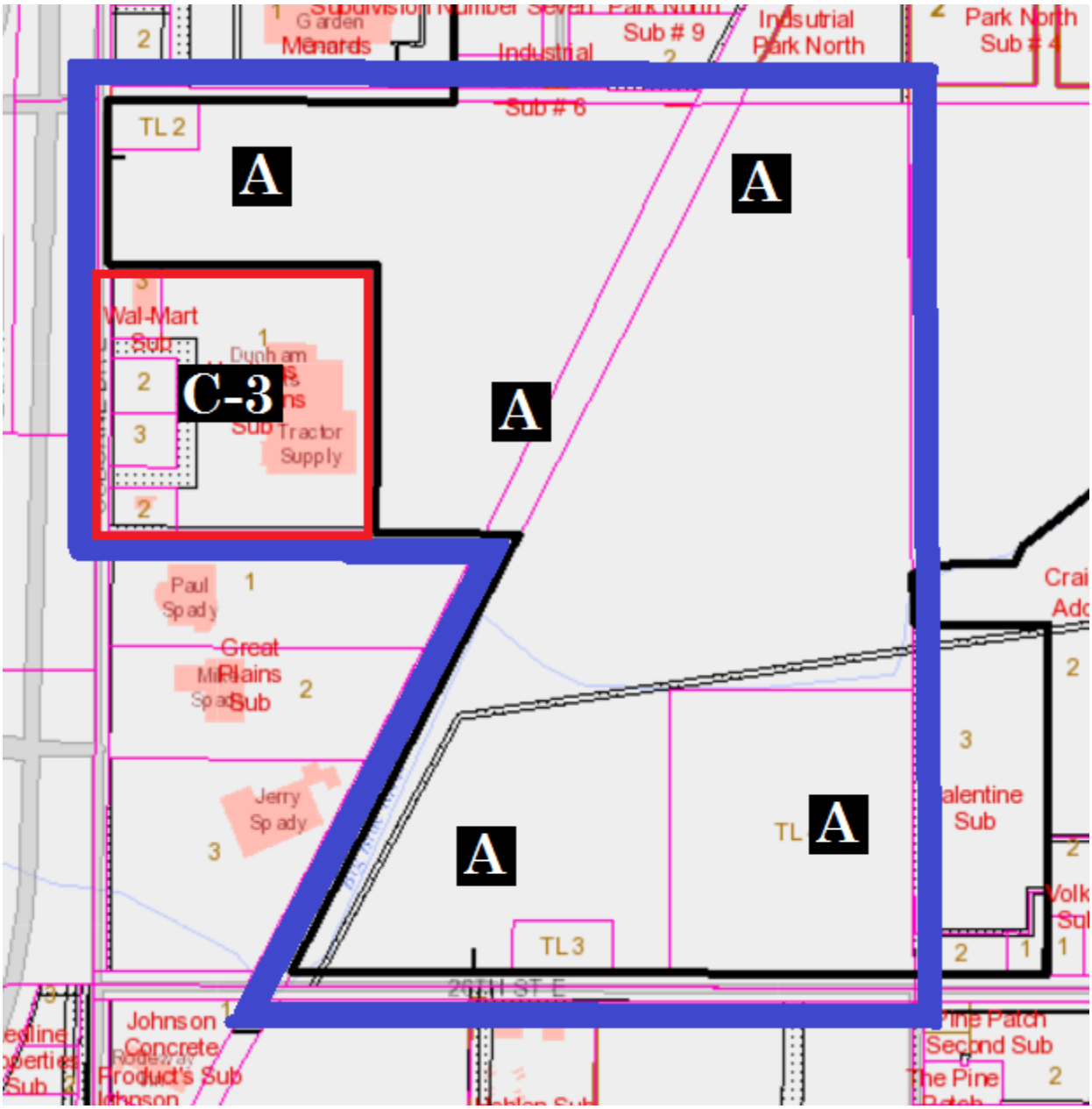
ILLUSTRATION 2

EXISTING ZONING MAP

REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

NORTH



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LEGEND

- A - AGRICULTURAL DISTRICT
- C-3 - COMMERCIAL BUSINESS DISTRICT
- ZONING DISTRICT BOUNDARY
- REDEVELOPMENT AREA #14 BOUNDARY
- CITY OF HASTINGS CORPORATE LIMITS

ILLUSTRATION 3

THE RESEARCH APPROACH

The **blight and substandard determination research approach** implemented for **Redevelopment Area #14** included an area-wide assessment (100 percent sample) of all of the Blight and Substandard Factors identified in the **Nebraska Community Development Law,** with the exception of **defective or unusual condition of title**. All **Factors** were investigated on an area-wide basis.

Structural/Site Conditions Survey Process

The rating of building conditions is a critical step in determining the eligibility of an area for redevelopment. It is important that the system for classifying buildings be based on established evaluation standards and criteria and that it result in an accurate and consistent description of existing conditions.

A Structural/Site Conditions Survey was conducted in February, 2017. A total of **23 individual structures** received an exterior evaluation. These structures were evaluated to document structural deficiencies to identify related environmental deficiencies. **Redevelopment Area #14**.

The Structural/Site Conditions Survey also included the evaluation of **11 separate legal parcels.** The existing and adjacent land uses, overall site conditions, existence of debris, parking conditions and street, sidewalk and alley surface conditions were evaluated for each parcel. **Several parcels within Redevelopment Area #14 contained multiple structures and were evaluated separately for building conditions, only.**

The **Structural/Site Conditions Survey Form** is included in the **Appendix**, as well as the results of the Survey.

Research on Property Ownership and Financial Assessment of Properties

Public records and aerial photographs of all parcels in **Redevelopment Area #14** were analyzed to determine the number of property owners within **Area #14**.

An examination of public records was conducted to determine if tax delinquencies existed for properties in the **Redevelopment Area**. The valuation, tax amount and any delinquent amount was examined for each of the properties.

ELIGIBILITY SURVEY AND ANALYSIS FINDINGS

An analysis was made of each of the **Blight and Substandard Factors** listed in the Nebraska legislation to determine whether each or any were present in **Redevelopment Area #14** and, if so, to what extent and in what locations. The following represents a summary evaluation of each **Blight and Substandard Factor** presented in the order of listing in the law.

SUBSTANDARD FACTORS

(1) Dilapidation/Deterioration of Structures

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

The following summarizes the process used for assessing building conditions in **Redevelopment Area #14**, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of all **23 existing structures**, within the **Area**, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the **Area.**

1. Structures/Building Systems Evaluation.

During the on-site field analysis, each component of a structure/building was examined to determine whether it was in sound condition or has minor, major, or critical defects. Structures/building systems examined included the following three types, **one Primary** and **two Secondary**.

Structural Systems (Primary Components). These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

(Secondary Components)

Building Systems. These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

Architectural Systems. These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land included the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railway track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/ building.

2. Criteria for rating components for structural, building and architectural systems.

The components for the previously identified Systems were individually rated utilizing the following criteria.

Sound. Component that contained no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

Minor Defect. Component that contains minor defects (loose or missing material or holes and cracks over a limited area). These can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupant, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

Major Defect. Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

Critical Defect. Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

3. Final Structure/Building Rating.

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below:

Sound. Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, **have less than six points**.

Deteriorating-Minor. Defined as structures/buildings classified as deficient--requiring minor repairs--**having between six and 10 points.**

Deteriorating-Major. Defined as structures/buildings classified as deficient--requiring major repairs-- **having between 11 and 20 points.**

Dilapidated. Defined as structurally substandard structures / buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have at least 21 points**.

An individual ***Exterior Rating Form*** is completed for each structure/building. The results of the ***Exterior Rating*** of all structures/buildings are presented in a ***Table format.***

Primary Components	Secondary Components
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

4. Field Survey Conclusions.

The conditions of the **23 structures** within the **Redevelopment Area** were determined based on the finding of the exterior survey. These surveys indicated the following:

- Two (2) structures was classified as structurally **sound;**
- Two (2) structures were classified as **deteriorating** with **minor** defects.
- Twelve (12) structures were classified as **deteriorating** with **major** defects; and
- Seven (7) structures was classified as **dilapidated.**

The results of the **Structural/Site Conditions Survey** recorded the condition of structures throughout **Redevelopment Area #14**. **Of the 23 total structures, 19 (83 percent) are estimated to be deteriorated, with major defects, or dilapidated.**

Conclusion.

The results of the Structural/Site Conditions Survey documented that both deteriorated and dilapidated structures are a strong presence within Redevelopment Area #14. Table 4 identifies the results of the structural rating process per building type.

TABLE 4
EXTERIOR SURVEY FINDINGS
REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

Exterior Structural Rating

Activity	Sound	Deteriorating (Minor)	Deteriorating (Major)	Dilapidated	Number of Structures	Deteriorating (Major) and/or Dilapidated
Residential	0	1	1	1	3	2
Commercial	2	1	0	0	3	0
Other	0	0	11	6	17	17
Totals	**2**	**2**	**12**	**7**	**23**	**19**
Percent	8.7%	8.7%	52.2%	30.4%	100.0%	82.6%

Source: Hanna:Keelan Associates, P.C., 2017.

(2) Age of Obsolescence.

As per the results of the **Structural/Site Conditions Survey** with confirmation from the Adams County Assessor office, a total of 20, or 87 percent of the 23 structures in the **Redevelopment Area** are 40+ years of age, or built prior to 1977. Additionally, the estimated "**average age of residential structures" in the Area is 95 years of age.**

Conclusion.

The age and obsolescence of the structures in Redevelopment Area #14 is a strong presence.

(3) Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Spaces.

The results of the **Structural/Site Conditions Survey,** in addition to other important, pertinent field data, provided the basis for the identification of **insanitary and unsafe conditions** in **Redevelopment Area #14**. **Factors** contributing to these conditions are discussed below.

Eight, or **73 percent of the 11 total parcels in Redevelopment Area #14** had site features, such as access roads or private driveways and yard and landscaping conditions that were noticeably deteriorating. **Seven parcels,** or **64 percent of the 11 total parcels were identified as having "fair" overall site conditions, while an additional parcel was in "poor" condition.** These parcels combine for a total of **eight,** or **73 percent of the 11 parcels having "fair" to "poor" overall site conditions**.

The City of Hastings Utility Staff reported that the portion of the **Redevelopment Area** that fronts Osborne Drive East and 26th Street East is adjacent water and sewer mains, while the undeveloped tracts of land would need extensions of these utility systems to support development opportunities. A large 24" diameter outfall sewer main extends from 26th Street East to the northeast along the West Folk of the Big Blue River that is 54 years of age.

The water mains in **Area #14**, include a 10" diameter water main within the Osborne Drive East right-of-way that is an estimated 30 years old and a 12" diameter sewer main that stops at the north line of the Wal-Mart Subdivision that is an estimated 27 years old. A 10" water and an 8" sewer main were both installed in 26th Street East in 1994, thus 23 years of age.

City Utility Staff stated that all mains in **Area #14** are in good condition and capable of being extended to service the entire **Redevelopment Area**. Staff did state that the 54 year old outfall sewer main is becoming aged and may need replacing in the near future. The extension of these utility mains to support development opportunities at the **Redevelopment Area** are costly and without public/private partnerships, future development in **Area #14** would not be cost effective.

Conclusion

The inadequate provision for ventilation, light, air, sanitation or open spaces in Redevelopment Area #14 is a reasonable presence.

4) <u>The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes.</u>

1. Building Elements that are Combustible.

There are wood framed buildings containing combustible elements and fixtures in **Redevelopment Area #14**. **A total of 12 structures, or 52 percent of the 23 total buildings were recorded as deteriorated, with major defects, and seven, or 31 percent, additional structures were recorded as being dilapidated. Combined, these structures account for 83 percent of the structures being deteriorated or dilapidated.**

2. Lack of Adequate Utilities.

The City of Hastings Utility Staff reported that the portion of the **Redevelopment Area** that fronts Osborne Drive East and 26th Street East is adjacent water and sewer mains that are 27 to 30 years of age, while the mains along 26th Street East are an estimated 23 years of age. A large 24" diameter outfall sewer main extends from 26th Street East to the northeast along the West Folk of the Big Blue River that is an estimated 54 years of age. City Utility Staff stated that all mains are in good condition and capable of being extended to service the entire **Redevelopment Area**. Staff stated that the 54 year old outfall sewer main is becoming aged and may need replacing in the near future. The extension of these utility mains to support development opportunities throughout the undeveloped tracts of land in the **Redevelopment Area** are costly and without public/private partnerships, future development in **Area #14** would not be cost effective.

3. Advanced Age of Structures.

A total of 20 structures, or 87 percent of the 23 total structures in the **Redevelopment Area** were built prior to 1977, thus 40+ years of age. **The average age of the residential structures is estimated to be 95 years.**

4. Overall Site Condition.

The Structural/Site Conditions Survey identified seven parcels, or 64 percent of the total 11 parcels as being in "fair" condition and one additional structure as in "poor" condition. This determination included the evaluation of the general condition of structures, site improvements and adjacent right-of-way conditions. **These conditions combine for 73 percent of the total parcels having "fair" to "poor" overall site conditions.**

<u>Conclusion.</u>

The conditions which endanger life or property by fire and other causes are a strong presence throughout Redevelopment Area #14.

BLIGHT FACTORS

(1) Dilapidation/Deterioration of Structures.

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in **Redevelopment Area #14,** the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of **5 existing buildings,** within the **Area,** to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the **Redevelopment Area.**

1. Structures/Building Systems Evaluation.

During the on-site field analysis, each component of a structure/building was examined to determine whether it was in sound condition or has minor, major, or critical defects. Structures/building systems included the following three types, **one Primary** and **two Secondary**.

Structural Systems (Primary Components). These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

(Secondary Components)

Building Systems. These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

Architectural Systems. These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land included the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railway track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/ building.

2. Criteria for Rating Components for Structural, Building and Architectural Systems.

The components for the previously identified Systems, are individually rated utilizing the following criteria.

Sound. Component that contained no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

Minor Defect. Component that contained minor defects (loose or missing material or holes and cracks over a limited area) which often can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupant, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

Major Defect. Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

Critical Defect. Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

3. Final Structure/Building Rating.

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below:

Sound. Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, **have less than six points**.

Deteriorating-Minor. Defined as structures/buildings classified as deficient--requiring minor repairs--**having between six and 10 points.**

Deteriorating-Major. Defined as structures/buildings classified as deficient--requiring major repairs-- **having between 11 and 20 points.**

Dilapidated. Defined as structurally substandard structures/buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have at least 21 points**.

An individual ***Exterior Rating Form*** is completed for each structure/building. The results of the ***Exterior Rating*** of all structures/buildings are presented in a ***Table format***.

Primary Components	**Secondary Components**
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

4. Field Survey Conclusions.

The conditions of the total **23 buildings** within **Redevelopment Area #14** were determined based on the finding of the exterior survey. These surveys indicated the following:

- Two (2) structure was classified as structurally **sound;**
- Two (2) structures were classified as **deteriorating** with **minor** defects.
- Twelve (12) structures were classified as **deteriorating** with **major** defects; and
- Seven (7) structures was classified as **dilapidated.**

The results of the **Structural/Site Conditions Survey** recorded the condition of structures throughout **Redevelopment Area #14**. **Of the 23 total structures, 19 (83 percent) are estimated to be deteriorated, with major defects, or dilapidated.**

Conclusion.

The results of the Structural/Site Conditions Survey documented that both deteriorated and dilapidated structures are a strong presence within Redevelopment Area #14. Table 4 identifies the results of the structural rating process per building type.

TABLE 5
EXTERIOR SURVEY FINDINGS
REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

Exterior Structural Rating

Activity	Sound	Deteriorating (Minor)	Deteriorating (Major)	Dilapidated	Number of Structures	Deteriorating (Major) and/or Dilapidated
Residential	0	1	1	1	3	2
Commercial	2	1	0	0	3	0
Other	0	0	11	6	17	17
Totals	**2**	**2**	**12**	**7**	**23**	**19**
Percent	8.7%	8.7%	52.2%	30.4%	100.0%	82.6%

Source: Hanna:Keelan Associates, P.C., 2017.

2) Existence of Defective or Inadequate Street Layout.

Streets, or County Roads within **Redevelopment Area #14** exist in a standard grid alignment. Streets in the **Area** include Osborne Drive East, 33rd Street East (as a platted right-of-way, currently) and 26th Street East, which make up the north, west and south boundaries of the **Redevelopment Area.** The lack of streets within the undeveloped tracts of land have prohibited development throughout the **Area**.

Conclusion.

The existence of defective or inadequate street layout in Redevelopment Area #14 is of reasonable presence of Factor.

3) Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness.

Building use and condition surveys, the review of property ownership and subdivision records and field surveys resulted in the recording of conditions associated with **faulty lot layout in relation to size, adequacy and accessibility, or usefulness** of land within **Redevelopment Area #14**. Problem conditions include:

1. Accessibility or Usefulness.

Undeveloped tracts of land in **Redevelopment Area #14** are currently separated by a hiker/biker trail, which limits access to the northwest tract located by Osborne Drive East and to the eastern tract by only 26th Street East. The platted, but currently undeveloped 33rd Street East also prohibits access to these tracts of land. The lack of street networks throughout the undeveloped tracts of land render these areas both **functionally** and **economically obsolete**.

2. Inadequate Lot Size and Adequacy Issues.

Irregular tracts of land exist in **Redevelopment Area #14.** The 1.03 acre "Tax Lot #2," in the northwest corner of the **Area** was subdivided from a larger tract to the east to support a single family dwelling. "Tax Lot #3" consists of a 1.1 acre lot. Both tracts are adjacent, but beyond the current Corporate Limits of Hastings and are undeveloped, identified by metes and bounds description. Land parcels of large size promote incremental development, by splitting off tracts of land larger than 10 acres in size, thus being exempt from the Subdivision Regulations of the City of Hastings. Undeveloped land in close proximity to the Corporate Limits of Hastings are attractive for future development and should be planned as a phased subdivisions in support of future growth for the City.

Conclusion.

Faulty lot layout in relation to size, adequacy and usefulness is a reasonable presence throughout Redevelopment Area #14.

(4) Insanitary and Unsafe Conditions.

The results of the area-wide field survey, along with information obtained from City Officials provided the basis for the identification of **insanitary and unsafe conditions** within **Redevelopment Area #14**.

1. Age of Structures.

The evaluation of all 23 structures in the **Redevelopment Area** identified **83 percent**, or **19 structures as being 40+ years of age, or built prior to 1977**. The estimated average age of the residential dwellings is 95 years. The advanced age of the residential structure can result in the occurrence of a deteriorated building and other structures with deferred maintenance and, thus, create insanitary and unsafe conditions.

2. Deteriorating/Dilapidated Buildings.

The deteriorated conditions of structures in **Area #14**, as documented in this **Study,** were prevalent in an estimated 83 percent of the existing buildings. Structures in this condition can result in hazards that are detrimental to adjacent properties and, thus, create insanitary and unsafe conditions.

3. Lack of Adequate Utilities.

The City of Hastings Utility Staff reported that the portion of the **Redevelopment Area** that fronts Osborne Drive East and 26th Street East is adjacent water and sewer mains that are 27 to 30 years of age, while the mains along 26th Street East are an estimated 23 years of age. A large 24" diameter outfall sewer main extends from 26th Street East to the northeast along the West Folk of the Big Blue River that is an estimated 54 years of age. City Utility Staff stated that all mains are in good condition and capable of being extended to service the entire **Redevelopment Area**. Staff also stated that the 54 year old outfall sewer main is becoming aged and may need replacing in the near future. The extension of these utility mains to support development opportunities throughout the undeveloped tracts of land in the **Redevelopment Area** are costly and without public/private partnerships, future development in **Area #14** would not be cost effective.

Conclusion.

The existence of insanitary and unsafe conditions are a reasonable presence throughout Redevelopment Area #14.

(5) Deterioration of Site or Other Improvements.

The Structural/Site Conditions Survey documented the condition of site improvements within **Redevelopment Area #14**, including arterial and local streets, storm water drainage ditches, traffic control devices and off-street parking. The **Appendix** documents the present condition of these site features. The primary site problems in the **Redevelopment Area** include the condition of buildings and associated properties, streets and sidewalks and private parking areas.

Eight, or **73 percent of the 11 total parcels** in **Redevelopment Area #14** had site features, such as access roads or private driveways and yard and landscaping conditions that are noticeably deteriorating within the **Redevelopment Area**. **Seven parcels**, or **64 percent of the 11 total parcels were identified as having "fair" overall site conditions, while an additional parcel was in "poor" condition.** These parcels combine for a total of **eight**, or **73 percent of the 11 parcels having "fair" to "poor" overall site conditions**.

1. Both Osborne Drive East and 26th Street East are hard surfaced and in "good" condition. Gravel access driveways to three residential properties are gravel surfaced and in fair condition. Concrete access driveways into commercial properties in the **Area** were observed to be cracking and settling to a deteriorated.

2. Approximately **83 percent of the 23 total structures** in **Area #14** were observed to be deteriorated with major defects or dilapidated. Several of these structures should be considered for either rehabilitation or demolition. Many of the outbuildings were found to be no longer utilized for intended agricultural purposes and, thus, are functionally and economically obsolescent.

3. Storm water drainage ditches throughout **Redevelopment Area #14** are showing signs of deterioration. Storm water drainage ditches are becoming shallow and culverts at intersections and private driveways are deteriorated.

4. Properties within the **Redevelopment Area** include former farmsteads that have been split-off and sold as a non-farm dwellings with associated buildings that no longer support agricultural activities. These properties are showing signs of deterioration and, in present state, are a hindrance to future development opportunities in **Area #14.**

Conclusion.

Deterioration of site improvements are a strong presence in Redevelopment Area #14.

(6) Diversity of Ownership.

The total number of unduplicated owners within **Redevelopment Area #14** is estimated to be **eight private individuals, partnerships or corporations**. Publicly owned lands and local street public rights-of-way are also located adjacent the **Redevelopment Area**.

Conclusion.

The Factor "diversity of ownership" is of little or no presence in Redevelopment Area #14.

(7) Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land.

An examination of public records was conducted to determine the status of taxation of properties located in **Redevelopment Area #14**. It should be noted, real estate is typically taxed at approximately 98 percent of fair market value, rendering it almost impossible for a tax to exceed value in a steady real estate market. If a badly dilapidated property was assessed (or valued) too high, the public protest system is designed to give the owner appropriate relief and tax adjustment.

1. **Real Estate Taxes.**
   Public records were examined for the purposes of determining if delinquent taxes were currently outstanding on parcels within the **Redevelopment Area**. The records indicated that **none** of the **parcels** were classified as "delinquent" by the Adams County Treasurer office.

2. **Real Estate Values.**
   The tax values within **Redevelopment Area #14** generally appeared to be equal to or greater than the market value of the properties. The total estimated appraised valuation within **Area #14** is **$4,327,490**.

3. **Tax Exempt.**
   There is **one property** within the **Redevelopment Area,** identified by the Adams County Assessor and Treasurer offices, having full exemption from property taxes.

Conclusion.

Taxes or special assessments delinquency were of little to no presence in Redevelopment Area #14.

(8) Defective or Unusual Condition of Title.

Whenever land is sold, mortgaged, or both, a title insurance policy is typically issued, at which time any title defects are corrected. Once title insurance has been issued, all other titles in the same subdivision or addition will only have to be checked for the period of time subsequent to the creation of the addition or subdivision, as everything previous is the same and any defects will already have been corrected. Thus, the only possibility for title problems are from improper filings, since platting on properties that have not been mortgaged or sold is very small.

Conclusion.

Examination of public records does not provide any basis for identifying any defective or unusual conditions of title. Such few conditions would contribute to neither any existing problems nor to difficulty in acquisition or redevelopment and are therefore not found to exist at a level large enough to constitute a Blight Factor in Redevelopment Area #14.

(9) Improper Subdivision or Obsolete Platting.

An analysis of the subdivision conditions in **Redevelopment Area #14** revealed that **improper subdivision** and **obsolete platting** is present. Two Tax Lots are approximately one acre in size, while a third has 12.5 acres, but only two acres are utilized by the former farmstead and associated outbuildings. Current Hastings Zoning Regulations would have required these agricultural zoned tracts to be comprised of at least five acres in size.

The undeveloped parcels of land include a 27.2 acre tract and a 55.3 acre tract, both identified by metes and bounds descriptions. Both tracts, which are adjacent, but outside the City of Hastings Corporate Limits, lack a modern interior street network, which is a detriment to future development opportunities. In order for redevelopment of these (currently) functionally and economically obsolete properties to occur, the platting or re-platting of land would be necessary.

Conclusion.

A strong presence of improper subdivision or obsolete platting exists throughout Redevelopment Area #14.

10) <u>The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes.</u>

1. Building Elements that are Combustible.

Wood framed buildings containing combustible elements and fixtures exist in **Redevelopment Area #14**. **A total of 12 structures, or 52 percent of the 23 total buildings were recorded as deteriorated, with major defects, and seven, or 31 percent of the total structures were recorded as being dilapidated. Combined, these structures account for 83 percent of the structures being deteriorated or dilapidated.**

2. Lack of Adequate Utilities.

The City of Hastings Utility Staff reported that the portion of the **Redevelopment Area** that fronts Osborne Drive East and 26th Street East is adjacent water and sewer mains that are 27 to 30 years of age, while the mains along 26th Street East are an estimated 23 years of age. A large 24" diameter outfall sewer main extends from 26th Street East to the northeast along the West Folk of the Big Blue River that is an estimated 54 years of age. City Utility Staff stated that all mains are in good condition and capable of being extended to service the entire **Redevelopment Area**. Staff stated that the 54 year old outfall sewer main is becoming aged and may need replacing in the near future. The extension of these utility mains to support development opportunities throughout the undeveloped tracts of land in the **Redevelopment Area** are costly and without public/private partnerships, future development in **Area #14** would not be cost effective.

3. Advanced Age of Structures.

A total of **20 structures, or 87 percent of the 23 total structures** in the **Redevelopment Area** were built prior to 1977, thus 40+ years of age. **The average age of the residential structures is estimated to be 95 years.**

4. Overall Site Condition.

Seven, or 64 percent of the total 11 parcels were identified as being in "fair" condition and one additional structure as in "poor" condition. This determination included the evaluation of the general condition of structures, site improvements and adjacent right-of-way conditions. **These conditions combine for 73 percent of the total parcels having "fair" to "poor" overall site conditions.**

<u>Conclusion.</u>

The conditions which endanger life or property by fire and other causes are a strong presence throughout Redevelopment Area #14.

(11) Other Environmental and Blighting Factors.

Included in the **Nebraska Community Development Law** is a statement of purpose that has an additional criterion for identifying blight, viz., "economically or socially undesirable land uses." Conditions which are considered to be economically and/or socially undesirable include: (a) incompatible uses or mixed-use relationships, (b) economic obsolescence, and c) functional obsolescence. For purpose of this analysis, **functional obsolescence** relates to the physical utility of a structure and **economic obsolescence** relates to a property's ability to compete in the market place. These two definitions are interrelated and complement each other.

Functional and economic obsolescence is evident in the smaller Tax Lots split off from adjacent larger parcels, that now only include a former farmhouse and outbuildings. The outbuildings no longer support intended uses and are functionally obsolete and too deteriorated to be adapted for new uses. The former farmhouses remain as single family dwellings that are, as well, functionally and economically obsolescent, due to locations within the developed Highway 281 commercial corridor. These Tax Lots are one to two acres in size, but the "A" Agricultural District requires five acre minimum lot sizes. An additional Tax Lot is 12.5 acres, but only two acres include a house and outbuildings.

The undeveloped tracts of land in **Area #14,** including a 27 acre tract and a 55 acre tract, are both irregularly shaped due to an abandoned railroad corridor. The hiker/biker trail divides the tracts at an angle, resulting in limited future development opportunities

Infrastructure improvements are needed throughout the tracts of undeveloped land within **Redevelopment Area #14.** Without the extension or improvement of selected streets, water and sewer systems and storm systems, obstacles will continue to exist for the comprehensive redevelopment of **Redevelopment Area #14.**

Conclusion.

Other Environmental Blighting Factors are a strong presence throughout Redevelopment Area #14, containing functionally and economically obsolete parcels.

(12) Additional Blighting Conditions.

According to the definition set forth in the **Nebraska Community Development Law,** Section 18-2102, in order for an area to be determined "blighted" it must (1) meet the eleven criteria by reason of presence and (2) contain at least one of the five conditions identified below:

1. Unemployment in the designated blighted and substandard area is at least one hundred twenty percent of the state or national average;

2. **The average age of the residential or commercial units in the area is at least forty years;**

3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for forty years and has remained unimproved during that time;

4. The per capita income of the designated blighted and substandard area is lower than the average per capita income of the Village or City in which the area is designated; or

5. The area has had either stable or decreasing population based on the last two decennial censuses.

One of the aforementioned criteria is prevalent throughout the designated blighted areas.

The average age of the residential or commercial units in the area is at least forty (40) years.

The estimated average age of the residential structures in **Redevelopment Area #14** is **95 years, based upon Adams County Assessor's parcel information.** Additionally, 87 percent, or 20 of the 23 total structures within the **Redevelopment Area** are at least 40+ years of age.

Conclusion.

The criteria of average age of residential units is over 40 years of age as one of five additional blighting conditions is a strong presence throughout Redevelopment Area #14.

DETERMINATION OF REDEVELOPMENT AREA ELIGIBILITY

Redevelopment Area #14 meets the requirements of the **Nebraska Community Development Law** for designation as both a **"Blighted and Substandard Area."** All **four Factors** that constitute the **Area** as substandard are, at least, present to a reasonable extent. Of the **12** possible **Factors** that can constitute the **Area blighted, seven** are of a **strong presence** and an additional **two** are of a **reasonable presence** in the **Redevelopment Area. Factors** present in each of the criteria are identified below.

Substandard Factors

1. Dilapidated/deterioration.
2. Age or obsolescence.
3. Inadequate provision for ventilation, light, air, sanitation or open spaces.
4. Existence of conditions which endanger life or property by fire and other causes.

Blight Factors

1. A substantial number of deteriorated or dilapidated structures.
2. Existence of defective or inadequate street layout.
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness.
4. Insanitary or unsafe conditions.
5. Deterioration of site or other improvements.
6. Improper subdivision or obsolete platting.
7. The existence of conditions which endanger life or property by fire or other causes.
8. Other environmental and blighting factors.
9. One of the other five conditions.

Although all the previously listed **Factors** are at least reasonably present throughout **Redevelopment Area #14**, the conclusion is that the condition and age of structures, insanitary and unsafe conditions, lack of modern public utility and transportation systems other environmental and blighting factors and the existence of conditions which endanger life or property by fire or other causes are a sufficient basis for designation of **Redevelopment Area #14** as **blighted** and **substandard.**

The extent of **Blight** and **Substandard Factors** in **Redevelopment Area #14**, addressed in this **Study,** is presented in **Tables 1** and **2**, **Pages 5** and **7**. The eligibility findings indicate that **Redevelopment Area #14** is in need of revitalization and strengthening to ensure it will contribute to the physical, economic and social well-being of the City of Hastings and support any value-added developments. Indications are that **Area #14,** on the whole, has not been subject to comprehensive, sufficient growth and development through investment by the private sector nor would the areas be reasonably anticipated to be developed without public action or public intervention.

Structural/Site Conditions Survey Form

Parcel # _____
Address: _____
_____

Section I:

1. Type of Units: ___ SF ___ MF ___ Mixed Use ___ Duplex ___ No. of Units
2. Units: _____ Under construction/rehab _____ For Sale _____ Both
3. Vacant Units: _____ Inhabitable _____ Uninhabitable
4. Vacant Parcel: _____ Developable _____ Undevelopable
5. Non-residential Use: _____ Commercial _____ Industrial ___ Public
   Other/Specify: _____

Section II: Structural Components

	Primary Components	**(Critical) Dilapidated**	**(Major) Deteriorating**	**Minor**	**None**	**Sound**
1	Roof					
2	Wall Foundation					
3	Foundation					
____ Concrete ____ Stone ____ Rolled Asphalt ____ Brick ____ Other						
	Secondary Components	**(Critical) Dilapidated**	**(Major) Deteriorating**	**Minor**	**None**	**Sound**
4	Roof					
___ Asphalt Shingles ___ Rolled Asphalt ___ Cedar ___ Combination ___ Other						
5	Chimney					
6	Gutters, Downspouts					
7	Wall Surface					
___ Frame ___ Masonry ___ Siding ___ Combination ___ Stucco ___ Other						
8	Paint					
9	Doors					
10	Windows					
11	Porches,Steps,Fire Escape					
12	Driveways, Side Condition					

Final Rating:

_____ Sound _____ Deficient-Minor _____Deteriorating _____ Dilapidated

Built Within: _____ 1 year _____ 1-5 years _____ 5-10 years
____ 10-20 years _____ 20-40 years _____ 40-100 years _____ 100+ years

Section III: Revitalization Area

1. Adjacent Land Usage: _____
2. Street Surface Type: _____
3. Street Condition: _____ E _____ G _____ F _____P
4. Sidewalk Condition: _____ N _____ E _____ G _____ F ___P
5. Parking (Off-Street): _____ N _____ # of Spaces _____
   Surface
6. Railway Track/Right-of Way Composition: ____ N ____ E ____ G ____ F ____P
7. Existence of Debris: _____ MA _____ MI _____ N
8. Existence of Vagrants: _____ MA _____ MI _____ N
9. Overall Site Condition: _____ E _____ G _____ F _____P

HASTINGS REDEVELOPMENT AREA #14							
	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
AGE OF STRUCTURE							
1-5 Years	0	0.0%	0	0	0	N/A	0
5-10 Years	1	4.3%	0	1	0	N/A	0
10-20 Years	0	0.0%	0	0	0	N/A	0
20-40 Years	2	8.7%	0	2	0	N/A	0
40-100 Years	15	65.2%	2	0	0	N/A	13
100+ Years	5	21.7%	1	0	0	N/A	4
TOTAL	**23**	**100.0%**	**3**	**3**	**0**	**N/A**	**17**
		0					
FINAL STRUCTURAL RATING							
Sound	2	8.7%	0	2	0	N/A	0
Deteriorating-Minor	2	8.7%	1	1	0	N/A	0
Deteriorating-Major	12	52.2%	1	0	0	N/A	11
Dilapidated	7	30.4%	1	0	0	N/A	6
TOTAL	**23**	**100.0%**	**3**	**3**	**0**	**N/A**	**17**
STREET CONDITION							
None	0	0.0%	0	0	0	0	0
Excellent	0	0.0%	0	0	0	0	0
Good	10	90.9%	2	5	0	0	3
Fair	1	9.1%	1	0	0	0	0
Poor	0	0.0%	0	0	0	0	0
TOTAL	**11**	**100.0%**	**3**	**5**	**0**	**0**	**3**
SIDEWALK CONDITION							
None	6	54.5%	2	2	0	0	2
Excellent	2	18.2%	1	0	0	0	1
Good	1	9.1%	0	1	0	0	0
Fair	2	18.2%	0	2	0	0	0
Poor	0	0.0%	0	0	0	0	0
TOTAL	**11**	**100.0%**	**3**	**5**	**0**	**0**	**3**
DEBRIS							
None	11	100.0%	3	5	0	0	3
Major	0	0.0%	0	0	0	0	0
Minor	0	0.0%	0	0	0	0	0
TOTAL	**11**	**100.0%**	**3**	**5**	**0**	**0**	**3**
OVERALL SITE CONDITION							
Excellent	0	0.0%	0	0	0	0	0
Good	3	27.3%	0	2	0	0	1
Fair	7	63.6%	2	3	0	0	2
Poor	1	9.1%	1	0	0	0	0
TOTAL	**11**	**100.0%**	**3**	**5**	**0**	**0**	**3**
PARKING SPACES							
Ranges	0-300	0.0%	1-2	25-375	0-0	N/A	1-3
None	1	9.1%	0	1	0	0	0
Hard Surfaced	4	36.4%	0	4	0	0	0
Unimproved	6	54.5%	3	0	0	0	3
TOTAL	**11**	**100.0%**	**3**	**5**	**0**	**0**	**3**

HASTINGS REDEVELOPMENT AREA #14							
	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
DOORS							
None	2	8.7%	0	0	0	N/A	2
Sound	5	21.7%	0	3	0	N/A	2
Minor	13	56.5%	0	0	0	N/A	13
Substandard	2	8.7%	2	0	0	N/A	0
Critical	1	4.3%	1	0	0	N/A	0
TOTAL	**23**	100.0%	**3**	**3**	**0**	**N/A**	**17**
WINDOWS							
None	10	43.5%	0	0	0	N/A	10
Sound	3	13.0%	0	3	0	N/A	0
Minor	9	39.1%	3	0	0	N/A	6
Substandard	1	4.3%	0	0	0	N/A	1
Critical	0	0.0%	0	0	0	N/A	0
TOTAL	**23**	100.0%	**3**	**3**	**0**	**N/A**	**17**
STREET TYPE							
None	0	0.0%	0	0	0	0	0
Concrete	8	72.7%	2	5	0	0	1
Asphalt	3	27.3%	1	0	0	0	2
Gravel	0	0.0%	0	0	0	0	0
Dirt	0	0.0%	0	0	0	0	0
Brick	0	0.0%	0	0	0	0	0
TOTAL	**11**	100.0%	**3**	**5**	**0**	**0**	**3**
PORCHES…							
None	0	0.0%	0	0	0	N/A	0
Sound	3	13.0%	0	3	0	N/A	0
Minor	13	56.5%	2	0	0	N/A	11
Substandard	7	30.4%	1	0	0	N/A	6
Critical	0	0.0%	0	0	0	N/A	0
TOTAL	**23**	100.0%	**3**	**3**	**0**	**N/A**	**17**
PAINT							
None	10	43.5%	0	0	0	N/A	10
Sound	4	17.4%	1	2	0	N/A	1
Minor	2	8.7%	1	1	0	N/A	0
Substandard	7	30.4%	1	0	0	N/A	6
Critical	0	0.0%	0	0	0	N/A	0
TOTAL	**23**	100.0%	**3**	**3**	**0**	**N/A**	**17**
DRIVEWAY							
None	0	0.0%	0	0	0	N/A	0
Sound	2	8.7%	0	2	0	N/A	0
Minor	1	4.3%	0	0	0	N/A	1
Substandard	20	87.0%	3	1	0	N/A	16
Critical	0	0.0%	0	0	0	N/A	0
TOTAL	**23**	100.0%	**3**	**3**	**0**	**N/A**	**17**

HASTINGS REDEVELOPMENT AREA #14							
	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
ROOF STRUCTURE							
None	0	0%	0	0	0	N/A	0
Sound	3	13%	1	2	0	N/A	0
Minor	15	65%	1	1	0	N/A	13
Substandard	5	22%	1	0	0	N/A	4
Critical	0	0%	0	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
WALL FOUNDATION							
None	0	0%	0	0	0	N/A	0
Sound	5	22%	2	2	0	N/A	1
Minor	16	70%	1	1	0	N/A	14
Substandard	2	9%	0	0	0	N/A	2
Critical	0	0%	0	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
FOUNDATION							
None	0	0%	0	0	0	N/A	0
Sound	15	65%	3	3	0	N/A	9
Minor	6	26%	0	0	0	N/A	6
Substandard	2	9%	0	0	0	N/A	2
Critical	0	0%	0	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
FOUNDATION TYPE							
Concrete	23	100%	3	3	0	N/A	17
Stone	0	0%	0	0	0	N/A	0
Rolled Asphalt	0	0%	0	0	0	N/A	0
Brick	0	0%	0	0	0	N/A	0
Other/None	0	0%	0	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
ROOF SURFACE							
None	0	0%	0	0	0	N/A	0
Sound	2	9%	0	2	0	N/A	0
Minor	16	70%	3	1	0	N/A	12
Substandard	5	22%	0	0	0	N/A	5
Critical	0	0%	0	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
ROOF TYPE							
Asphalt Shingles	7	30%	3	0	0	N/A	4
Rolled Asphalt	3	13%	0	3	0	N/A	0
Cedar	0	0%	0	0	0	N/A	0
Combination	0	0%	0	0	0	N/A	0
Other	13	57%	0	0	0	N/A	13
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**

HASTINGS REDEVELOPMENT AREA #14							
	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
CHIMNEY							
None	21	91%	1	3	0	N/A	17
Sound	0	0%	0	0	0	N/A	0
Minor	2	9%	2	0	0	N/A	0
Substandard	0	0%	0	0	0	N/A	0
Critical	0	0%	0	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
GUTTER, DOWNSPOUTS							
None	18	78%	1	0	0	N/A	17
Sound	4	17%	1	3	0	N/A	0
Minor	0	0%	0	0	0	N/A	0
Substandard	0	0%	0	0	0	N/A	0
Critical	1	4%	1	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
WALL SURFACE							
None	2	9%	0	2	0	N/A	0
Sound	3	13%	2	0	0	N/A	1
Minor	16	70%	0	1	0	N/A	15
Substandard	1	4%	0	0	0	N/A	1
Critical	1	4%	1	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
WALL SURFACE TYPE							
Frame	3	13%	1	0	0	N/A	2
Masonry	4	17%	1	2	0	N/A	1
Siding	8	35%	1	0	0	N/A	7
Combination	2	9%	0	1	0	N/A	1
Stucco	0	0%	0	0	0	N/A	0
Other	6	26%	0	0	0	N/A	6
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
PARKING SURFACE							
None	1	4%	0	1	0	N/A	0
Concrete	0	0%	0	0	0	N/A	0
Asphalt	2	9%	0	2	0	N/A	0
Gravel	17	74%	2	0	0	N/A	15
Dirt	3	13%	1	0	0	N/A	2
Brick	0	0%	0	0	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**
PARKING SPACES							
None	1	4%	0	1	0	N/A	0
1 to 2	20	87%	3	0	0	N/A	17
3 to 5	0	0%	0	0	0	N/A	0
6 to 10	0	0%	0	0	0	N/A	0
11 to 20	0	0%	0	0	0	N/A	0
21 or More	2	9%	0	2	0	N/A	0
TOTAL	**23**	**100%**	**3**	**3**	**0**	**N/A**	**17**

GENERAL REDEVELOPMENT PLAN.

Purpose of Plan/Conclusion.

The purpose of this **General Redevelopment Plan** is to serve as a comprehensive guide for implementation of development and redevelopment activities within **Redevelopment Area #14** in the City of Hastings, Nebraska. Redevelopment and development activities associated with the **Nebraska Community Development Law**, State Statutes 18-2101 through 18-2154, should be utilized to promote the general welfare and enhance the tax base, as well as promote economic and social well-being of the Community.

A **General Redevelopment Plan** prepared for the Hastings Community Redevelopment Authority (CRA) must contain the general planning elements required by Nebraska State Revised Statutes, Section 18-2111 re-issue 2012 items (1) through (6). A description of these items is as follows:

> (1) The boundaries of the redevelopment project area with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

Furthermore, the **General Redevelopment Plan** must further address the items required under Section 18-2113, "Plan; considerations", which the CRA must consider prior to recommending a redevelopment plan to the Planning Commission and City Council for adoption. These "considerations" are defined as follows:

> "...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, and other public utilities, schools, parks, recreational and community facilities

and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight."

Location.

Redevelopment Area #14 is located in the northeast corner of the City of Hastings, Nebraska, at the southeast corner of the intersection of East 33rd Street and Osborne Drive East. A portion of the **Redevelopment Area** adjacent Osborne Drive East is within the Corporate Limits of Hastings, with portions also adjacent, but beyond the current Corporate Limits of the City. **Illustration 1, Context Map,** identifies **Area #14** in relationship to the City of Hastings. Key development features in **Area #14** include the former Walmart commercial area, three former farmsteads with outbuildings and tracts of undeveloped land.

The right-of-way of portions of East 33rd Street, Osborne Drive East and 26th Street East are also included in the **Redevelopment Area**. Undeveloped tracts of land in **Area #14** are **functionally** and **economically obsolete** and in need of modern utility and transportation systems to promote future development opportunities.

Portions of **Redevelopment Area #14** are located adjacent, but outside the Corporate Limits of Hastings. Land areas outside the Corporate Limits of the City will need to be annexed to be included in the CRA's area of operation and become eligible for Tax Increment Financing as specific projects make applications to the CRA for a redevelopment project. The **Context Map, Illustration 4,** and other maps in this **Redevelopment Plan** identify the entire **Redevelopment Area #14** that has been declared blighted and substandard and in need of redevelopment pursuant to this **General Redevelopment Plan.** This **General Redevelopment Plan** shall be amended when a specific redevelopment project moves forward which will necessitate the annexation of any of the blighted and substandard property currently located outside of the Corporate Limits of the City before such property shall be eligible for the use of tax increment financing as part of a redevelopment project.

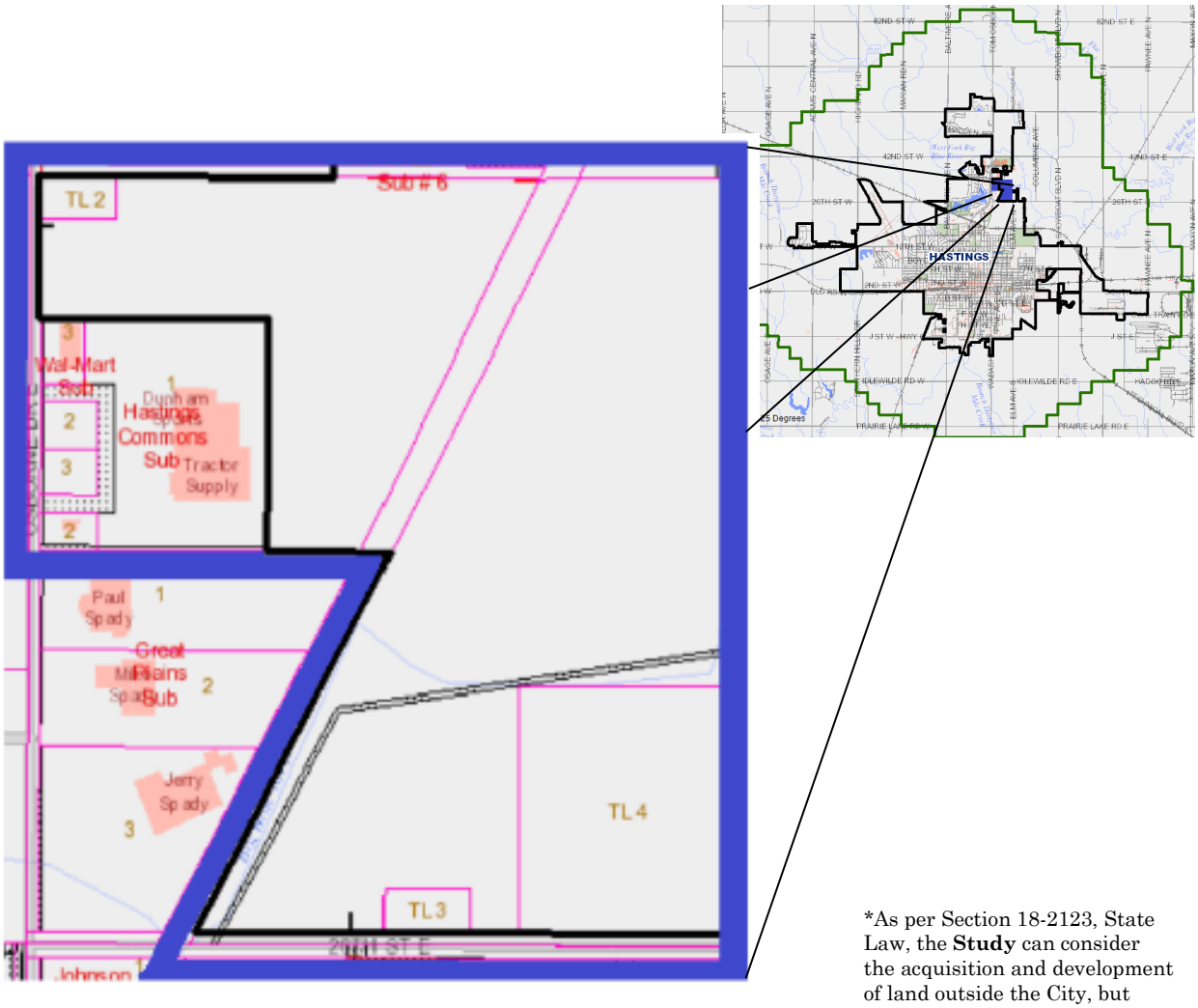
The referenced **Redevelopment Area #14,** in the City of Hastings, Nebraska, includes the following Adams County Parcel ID #s:

1. #060001000. 3210 Osborne Drive East.
2. #010000008. East side of Osborne Drive East.
3. #010013898. Wal-Mart Subdivision Lot 3.
4. #010013896. Hastings Commons Subdivision Lot 1.
5. #010018600. Hastings Commons Subdivision Lot 2.
6. #010013897. Hastings Commons Subdivision Lot 3.
7. #010018601. Wal-Mart Subdivision Lot 2.
8. #010017957. 31-08-09 TR Land in S1/2 FR Sec 31-8-9 Abandoned RR (Tract 5).
9. #010000137. 31-08-09 Pt. FR S1/2 E of RR Ex Road & Ex. Tract 300x200 & 54 RDS x 441/2 RDS.
10. #010000136. 31-08-09 Pt. SE1/4 Tax Lot 3.
11. #010000138. 31-08-09 Pt. SE1/4 Tax Lot 4.

CONTEXT MAP

REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

NORTH



*As per Section 18-2123, State Law, the **Study** can consider the acquisition and development of land outside the City, but within a radius of three miles thereof, necessary or convenient to the proper clearance or redevelopment of one or more substandard or blighted areas within the City or is a necessary adjunct to the general community redevelopment program of the City.

LEGEND

Redevelopment Area Boundary.*
Hastings Corporate Limits.

ILLUSTRATION 4

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The planning process for **Redevelopment Area #14** has resulted in a listing of general planning and implementation recommendations. As discussed in the **Blight and Substandard Determination Study,** the average age of the structures, deterioration of site or other improvements and the existence of conditions which endanger life or property by fire or other causes are a sufficient basis for designation of **Redevelopment Area #14** as **blighted** and **substandard.**

Project Planning and Implementation Recommendations.

To eliminate blight and substandard conditions and enhance private development and redevelopment activities within **Redevelopment Area #14,** the City of Hastings will need to consider the following **general development/redevelopment initiatives. Tax Increment Financing (TIF) will need to be considered as a tool to assist in financing both development and redevelopment projects.**

General Development/Redevelopment Initiatives.

- Create an **"Economic Development Initiative"** for **Redevelopment Area #14** directed at increasing the property tax base. Utilize **TIF** and other available sources of economic development funding, including State and Federal and Private Foundation Grants, as well as private investment, for the expansion of existing and the development of new residential and commercial uses in the **Area** in conformance with the City's recently completed ***Comprehensive Development Plan*** and current ***Zoning Regulations,*** pending changes or amendments to both documents.

- Develop **public** and **private partnerships** with funding entities and property developers to attract residential, commercial and industrial development to **Redevelopment Area #14.** Partnerships can include, but are not limited to the Hastings Economic Development Corporation, Hastings Area Chamber of Commerce, Hastings Community Redevelopment Authority (CRA), Hastings Housing Authority, South Central Economic Development District and Community Action Partnership of Mid-Nebraska. Utilize the ***Hastings Comprehensive Development Plan, Hastings Community Housing Study*** and any other local, relevant planning documents to provide direction for Community development projects.

- **Promote the development of undeveloped land areas within the Redevelopment Area, targeting tracts of land that are currently both functionally and economically obsolete. L**arge, undeveloped tracts of land in **Redevelopment Area #14** should be planned for selected mixed uses of commercial and residential development. Modern street and water/sewer systems should be in place to allow for development to occur.

- Create new **commercial development opportunities** in and around the former Walmart building. This could include the renovation and rehabilitation of the former Walmart building, as well as additional commercial retail bays for small and large-scale commercial entities. This will also enhance the attractiveness of the **Area** and create a new and vibrant commercial node in the City of Hastings.

The City of Hastings and/or the Hastings CRA could designate an **Enhanced Employment Area** within the **Redevelopment Area** in accordance with Nebraska State Statutes 18-2142.02 through 18-2142.04. These Statutes allow for the City to levy a "general business occupation tax" to pay for any or all costs and expenses of a redevelopment project within the designated **Area.**

- **Acquire dilapidated and functionally and economically obsolescent buildings/properties within the Redevelopment Area and retain or "land bank" these tracts for future development.**

- Build and utilize **alternative energy systems** throughout **Redevelopment Area #14.** This would include the potential use of one or combinations of wind, solar, biomass, geothermal, hydropower and methane energy systems in both existing and new development areas and buildings.

Infrastructure & Utility Systems Initiatives.

- **Replace, as needed, deteriorated and dilapidated municipal water, sewer and storm sewer mains** throughout **Redevelopment Area #14,** to support both existing residential and commercial developments.

- **Install modern water, storm sewer, sanitary sewer and transportation systems** in undeveloped tracts of land in **Redevelopment Area #14** to support future development opportunities.

- Establish a **program** to **improve** the existing sidewalks, streets, street lighting, landscaping, private driveways, access roads and parking areas in the **Area**, identified as being in a state of deterioration and in substandard condition.

Implementation.

Both a time line and budget should be developed for the implementation of this **General Redevelopment Plan.** Each of these processes should be designed in conformance with the resources and time available by the City. A reasonable time-line to complete the redevelopment activities identified in the **Plan** would be 10 to 15 years.

Various funding sources exist for the preparation and implementation of a capital improvement budget designed to meet the funding needs of proposed development and redevelopment activities. These include local and federal funds commonly utilized to finance street improvement funds, i.e. Community Development Block Grants, Special Assessments, General Obligation Bonds and Tax Increment Financing (TIF). The use of TIF for development and redevelopment projects in **Redevelopment Area #14** is deemed to be an essential and integral element. The use of TIF in connection with such projects is contemplated by this **General Redevelopment Plan** and such designation and use of TIF will not constitute a substantial modification to the **Plan.**

The City agrees, when approving this **General Redevelopment Plan,** to the utilization of TIF for appropriate development and redevelopment projects and agrees to pledge the taxes generated from such projects for such purposes in accordance with the Act. Any redevelopment project receiving TIF is subject to a Cost Benefit Analysis. TIF, as a source of public financing, ultimately impacts taxing authorities in the City of Hastings and Adams County. Proposed projects using TIF must meet the Cost Benefit Analysis and the "But for" test. Accordingly, "But for TIF" a redevelopment project could not be fully executed and constructed in the Community.

1. Future Land Use Patterns.

The existing land use patterns within **Redevelopment Area #14** are described in detail in the **Blight and Substandard Determination Study (Pages 15 and 16).** In general, the **Redevelopment Area** consists of former farmsteads, commercial, trails and undeveloped land use types. The field survey identified properties and structures classified as being in deteriorating condition or dilapidated. The irregular tracts of undeveloped land are ideally suited for future residential and commercial development.

Illustration 5, Future Land Use Map, represents the land use density and coverage, as well as a **general site plan** for **Redevelopment Area #14.** The ***Hastings Comprehensive Plan*** and **Future Land Use Map** promote **Redevelopment Area #14** to support a mix of residential and commercial development. This **General Redevelopment Plan** recommends that future commercial and single family residential land uses be buffered with multifamily residential development.

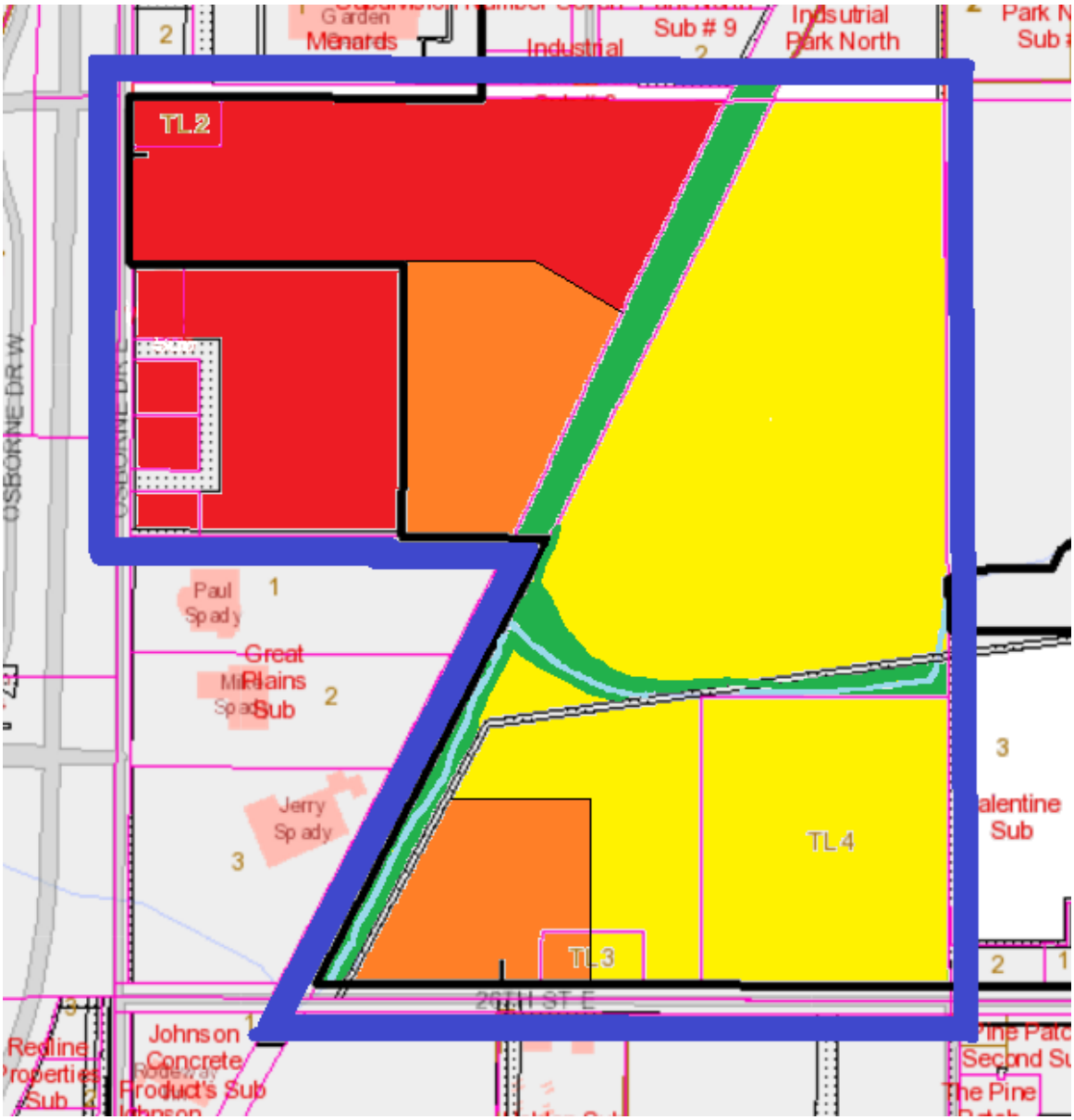
2. Future Zoning Districts.

The recommended **Future Zoning Map** for **Redevelopment Area #14** is identified in **Illustration 6.** This also represents the **land development densities, land coverage** and **potential building intensities of Area #14.** A zoning recommendation for the **Redevelopment Area** is to extend the "C-3 – Commercial Business" District northward and eastward to allow for new commercial development. Additional zoning recommendations, regarding residential Districts, include designating the two land areas as "R-3 – Multiple Family Residential" districts, one located between the Tractor Supply Company Building and the hiker/biker trail, the other located along 26th Street in the southern portion of **Area #14.** An "R-2 – Mixed Density Neighborhood" District is proposed east of the trail.

FUTURE LAND USE MAP

REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

NORTH



LEGEND

- PARKS/OPEN SPACE
- SINGLE FAMILY RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- COMMERCIAL
- REDEVELOPMENT AREA #14 BOUNDARY
- CITY OF HASTINGS CORPORATE LIMITS

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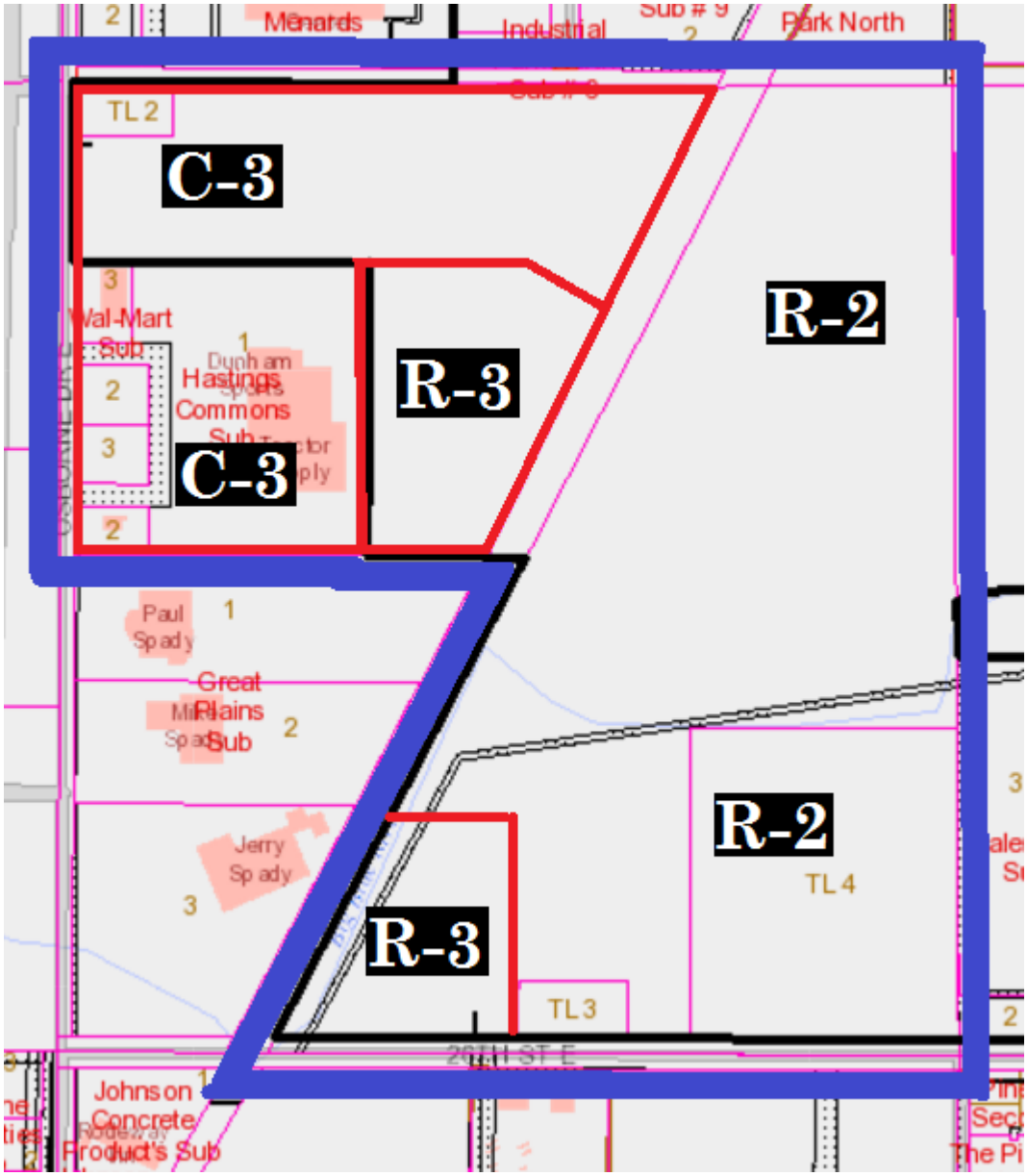
ILLUSTRATION 5

FUTURE ZONING MAP

REDEVELOPMENT AREA #14
HASTINGS, NEBRASKA

NORTH



LEGEND

- R-2 - MIXED-DENSITY NEIGHBORHOOD DISTRICT
- R-3 - MULTIPLE-FAMILY RESIDENTIAL DISTRICT
- C-3 - COMMERCIAL BUSINESS DISTRICT
- ZONING DISTRICT BOUNDARY
- REDEVELOPMENT AREA #14 BOUNDARY
- CITY OF HASTINGS CORPORATE LIMITS

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ILLUSTRATION 6

3. Recommended Public Improvements.

The primary purpose of a **General Redevelopment Plan** is to allow for the use of public financing in a specific area. This public financing is planned and implemented to serve as a "first step" for public improvements and encourage private development within the **Redevelopment Area.** The most common form of public improvements occurs with infrastructure, specifically streets, water, sanitary sewer and storm sewer systems, sidewalks, open space and recreational uses. The primary infrastructure concerns in the **Redevelopment Area** are the need to monitor utility and infrastructure systems in order to make repairs or replacement as these systems continue to age, as well as by expansion of modern infrastructure to undeveloped and agricultural land areas.

The **Blight and Substandard Determination Study** focused on the condition of existing structures and sites, as well as improvement needs for deteriorated and dilapidated infrastructure systems to service developed and undeveloped land throughout the **Redevelopment Area.** It is recommended that the City of Hastings work closely with developers to ensure that future public roads and private driveways and parking areas within the **Redevelopment Area #14** are constructed in conformance with City development standards. New or redeveloped streets, sidewalks, alleys, and privately owned water and sewer service lines should be designed to meet the provisions of the Subdivision Regulations of Hastings.

4. Alternative Energy Considerations.

Development within **Redevelopment Area #14** is recommended to supplement the standard energy sources for lighting, heating and cooling, with alternative energy systems such as wind, solar, geothermal, biomass and methane. Individual buildings and larger industrial business are strongly recommended to access these alternative energy sources in combination with ***"green building"*** techniques.

"LEED" building certification also guides the use of energy conservation methods to reduce the consumption of energy by HVAC systems in new and rehabilitated buildings. In the United States, LEED certification is recognized as a standard for measuring building sustainability. Achieving this certification demonstrates that the building meets the ideals of being "green."

Conclusions.

A successful **General Redevelopment Plan** for **Redevelopment Area #14** should guide redevelopment and development opportunities, while supporting adjacent industrial uses. New construction should be compatible with similar materials exhibited by existing structures within, and adjacent the **Redevelopment Area.**

The Hastings CRA and the City of Hastings should seek funding sources to create a revolving loan and/or grant program for the rehabilitation and improvement of buildings and public uses in **Redevelopment Area #14**. The demolition of one existing building will enhance the visual appearance of the **Area,** making it more attractive for future development. Prior to transportation network improvements, the City and the CRA should develop a plan to accommodate efficient infrastructure development and improvements.

The following identifies estimated costs for the improvement of various infrastructure features in Redevelopment Area #14.

Normal Street Replacement

Costs are dependent on street width and thickness of pavement or overlay. Concrete paving of 6" thick with integral curbs costs an estimated $52 per square yard. Asphalt overlay has a cost of $3.45 per square yard, per inch of thickness of asphalt overlay.

The cost to construct a 6" thick, 30' wide concrete street is $170 per linear foot.
The cost to construct a 6" thick, 60' wide concrete street is $345 per linear foot.

The cost to construct a 2" thick, 30' wide asphalt overlay is $25 per linear foot.
The cost to construct a 2" thick, 60' wide asphalt overlay is $50 per linear foot.

Ramped Curb Cuts
$1,400 each

Sanitary Sewer
$60 to $70 per linear foot

Water Valves
$850 each

Fire Hydrants
$2,800 each

Overlay of Parking Lots
Asphalt overlay costs $3 per square yard per inch of thickness of asphalt overlay. Therefore, the cost of a 2" overlay of a 150 x 150 foot parking lot is $17,000.

Storm Sewers
The cost of Storm Sewers is dependent upon the size of the storm sewer pipe and on the number of inlets required. A breakdown of approximate unit prices is as follows:

15" RCP costs $25 per linear foot
18" RCP costs $30 per linear foot
24" RCP costs $40 per linear foot
30" RCP costs $50 per linear foot
36" RCP costs $57 per linear foot
42" RCP costs $65 per linear foot
48" RCP costs $75 per linear foot

Inlets cost an estimated $2,800 each. Therefore, assuming 470 linear feet of 30" storm sewer and four inlets per block, a block of storm sewer would cost $35,100.

Public and Private Foundations.

This **General Redevelopment Plan** addresses numerous community and economic development activities for **Redevelopment Area #14,** in Hastings, Nebraska. The major components of this **General Redevelopment Plan** will be accomplished as individual projects, however, a comprehensive redevelopment effort is recommended. Just as the redevelopment efforts should be tied together, so should the funding sources to ensure a complete project. The use of state and federal monies, local equity and tax incentives coupled with private funding sources, can be combined for a realistic and feasible funding package. The following provides a summary listing of the types of funding to assist in implementing this **General Redevelopment Plan.** Each selected redevelopment project should be accompanied with a detailed budget of both sources and uses of various funds.

Building Improvement District
Tax Increment Financing
LB 840 or LB 1240
Historic Preservation Tax Credits (State & Federal)
Low Income Housing Tax Credits
Sales Tax
Community Development Block Grants - Re-Use Funds
Local Lender Financing
Owner Equity
Small Business Administration-Micro Loans
Community Assistance Act
Donations and Contributions
Intermodal Surface Transportation Efficiency Act

Private Foundations
American Express Foundation
Kellogg Corporate Giving Program
Marietta Philanthropic Trust
Monroe Auto Equipment Company Foundation
Norwest Foundation
Piper, Jaffray & Hopwood Corporate Giving

Target Stores Corporate Giving
Pitney Bowes Corporate Contributions
Burlington Northern Santa Fe Foundation
US West Foundation
Woods Charitable Fund, Inc.
Abel Foundation
ConAgra Charitable Fund, Inc.
Frank M. and Alice M. Farr Trust
Hazel R. Keene Trust
IBP Foundation, Inc.
Mid-Nebraska Community Foundations, Inc.
Northwestern Bell Foundation
Omaha World-Herald Foundation
Peter Kiewit and Sons Inc. Foundation
Thomas D. Buckley Trust
Valmont Foundation
Quivey-Bay State Foundation

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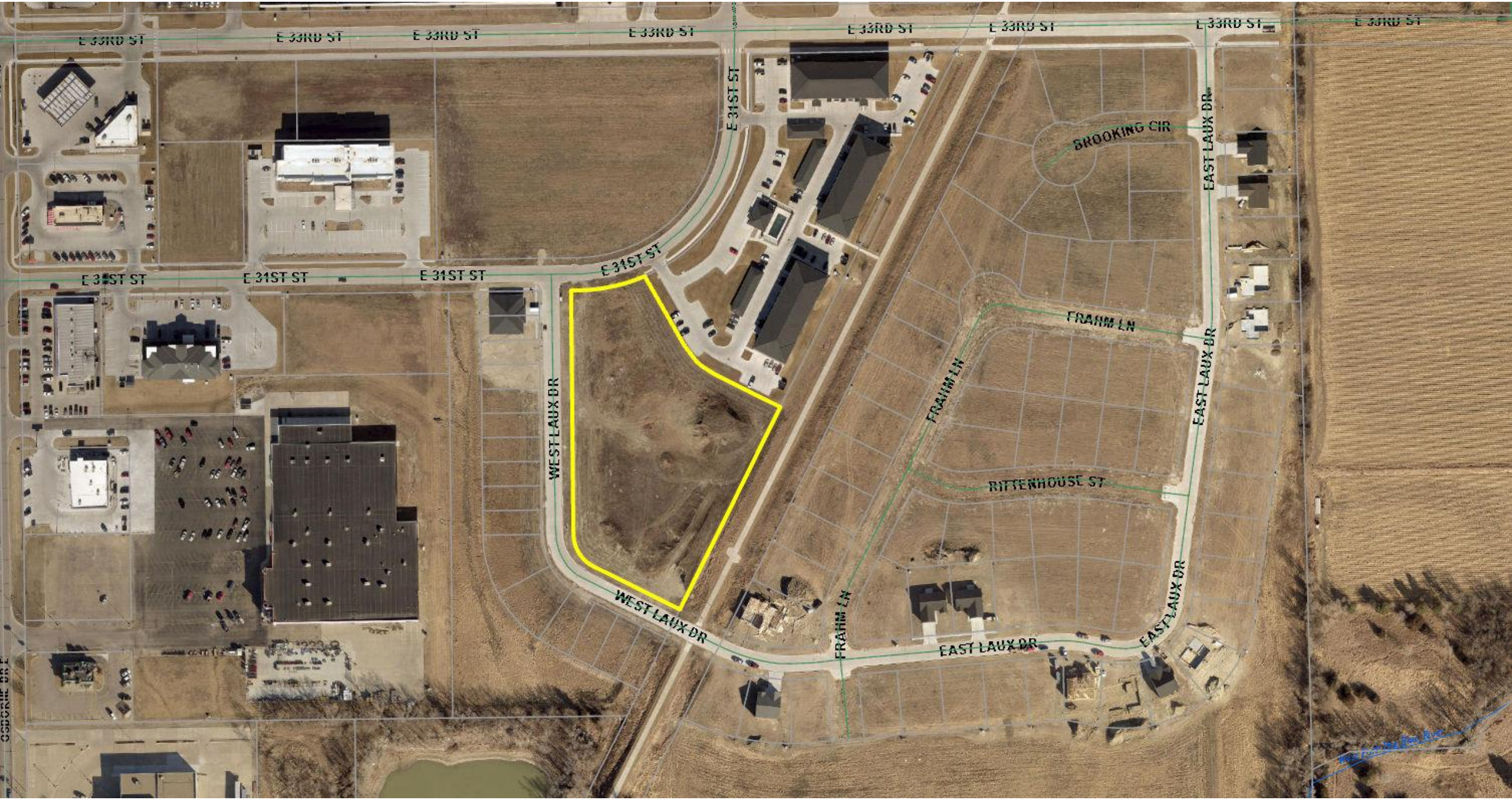
Peter Kiewit and Sons Inc. Foundation
Thomas D. Buckley Trust
Valmont Foundation
Quivey-Bay State Foundation

GENERAL REDEVELOPMENT PLAN AMENDMENTS

PROJECT NAME / LOCATION AND COST	RESOLUTION #
1. _____ $_____	_____
2. _____ $_____	_____
3. _____ $_____	_____
4. _____ $_____	_____
5. _____ $_____	_____
6. _____ $_____	_____
7. _____ $_____	_____
8. _____ $_____	_____
9. _____ $_____	_____
10. _____ $_____	_____

HASTINGS
Nebraska

File No.	2025-83
Project	Public hearing to consider a request for Plan Modification No. 2025-2 to Redevelopment Area #14 for the Trailside Village Redevelopment Project.
Applicant	Hastings CRA on behalf of Queen City Development, LLC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FRAHM LN
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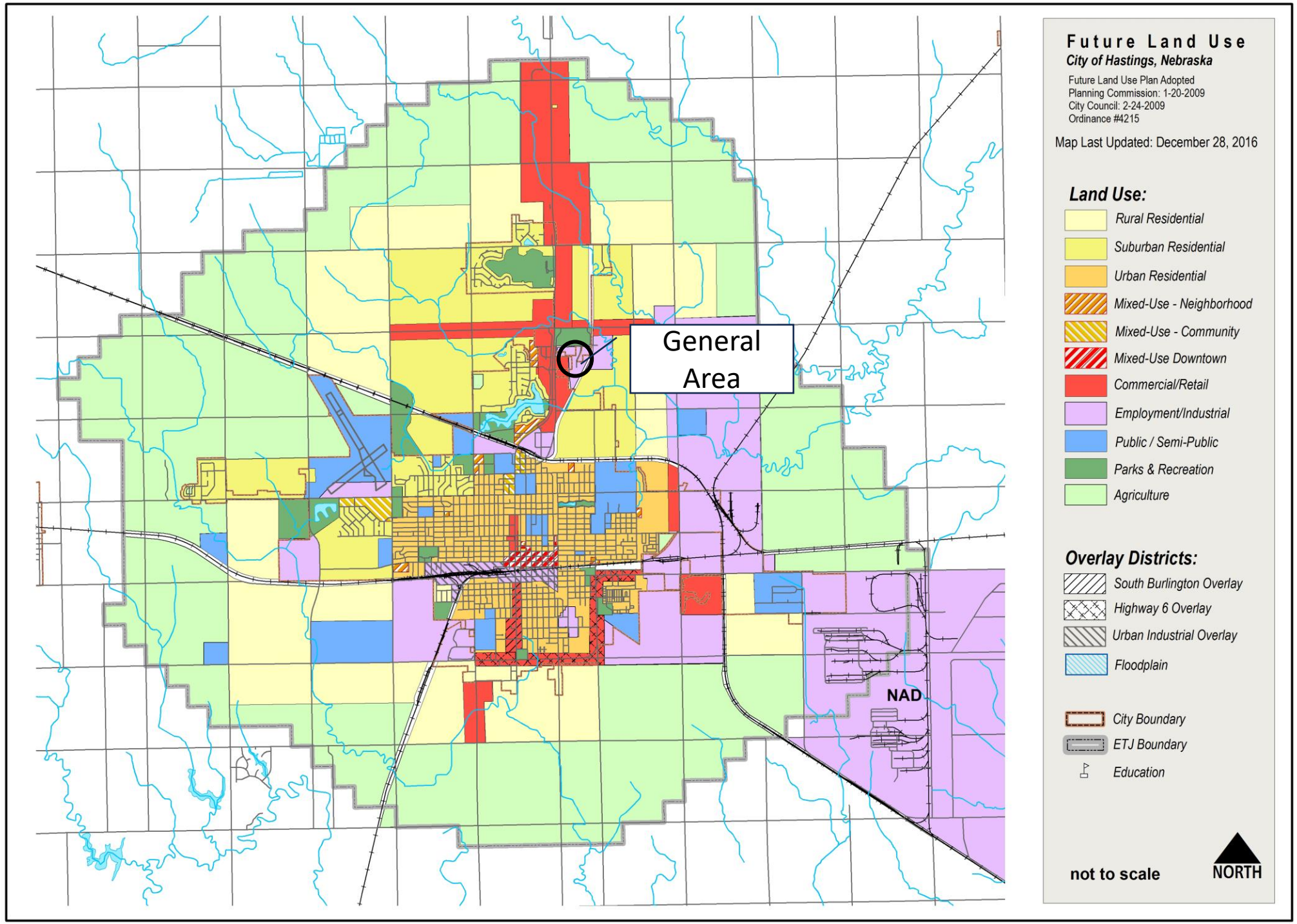
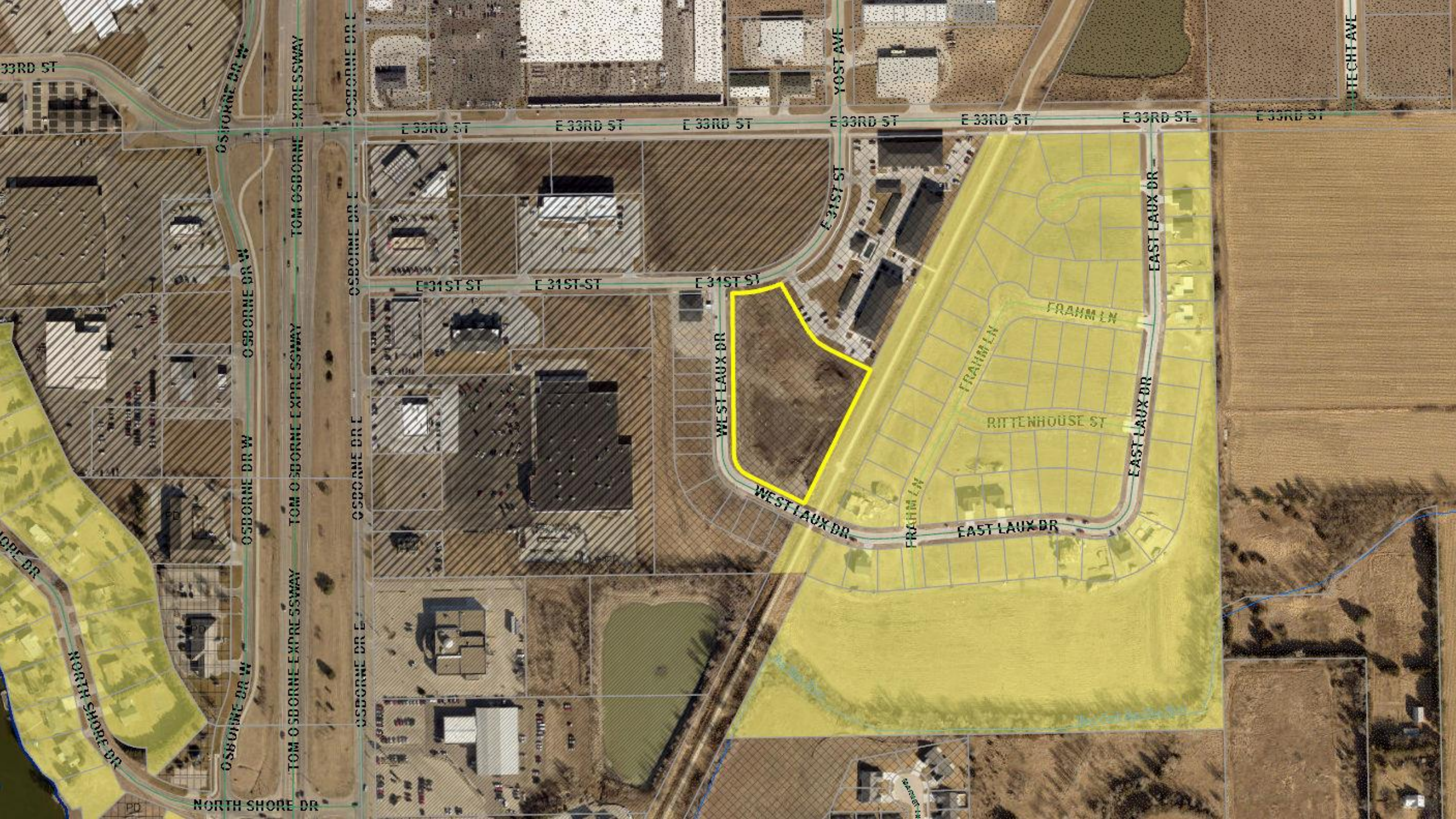
EAST LAUX DR
RITTENHOUSE ST
WEST LAUX DR
WEST LAUX DR
FRAHM LN
EAST LAUX DR
EAST LAUX DR

Redevelopment
Area
#14
E 33RD ST
E 31ST ST
E 26TH ST
OSBORNE DR W
TOM OSBORNE EXPRESSWAY
OSBORNE DR E
YOST AVE
UTECHT AVE
N COLUMBINE AVE
EAST LAUX DR
WEST LAUX DR
FRAHM LN
RITTENHOUSE ST
MARKET LN
FACTORY LN
NORTH SHORE DR
SOUTH SHORE DR
FISHERMAN LN
DOCKSIDE CV
Lake Helen
West Fork Big Blue River


General Area
NAD
Future Land Use
City of Hastings, Nebraska
Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215
Map Last Updated: December 28, 2016
Land Use:
Rural Residential
Suburban Residential
Urban Residential
Mixed-Use - Neighborhood
Mixed-Use - Community
Mixed-Use Downtown
Commercial/Retail
Employment/Industrial
Public / Semi-Public
Parks & Recreation
Agriculture
Overlay Districts:
South Burlington Overlay
Highway 6 Overlay
Urban Industrial Overlay
Floodplain
City Boundary
ETJ Boundary
Education
not to scale
NORTH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YOST AVE
UTECHT AVE
OSBORNE DR W
OSBORNE DR E
TOM OSBORNE EXPRESSWAY
E 31ST ST
E 31ST ST
E 31ST ST
WEST LAUX DR
EAST LAUX DR
FRAHM LN
FRAHM LN
FRAHM LN
RITTENHOUSE ST
NORTH SHORE DR
NORTH SHORE DR
PD

Projected Costs and Funding Sources

USE OF FUNDS		**SOURCE OF FUNDS**	
Site Acquisition	$500,000	Bank Financing	$5,900,000
Sewer, water, paving & utilities	$780,000	Owner Equity	$900,000
Engineering & architecture	$120,000	Rural Workforce Housing Loan	$1,000,000
Interior and Exterior Construction	$7,800,000	TIF Loan	$1,400,000
TOTALS	**$9,200,000**	**TOTALS**	**$9,200,000**

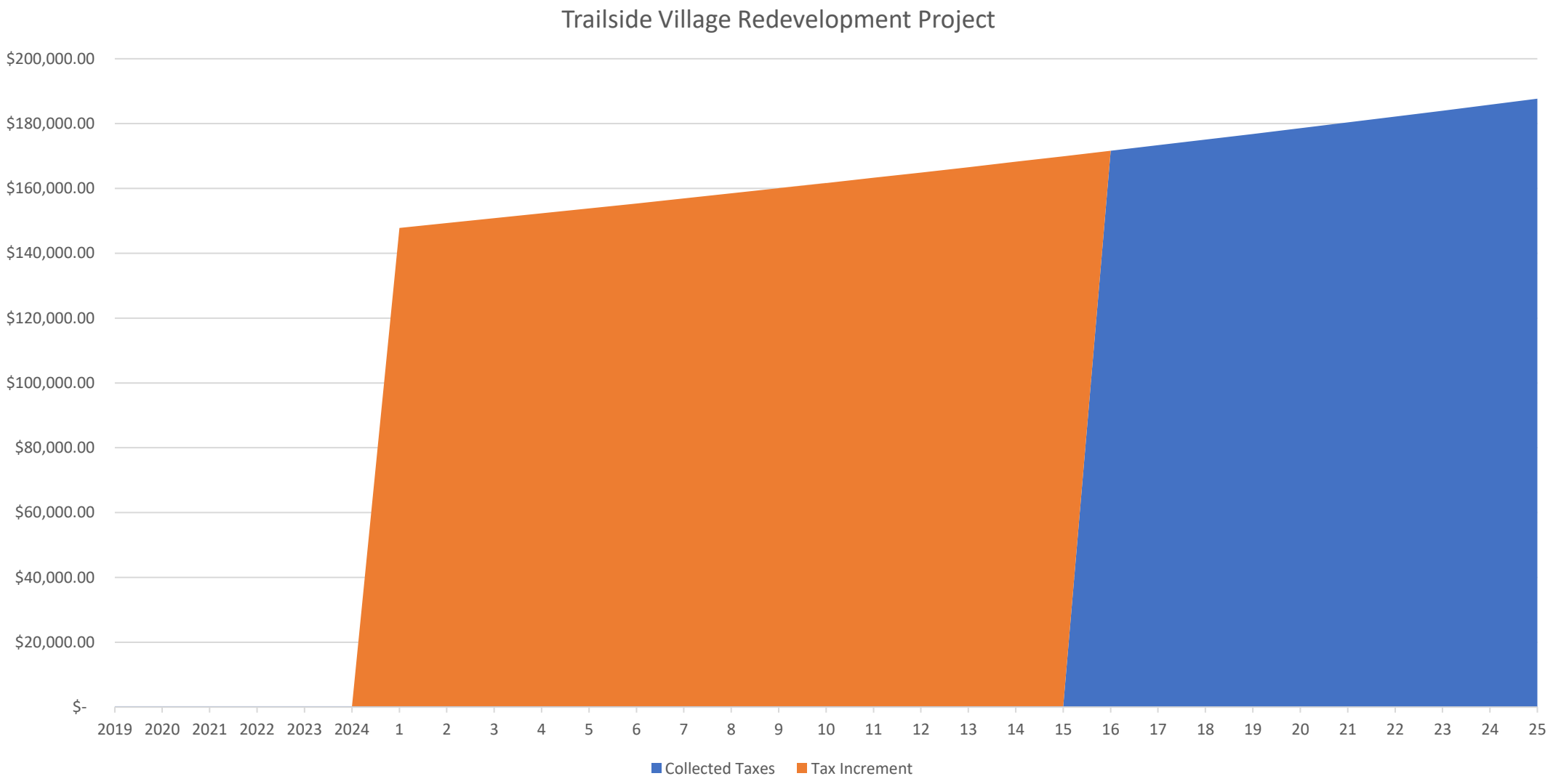
Project Pro Forma

Proforma Operating Statement w/o TIF	Year 1	Year 2	Year 3	Year 4
Rent Revenue	$ 736,176	$ 743,538	$ 750,973	$ 758,843
Expenses	$(302,709)	$(308,473)	$(314,352)	$(320,349)
NOI Without TIF	$ 433,467	$ 435,065	$ 436,621	$ 438,494
	$ (40,000)	$ (40,000)	$ (40,000)	$ (40,000)
Debt Service	$(486,549)	$(486,549)	$(486,549)	$(486,549)
Cash Flow Without TIF	$ (93,082)	$ (91,484)	$ (89,928)	$ (88,055)
Cash on Cash Return	**-10.34%**	**-10.16%**	**-9.99%**	**-9.78%**
Owner Equity	$ 900,000	$ 900,000	$ 900,000	$ 900,000

Proforma Operating Statement with TIF	Year 1	Year 2	Year 3	Year 4
Rent Revenue	$ 736,176	$ 743,538	$ 750,973	$ 758,483
Expenses	$(302,709)	$(308,473)	$(314,352)	$(320,349)
NOI Without TIF	$ 433,467	$ 435,065	$ 436,621	$ 438,134
RWHL Debt Service	$ (40,000)	$ (40,000)	$ (40,000)	$ (40,000)
Debt Service	$(393,169)	$(393,169)	$(393,169)	$(393,169)
Cash Flow With TIF	$ 298	$ 1,896	$ 3,452	$ 4,965
Cash on Cash Return	**0.03%**	**0.21%**	**0.38%**	**0.55%**
Owner Equity	$ 900,000	$ 900,000	$ 900,000	$ 900,000

Anticipated Tax Revenue

2024 assessed value:	$13,250
Annual City portion of property taxes	$174.53
Estimated value after completion	$7,400,000
Increment value	$7,386,750
Annual TIF generated (estimated)	$147,555
Annual increased Taxes not available to City during TIF	$29,164
Annual increased taxes not available to County during TIF	$25,707


Trailside Village Redevelopment Project
$200,000.00
$180,000.00
$160,000.00
$140,000.00
$120,000.00
$100,000.00
$80,000.00
$60,000.00
$40,000.00
$20,000.00
$-
2019 2020 2021 2022 2023 2024 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
Collected Taxes
Tax Increment

Staff Findings Summary

- The project is feasible and conforms with the Comprehensive Plan.
- The project would not be economically feasible without the use of TIF funding. The project has a negative cash on cash return without TIF. Without TIF funding, the project is infeasible.
- Due to the infeasibility of the project without TIF funding, the project would most likely not happen without the use of the TIF tool.
- The cost/benefit of the project is in the long-term best interest of the community. The project redevelops a vacant lot into 28 – 31 homes considered workforce housing, a housing need in Hastings.

Planning Commission Recommendation

The Planning Commission recommended **APPROVAL** to the City Council for the request for a Redevelopment Plan Modification for the Trailside Village Redevelopment Project, based on the findings in the staff report and the Redevelopment Plan Modification materials.

City staff also recommended approval of the request

HASTINGS
Nebraska

Department: Development Services
Staff Contact: Chad Bunger
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

The applicant, Hastings Area Habitat for Humanity, has requested on behalf of the property owner, Robert and Angela Thomas, to rezone a portion of the property to from R-1, Urban Single-Family Residential District to R-2, Mixed-Density Neighborhood District to allow for the construction of a new single-family home.

The northern 55 feet of the site, which is currently vacant, will be subsequently replatted by an Administrative Plat to subdivide the land.

Names of People/Business affected by this action:

The applicant, property owner, surrounding neighborhood, people of Hastings, and the City.

Why Council action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Motion
Ordinance

Suggested motion:

Motion to approve Ordinance No. 4792 and the amendment to the Official Zoning District Map to rezone the property commonly addressed as 705 S. Franklin Street from R-1, Urban Single-Family Residential District to R-2 Mixed-Density Neighborhood District.

Deadlines associated with action:

Department head comments:

The Planning Commission held a public hearing on March 18, 2025, to consider the rezoning request. By a vote of 6-0, to recommend approval of the proposed rezoning to the City Council.

The Development Services staff have reviewed the application. The complete details of the staff review and recommendation are in the attached staff report.

City Administrator comments:

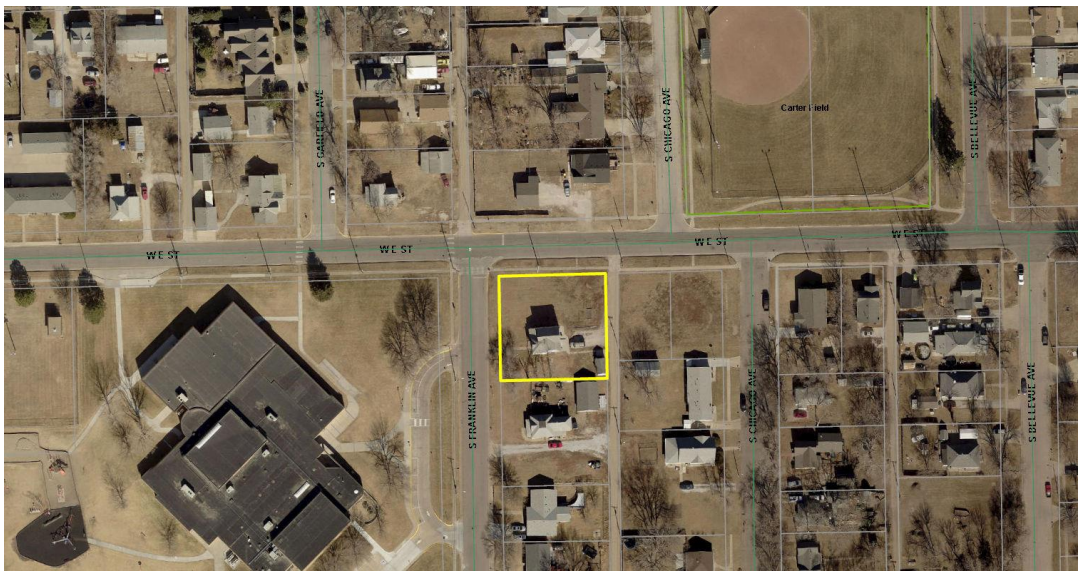
This change would provide an opportunity for Habitat for Humanity to proceed with a new project. I recommend approval.

City of Hastings Planning Commission

HASTINGS
DEVELOPMENT SERVICES

STAFF REPORT

Request to Rezone:	**From R-1, Urban Single-Family Residential District to R-2, Mixed Density Neighborhood District**
File No.	2025-83
Applicant	Hastings Area Habitat for Humanity on behalf of the property owners, Robert and Angela Thomas
Property Location:	Generally located to the southeast of the intersection of West E Street and South Franklin Avenue.
Lot Size:	15,783 square feet (.36-acres)
	The area to rezone is 7,056 square feet (.16-acres)
Date of Public Hearing:	March 18, 2025
Current Zoning	R-1, Urban Single-Family Residential District
Adjacent Zoning:	North: R-1 District
	East: R-1 District and R-2, Mixed-Density Neighborhood District
	South: R-1 District, R-3 District, and R-2/PD Mixed-Density Planned District
	West: R-1 District



DESCRIPTION OF REZONING REQUESTS: The Hastings Area Habitat for Humanity would like to purchase the vacant ground from the property owners to build their next home to sell to a qualifying family, per their organization's mission. This can be done by an Administrative Plat to subdivide the land. However, the location of the existing home creates challenges for the needed Administrative Plat.

The site is currently zoned R-1, Urban Single-Family Residential District. The new lot layout would require the existing home to have a minimum seven-foot side yard setback. Based on the dimensions of the property and the required setbacks, the lot for the existing house would be 71 feet x 126 feet. The lot for the new Habitat for Humanity home would be 55 feet x 126 feet. The Habitat lot would not meet the minimum lot width requirement of 70 feet.

The request is to rezone the proposed Habitat for Humanity lot area to R-2, Mixed Density Neighborhood District, which has a minimum lot area for a single-family home of 4,500 square feet. By rezoning the property to R-2 District, the owners and Habitat for Humanity can complete the Administrative Plat and land sale to develop a new affordable home.

Property Description:

The site is a vacant side yard for the existing home at 705 S. Franklin Avenue. The area is relatively flat. As a corner lot, the site gains access from South Franklin Avenue and West E Street. A mid-block alley is adjacent, which can also provide access to the rezoning site.

STANDARDS TO REZONE PROPERTY:

The provisions of Article VIII regulate the process to rezone property within the City and its extraterritorial jurisdiction.

The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

a) **The existing use of the property, its physical and environmental characteristics, its zoning history, and its suitability for the zoning district it currently is within.**
The existing site is a single-family home. The area to be rezoned is a large, vacant side yard of the house. The area is generally flat and has a grassy yard area.

The site has been zoned R-1 District since 1958.

If the rezoning area remained as a yard for the existing home, it would be suitable under the current zoning district. However, if the desire is to develop the large open area for a home, because of the location of the existing house and required setbacks, the rezoning site does not meet the minimum lot width requirement.

b) **Conformity of the proposed change with the Comprehensive Plan.**

The adopted 2009 Imagine Hastings Comprehensive Plan shows the rezoning site and surrounding area as Urban Residential. The policy statements for this land use category are:

The urban residential category allows higher density residential development, typically in the 4 to 10 units per acre range with lots ranging in size from 7,000 to 10,750 square feet in size. The original development areas of the city consisting of smaller lots and blocks, defined by a gridded street network, are good examples of this type of residential development. This category may include a mixture of housing styles and types including single family, duplexes, townhomes and multi-family of both rental and ownership types. Such residential uses may be integrated into neighborhoods or neighborhood centers, community centers, and regional centers per specified location guidelines outlined. To maintain the viability of these types of neighborhoods community services such as churches, schools and parks are also allowed in this land use category.

The 2025 City of Hastings Comprehensive Plan, currently under public review and anticipated to be adopted on March 24, 2025, shows the Medium Density Residential (MDR). The policy statements for the proposed land use category area:

General Purpose
The Medium Density Residential land use district includes both existing and new residential neighborhoods with a mix of single-family, two-family, and multi-family dwellings on small to moderately-sized lots with supporting community facilities. It is intended to encourage creative development patterns and adaptive reuse of existing structures. Streets are paved with sidewalks, curbs, and gutters.

Compatible Uses
1. Residential single-family dwellings
2. Missing Middle residential development (such as cottage court, townhouses, duplex, fourplex)
3. Accessory Dwelling Units (ADUs)
4. Residential care facilities
5. Small-scale mixed-use development
6. Public facilities (such as fire stations, public utility substations, community centers, etc.)
7. Religious and Educational uses and structures
8. Renewable Energy facilities, within performance standards

Incompatible Uses
1. Industrial uses
2. Commercial uses, except in small scale mixed use developments

Issues

1. Off-site impacts - visual, noise odors, runoff
2. Traffic and site access
3. Natural amenities such as trees and waterways
4. Topography and drainage
5. Municipal water and sewer availability
6. Sidewalks and multi-modal accessibility

Special Policies

1. Densities should range between seven and 15 dwelling units per acre
2. Density may be increased for small lot development

Both the currently adopted and proposed Comprehensive Plan envision this area as a denser residential area that allows for a mix of housing types.

Although the zoning district would allow for multiple-family dwellings, the size of the proposed lot would limit the type of dwelling that could be on the 56-foot by 126-foot lot to either a single-family home or a two-family home. The result would be development similar to the homes throughout the area.

The proposed rezoning request generally conforms to both the currently adopted and proposed Comprehensive Plans.

c) Adequacy of sewer, water, streets, and other needed facilities and services for permitted uses in the proposed zoning district.

Adequate public utilities and access to public rights-of-way are available to serve the site.

Public water, sanitary sewer, electricity, and gas are in the South Franklin Avenue or West E Street rights-of-way or adjacent public alley.

The rezoning site has access to South Franklin Avenue, West E, and an adjacent public alley for the possible driveway.

d) The character of the neighborhood, including the zoning and uses of nearby property.

The neighborhood can be characterized as consisting of primarily detached single-family homes. There are a few duplexes and apartments scattered throughout the surrounding area. The size of the single-family homes and the lots they sit on vary in size across the neighborhood.

To the west of the rezoning site is the Lincoln Elementary School. To the northeast of the site is the Carter Field public park.

e) Compatibility of the proposed zoning district with nearby property.

The proposed rezoning should be compatible with the nearby properties. The properties to the immediate east are already zoned R-2, Mixed-Density Residential District. Two of the new homes on these properties were recently built by the Hastings Area Habitat for Humanity. The proposed home on the site will generally be the same size and design as these homes.

To the south of the site are properties zoned R-2/PD, Mixed-Density Residential District and Planned District, and R-3, Multiple-Family Residential District. The R-2/PD District zoned properties are single-family homes ranging from 55-foot to 63-foot lot widths. The R-3 District zoned properties are single-family homes and an apartment.

Although the proposed zoning district would allow for up to a two-family dwelling, the size of the rezoning site would limit the development potential to a single-family dwelling (Sec. 35-206). Per the zoning district, a single-family dwelling requires a minimum 50-foot lot with 6,000 square feet of lot area. The proposed rezoning site is 56 feet by 126 feet, with a lot area of 7,056 square feet.

Additionally, the applicant, Hastings Area Habitat for Humanity, has stated they plan to construct a new single-family home on the rezoning site.

The proposed rezoning is compatible with nearby properties and provides a solution to use underutilized vacant land to develop an affordable home for qualified families.

f) Additional matters as might apply in individual cases.

None

STAFF COMMENTS: Staff recommends the Planning Commission recommend **APPROVAL** to the City Council for the Request to Rezone the property generally located to the southeast of the intersection of West E Street and South Franklin Avenue, from R-1, Urban Single-Family Residential District to R-2, Mixed-Density Neighborhood District.

PREPARED BY: Chad Bunger, AICP, CFM, Director of Development Services

DATE: March 5, 2025

ATTACHMENTS:

1. Application materials
2. 2009 and proposed 2025 Comprehensive Plan Future Land Use Map
3. R-2 District Standards

ORDINANCE NO. 4792

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO REZONE THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT, TO ENTIRELY R-2, MIXED-DENSITY NEIGHBORHOOD DISTRICT,; TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA AS PROVIDED IN SECTION 34-105 OF THE OFFICIAL HASTINGS CITY CODE; TO REPEAL ANY ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

SECTION 1. That pursuant to the application for rezoning filed with the City of Hastings, the property legally described as follows:

> The North 55.30 feet of Lot Twenty (20), Block Two (2), Keller's Addition to the City of Hastings, Adams County, Nebraska.

be and the same is hereby rezoned to "R-2, Mixed-Density Neighborhood District," from "R-1, Urban Single-Family Residential District."

SECTION 2. That the City Engineer is hereby directed to cause the official zoning district map of the City of Hastings, Nebraska to be amended in accordance with the foregoing provisions.

SECTION 3. That any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 4. That this ordinance shall take effect and be in full force and effect from and after its passage, approval and publication in pamphlet form.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this 14th day of April, 2025.

_____

George, J.J. Beckby, Mayor

(SEAL)

ATTEST:

_____
Tyler Ficken, City Clerk

APPROVED TO FORM:

_____
Jesse Oswald, City Attorney

HASTINGS
DEVELOPMENT SERVICES

Owner's Authorization Letter

I/we hereby certify that I/we are the owner(s) of the property described herein. I/we am/are respectfully requesting processing and approval of the application(s) referenced herein. I/we hereby authorize the Applicant(s) listed on this application to act on my/our behalf during the processing and presentation of the request. The person(s) identified as Applicant shall be the principal contact with the City in processing this application.

Project: Rezoning Franklin Ave. + E. ST. W

Address/Location: Lot 20 BLK 2 Kellers Add

Applicant(s): Robert L Thomas

Robert Thomas — Robert Thomas
Owner: Owner's Signature

Owner: Owner's Signature

State of Nebraska – General Notary
SHERRI L PATTERSON
My Commission Expires
May 22, 2026

State of Nebraska)

) ss:

County of Adams)

The foregoing document was acknowledged before me this 20th day of February 2025

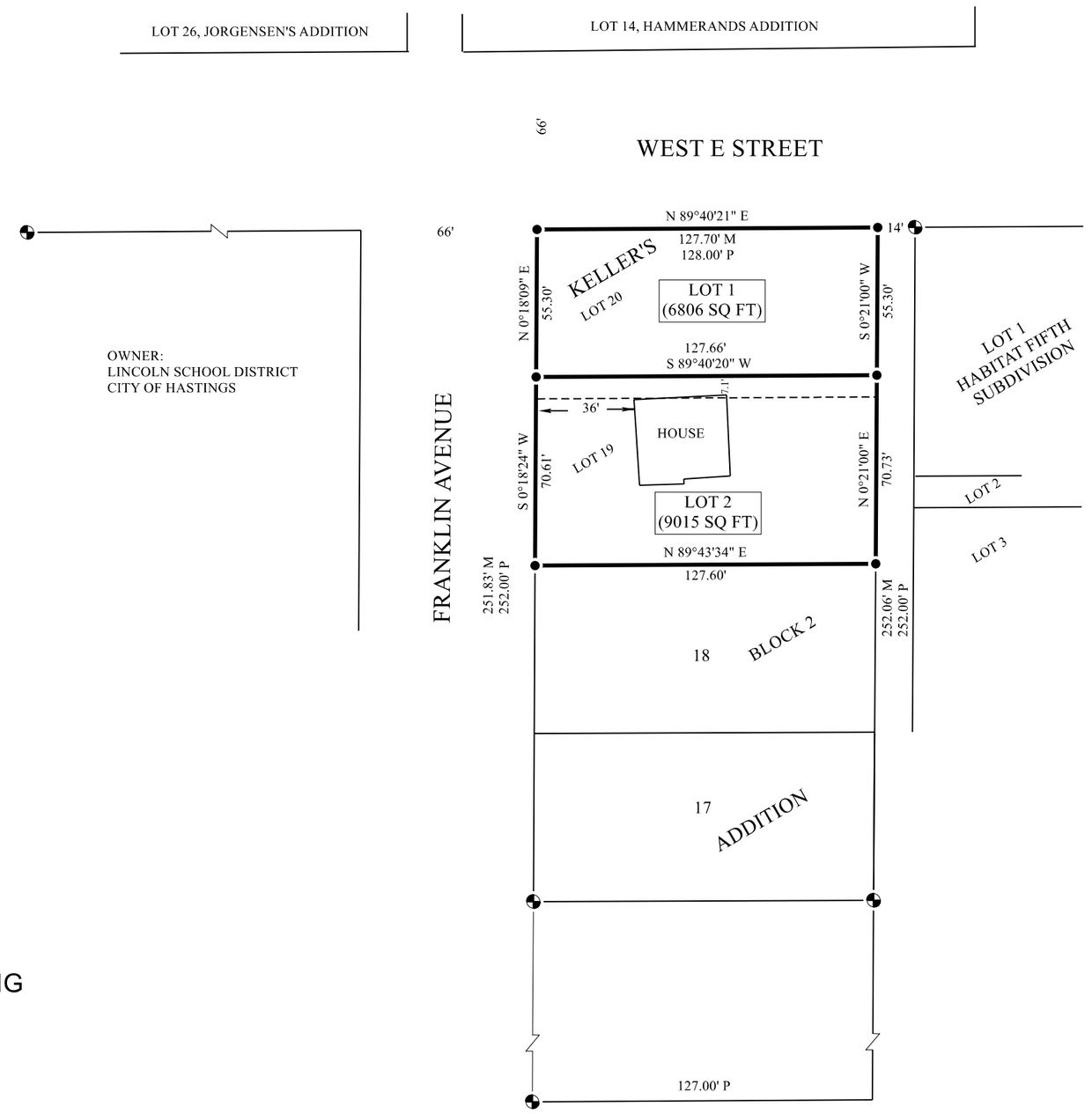
, by Robert Thomas

Sherri L Patterson
Notary Public

HABITAT SIXTH SUBDIVISION

ADMINSTRATIVE PLAT

LOT NINETEEN (19) AND LOT TWENTY (20) , IN BLOCK TWO (2), KELLER'S ADDITION
TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA



R10W

T7N

13

0 50'

NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
●	SET PLASTIC CAP (LS-448) ON ½" REBAR
◒	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

LEGAL DESCRIPTION - LOT 1

THE NORTH 55.30 FEET OF LOT TWENTY (20), BLOCK TWO (2), KELLER'S ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRAKSA.

LEGAL DESCRIPTION - LOT 2

LOT NINETEEN (19) AND LOT TWENTY (20), EXCEPT THE NORTH 55.30 FEET THEREOF, BLOCK TOW (2), KELLER'S ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I AM A DULY PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

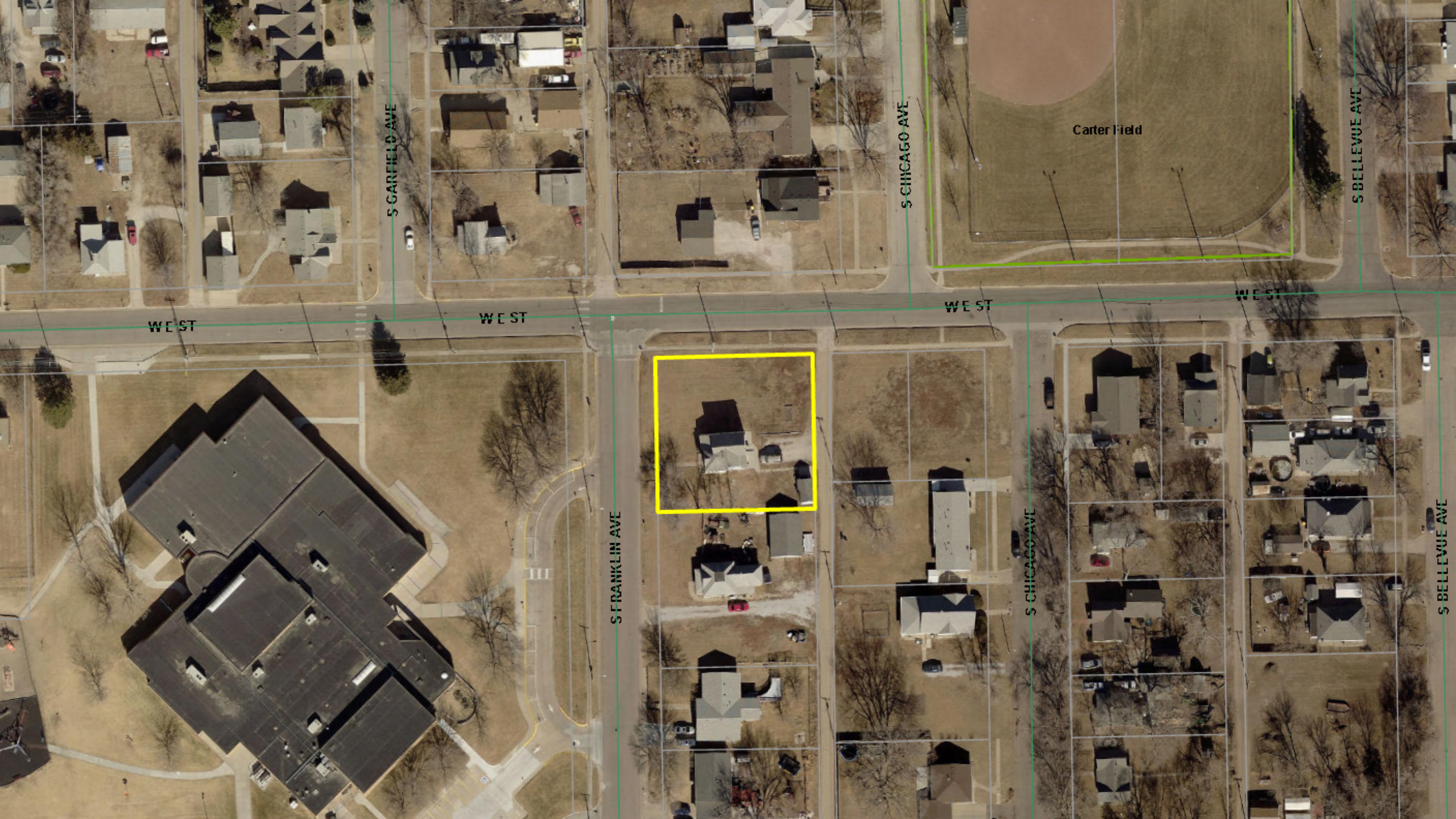
THOMAS L. KRUEGER | LS-448

FILE NAME HABITAT SIXTH SUBDIVISION - CITY OF HASTINGS		
SCALE 50 Ft/In	DATE 3-10-2025	DRAWN BY T. KRUEGER
JOB KLS-25018	FIELD WORK TK	SHEET 1 OF 2

HASTINGS

Nebraska

File No.	2025-83
Project	Public hearing for a change of zoning for property generally located to the southeast of the intersection of West E St. and S. Franklin Ave., from R-1, Urban Single-Family Residential District to R-2, Mixed-Density Neighborhood District, and to amend the Official Zoning District Map.
Applicant	Hastings Area Habitat for Humanity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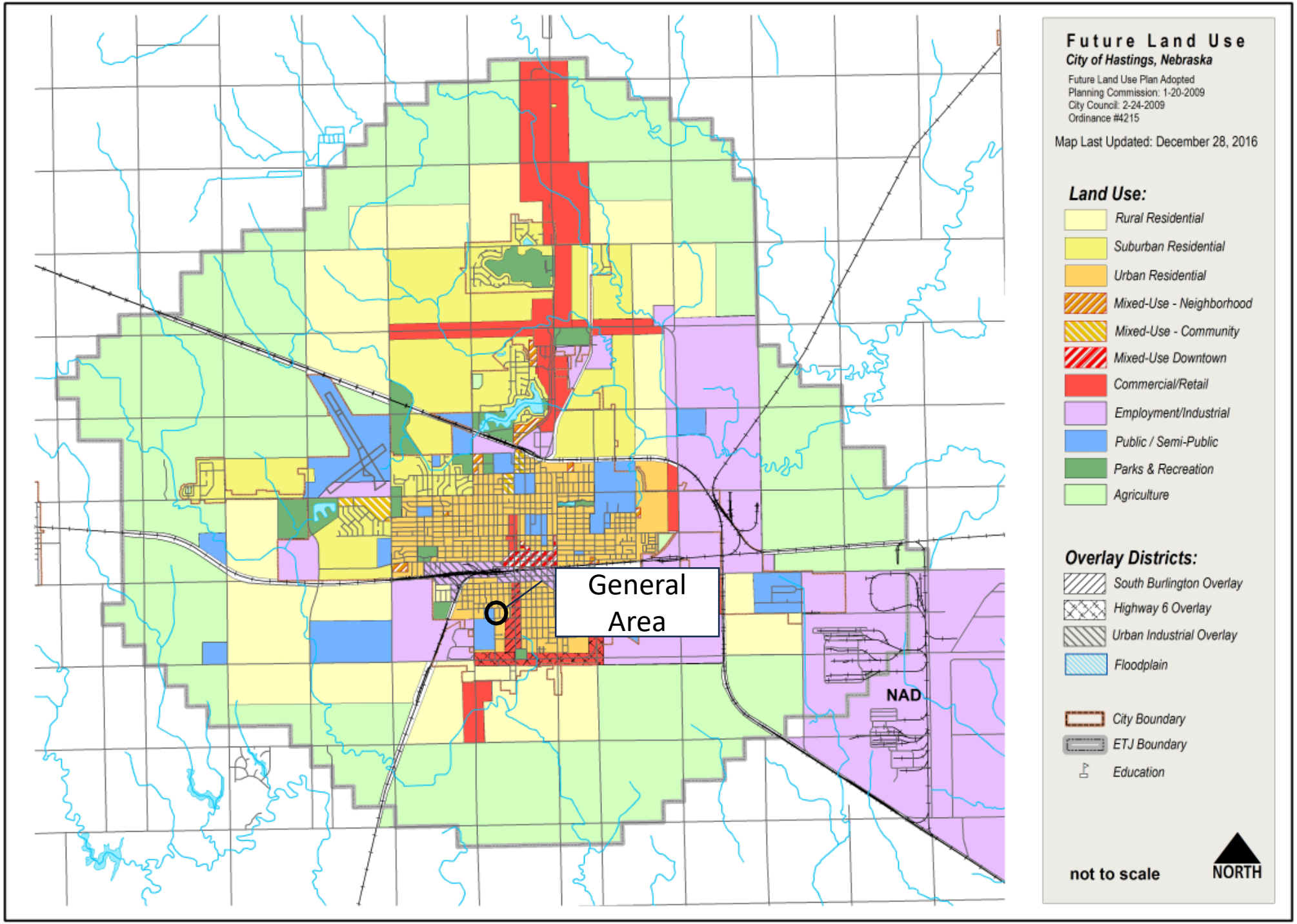

Future Land Use
City of Hastings, Nebraska
Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215
Map Last Updated: December 28, 2016
Land Use:
Rural Residential
Suburban Residential
Urban Residential
Mixed-Use - Neighborhood
Mixed-Use - Community
Mixed-Use Downtown
Commercial/Retail
Employment/Industrial
Public / Semi-Public
Parks & Recreation
Agriculture
Overlay Districts:
South Burlington Overlay
Highway 6 Overlay
Urban Industrial Overlay
Floodplain
City Boundary
ETJ Boundary
Education
not to scale
NORTH
General Area
NAD

Rezoning Site
Carter Field
W E ST
S NEW YORK AVE
S GARFIELD AVE
S CHICAGO AVE
S BELLEVUE AVE
S FRANKLIN AVE
P.D.

Looking Southwest

Looking East

Staff Findings Summary

- The surrounding area is a residential area that conforms with both the 2009 and 2025 Comprehensive Plans
- Adequate public infrastructure is available in the area to serve the development.
- The surrounding neighborhood is residential in character and the proposed rezoning to R-2 would be compatible with the area.

Planning Commission Recommendation

The Planning Commission, by a vote of 7-0, **recommend approval** for an ordinance and the amendment to the Official Zoning District Map to rezone property generally located to the southeast of the intersection of West E Street and South Franklin Avenue, City of Hastings, Adams County, Nebraska, from R-1, Urban Single-Family Residential District to R-2, Mixed-Density Neighborhood District, and to amend the Official Zoning District Map.

Development Services staff recommends approval.

HASTINGS

Nebraska

Department: Development Services
Staff Contact: Chad Bunger
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

The applicant has requested a Conditional Use Permit to establish a self-service storage facility in the western side of the existing building at the property commonly addressed as 1115 West 2nd Street. The facility will be approximately 43,700 square feet over two floors and provide 350 units.

Names of People/Business affected by this action:

The applicant and the people of Hastings.

Why Council action is required:

Sec. 34-401: Conditional uses may be approved by the Hastings City Council following a public hearing and receipt of a recommendation from the Planning Commission in accordance with the required findings set forth in this Chapter and the additional standards set forth in this article. In considering an application for a conditional use, the Commission and the Council shall require the applicant to produce satisfactory evidence of compliance with both the general and applicable specific standards set forth in this Article. The Commission may recommend and the Council may impose any conditions they deem reasonable and necessary to further the purposes and intent of this Article, to protect the public health, safety and welfare, and to meet the planning goals set forth in the City's Comprehensive Plan.

Type of action requested:

Motion
Resolution

Suggested motion:

Motion to approve Resolution No. 2025-15 for the Conditional Uses Permit request to allow for a self-service storage facility in a portion of the existing building at 1115 W. 2nd Street.

Deadlines associated with action:

Department head comments:

Development Services staff have reviewed the application for the self-service storage facility Conditional Use Permit. The complete details of the staff review and recommendation are in the attached staff report.

Planning Commission held a public hearing for the request on March 18, 2025, and by a vote of 6-0, recommended approval of the Conditional Use Permit to the City Council.

City Administrator comments:

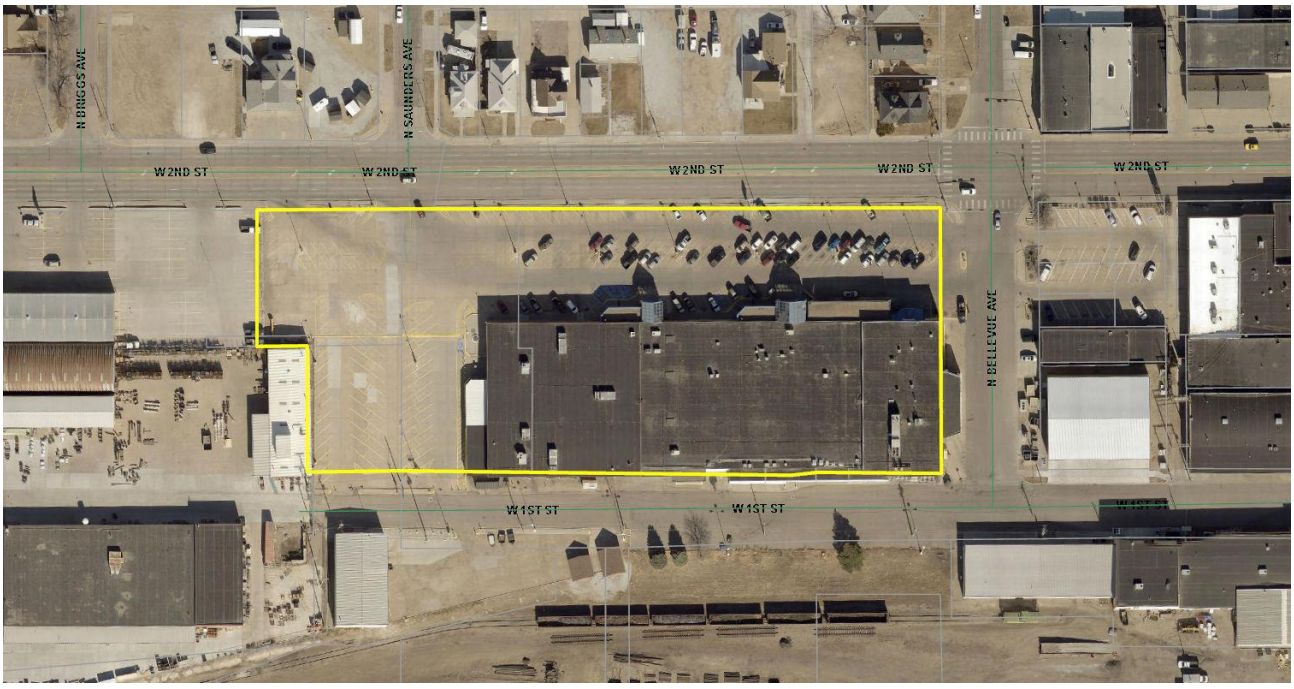
This project would provide a utiliaztion for the west end of hte Allen's building and is being requested by the owner. I recommend approval.

City of Hastings Planning Commission

HASTINGS DEVELOPMENT SERVICES

STAFF REPORT

Request for Conditional Use:	**To establish a self-service storage facility within the western part of the existing commercial building**
File No.	2025-82
Applicant	B & R Stores, Inc.
Property Location:	1115 West 2nd Street
Lot Size:	3.90 acres
Date of Public Hearing:	March 18, 2025
Zoning	I-1, Light Industrial District
Adjacent Zoning:	North: C-3, Commercial Business District
	East: I-1 District
	South: I-2 Heavy Industrial District
	West: I-1 District and I-2 District



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE ALLOWING FOR CONDITIONAL USE:

- **Sec. 34 – 200. Uses and District Table (Table 200-1):** Self-service Storage Facilities - Conditional Use in I-1 District
- **Sec. 34-404 (9). Standards for self-service storage facilities.**

DESCRIPTION OF CONDITIONAL USE REQUESTED: The applicant, B & R Stores, Inc., has proposed to renovate approximately 43,700 square feet of the existing commercial building's ground floor and basement area to establish an indoor self-service storage business. The existing building has a building footprint of roughly 79,000 square feet in area. The proposed renovation would occur on the west side of the building. The current grocery store would remain. The self-service storage facility would provide 350 climate-controlled units, ranging in size from 5 feet by 5 feet up to 10 feet by 30 feet.

As described in the application materials, the owners have made significant efforts to lease the former department store space to a commercial tenant. Still, for various reasons, a viable commercial tenant could not be secured.

The application materials provide more details on the desire for the proposed renovation and the operational plan of the self-service storage facility. In summary, the building's current site layout and exterior design will be essentially unchanged. The facility will operate 24 hours a day, seven days a week, using digital access to the facility through a web portal and a mobile app. No onsite office or management will be provided. Please see the application materials for more information.

Property Description: The site is the current location of the Allen's Food Mart grocery store and the former site of the Allen's of Hastings, which included a department store alongside the grocery store. The property is approximately 3.90 acres in area and is almost entirely paved. The building footprint is roughly 79,900. The site has over 220 marked off-street parking spaces. A pole sign is located along West 2nd Street at approximately the mid-point of the property.

STANDARDS FOR CONDITIONAL USE PERMITS:

The provisions of Article IV are applicable to all uses that are designated as "conditional" as set out in Sec. 34-200. The designation of a conditional use means that it is only allowed in a proposed location if all of the conditions applicable to the use, as set out in Sec. 34-404, as may be amended, and if all of the other applicable requirements of this Chapter or conditions of the Hastings City Council and Planning Commission are met.

Pursuant to Sec. 34-402 of the City Code of Ordinance, the City Council, by recommendation from the City Planning Commission, will base its decision on the following:

(a) Pedestrian and vehicular traffic circulation and safety.

The site was originally built as a large department store, Allen's of Hastings. The site gains access from West 2nd Street from multiple driveways, North Bellevue Avenue at the signalized intersection, and along West 1st Street. A public sidewalk exists along West 2nd Street. No changes to the site access or parking lot layout are proposed.

The proposed self-service storage facility should not generate more vehicular or pedestrian traffic than the former department store and current grocery store. The proposed use should maintain the area's traffic circulation and safety patterns.

(b) Reasonable and economic extension of public utilities and facilities.

The proposed use will generally use the existing infrastructure present in the immediate area. The proposed use would be a reasonable and economical use of the public utilities as no new water or sanitary sewer mains are required to serve the proposed expansion.

(c) Noise, fumes, dust, or other environmental pollution.

There should not be an increase in noise, fumes, or other environmental pollution by the change of use compared to the existing and former uses of the site.

The proposed self-service storage facility will be a 24x7 operation. However, that should not adversely impact the surrounding properties by causing pollution. The only potential for impact would be light pollution, however, the current parking lot lights are illuminated 24 hours a day.

(d) The maintenance of logical and efficient development patterns and land use mixtures.

The proposed use maintains a local and efficient development pattern and land use mixture. The plant has been in operation for decades. The current owner purchased the property in 2020. The owners have tried to lease the vacant former department store area to a viable tenant, but with no success.

The proposed self-service storage facility would provide an appropriate use of the existing building and its related infrastructure. Only minimal renovations to the building are envisioned.

This is a transitional area from the commercial uses associated with Downtown Hastings to the east and the industrial area to the west of the site. The self-service storage facility would provide a use that would complement the transitional land use pattern.

(e) The maintenance of property values in accordance with established and permitted land use.

The proposed use would maintain property values for the site and surrounding areas. As previously discussed, the area intended for the self-service storage facility has been a vacant commercial space for several years. Although the property has attempted to recruit a viable tenant for the space, it has remained vacant.

The proposed use would re-purpose a large part of the existing building that would most likely remain unused and vacant. Approving the Conditional Use would allow the space to be utilized and provide indoor climate-controlled self-service storage service that has not been provided to date. This will maintain the property values of the site and surrounding area.

(f) **Other standards and conditions to consider**. Section 34-404(9) requires additional regulations for establishing a self-service storage facility in zoning districts that define them as conditional uses (see attached). Because the proposed site is already completely developed, some requirements have already been met. The proposed use is unique in that it is located within an existing building, so some requirements, such as building height, loading docks, and screening fences should be considered allowable exceptions as legally nonconforming conditions or not applicable.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the **CONDITIONAL USE PERMIT** for the creation of a self-service storage facility at 1115 West 2nd Street, in the I-1, Light Industrial District, with the following conditions:

1. The proposed facility must be developed as proposed.
2. All applicable permits must be acquired before construction.
3. All applicable requirements of Sec. 34-404(9) will be followed.
4. This conditional use permit is valid 24 months, per Sec. 34-404(9)(h).
5. The proposed facility will not be expended, unless an amended conditional use permit is approved by the City Council.

PREPARED BY: Chad Bunger, AICP, CFM, Director of Development Services

DATE: March 10, 2025

ATTACHMENTS:

1. Application materials
2. Site Plan
3. Floor Plan
4. Interior Photos
5. Sec. 34-404(9) standards

RESOLUTION NO. 2025-15

WHEREAS, the City of Hastings Municipal Code establishes regulations, requirements, and specific conditions for approving and issuing Conditional Use Permits (CUP) for development projects that require approval by resolution approved by the Mayor and City Council; and

WHEREAS, the applicant, B & R Stores, Inc., has submitted an application for the approval of a Conditional Use Permit to construct self-service storage units, for property which is described as:

> Lots 1, 2, 3, 4, and 5, Block 19, Moore's Addition, City of Hastings, Adams County, Nebraska;
> Lots 1 and 2, Dietrich's Addition, City of Hastings, Adams County, Nebraska;
> Lots 7 and 8, Block 2, AND Lots 9 and 10, Block 3, all in Binderups' Addition, City of Hastings, Adams County, Nebraska;
> Lots 1, 2, 3, 4, 5, 6, and 7, Letson's Addition, City of Hastings, Adams County, Nebraska;
> TOGETHER WITH the vacated alley along the West edge of Said Block 19, Moore's Addition;
> TOGETHER WITH that portion of vacated First Street adjacent to said Lot 5, Moore's Addition; vacated alley along said Block 19, Moore's Addition; said Lots 1, 2, 3, 4, 5, and 6, Letson's Addition; and said Lots 9 and 10, Block 3, all in Binderup's Addition as described in Ordinance No. 3102.
> AND
> Lots 5 and 6, Block 2, AND Lots 11 and 12, Block 3, all in Binderup's Addition, City of Hastings, Adams County, Nebraska;
> TOGETHER WITH that portion of vacated First Street adjacent to said Lots 11 and 12, Block 3, Binderup's Addition as described in Ordinance No. 3102 recorded November 23, 1988 as Instrument No. 1988-3645 of the Adams County Register of Deeds office, Nebraska.
> AND
> Lots 1, 2, 3, 7, and 8, Marquis Addition, City of Hastings, Adams County, Nebraska.

said property is located at 1115 West 2nd Street, Hastings, Nebraska; and

WHEREAS, the Planning Commission held a public hearing on March 18, 2025, as required by law. Following said hearing, the Planning Commission recommended approval of the CUP to allow self-service storage units on the property.

WHEREAS, the City Council conducted public hearings on April 14, 2025, as required by law to consider the CUP application; and

NOW THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, hereby approve the granting of a Conditional Use

Permit to B & R Stores, Inc. and further do hereby adopt the following resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, does hereby approve the granting of a Conditional Use Permit to B & R Stores, Inc. to allow the construction of self-service storage facilities for property addressed at 1115 West 2nd Street in the City of Hastings, Adams County, Nebraska, and as described above, with the following conditions of approval:

1. The proposed facility must be developed as proposed.
2. All applicable permits must be acquired before construction.
3. All applicable requirements of Sec. 34-404(9) will be followed.
4. This conditional use permit is valid 24 months, per Sec. 34-404(9)(h).
5. The proposed facility will not be expended, unless an amended conditional use permit is approved by the City Council.

PASSED AND APPROVED this 14th day of April, 2025.

_____
George, J.J. Beckby, Mayor

ATTEST:

_____
Tyler Ficken, City Clerk

(S E A L)

Approved as to form: _____
Jesse Oswald, City Attorney

Jordan Raybould
4554 W Street
Lincoln, NE 68503
jordanraybould@brstores.com
913-488-0855
2/25/25

City of Hastings Planning & Zoning Department
Hastings, NE

Dear Planning & Zoning Committee,

We are submitting this request for a Conditional Use Permit to repurpose the long-vacant space adjacent to our store at Allen's. The purpose of this permit is to allow for the conversion of this underutilized commercial space into a climate-controlled self-storage facility, which we believe will provide a valuable service to the Hastings community.

The area proposed for conversion is approximately 43,687 square feet and will accommodate 350 climate-controlled storage units, ranging in size from 5'x5' to 10'x30'. The layout has been carefully designed to maximize efficient use of the space while ensuring security and accessibility for renters.

Despite significant efforts to lease the space, including hiring brokers and exploring multiple tenant options, we have been unsuccessful in securing a viable commercial tenant. The layout and size of the space no longer meets the needs of most modern retail and commercial operators, which has made traditional leasing difficult. Rather than allowing the space to remain unproductive, we have identified an alternative use that will enhance the property and serve an unmet need in the Hastings market.

Currently, Hastings does not have a large, climate-controlled self-storage facility. Climate-controlled storage is particularly beneficial for residents needing secure storage for temperature-sensitive items, small businesses seeking flexible storage solutions, and individuals who require secure and accessible options for personal or professional use. By converting this space, we can provide a well-maintained, modern storage solution without requiring exterior modifications.

Building Alterations & Site Layout

To accommodate the conversion, necessary alterations to the building will include:

- Construction of a demising wall to separate the storage facility from the current grocery store.
- Light demolition of non-load-bearing interior walls to optimize unit layout.
- Bolstering of the floor to meet load-bearing requirements for self-storage use.

Importantly, no changes will be made to the exterior site layout, including drainage, parking, or landscaping. The existing infrastructure fully supports this new use without disruption to neighboring businesses or the community.

Security & Operations

The facility will operate 24/7, with all renting and unit access handled via a web portal and mobile app. There will be no onsite office or manager, reducing operational overhead while ensuring secure, customer-friendly access.

Security is a top priority, and we plan to implement:

- Additional interior and exterior security cameras for continuous monitoring.
- State-of-the-art Noke System, ensuring that only current renters and management will have access to the building and their respective units.
- Controlled entry systems to prevent unauthorized access and enhance safety.

Parking & Lighting

Parking needs will remain unaffected, as the facility will generate minimal traffic compared to a traditional retail use. All exterior parking lot lighting will remain unchanged, as no additional exterior storage units are being added.

We appreciate your consideration of this request and welcome any opportunity to discuss how this project aligns with the city's economic and development goals. Please let us know if additional information is required.

Sincerely,

Jordan Raybould
Director of Buildings & Equipment
B&R Stores

UNIT MIX

Unit Mix				
Unit Size			SF per Unit	Number of Units
Climate Controlled - Main Floor				
5.0	X	5.0	25.0	33
5.0	X	7.5	38	1
5.0	X	10.0	50	6
5.0	X	15.0	75	1
8.5	X	15.0	127.5	2
10.0	X	5.0	50.0	33
10.0	X	7.5	75	6
10.0	X	10.0	100	65
10.0	X	12.0	120	1
10.0	X	15.0	150	21
10.0	X	20.0	200	14
10.0	X	30.0	300	5
12.0	X	7.5	90	1
Total Climate Controlled - Main Floor				**189**
Climate Controlled - Basement				
5.0	X	5.0	25.0	13
5.0	X	10.0	50	12
5.0	X	15.0	75	1
8.5	X	15.0	128	1
10.0	X	5.0	50	29
10.0	X	7.5	75	1
10.0	X	10.0	100	59
10.0	X	15.0	150	22
10.0	X	20.0	200	15
10.0	X	30.0	300	7
12.0	X	15.0	180	1
Total Climate Controlled - Basement				**161**
Total				**350**

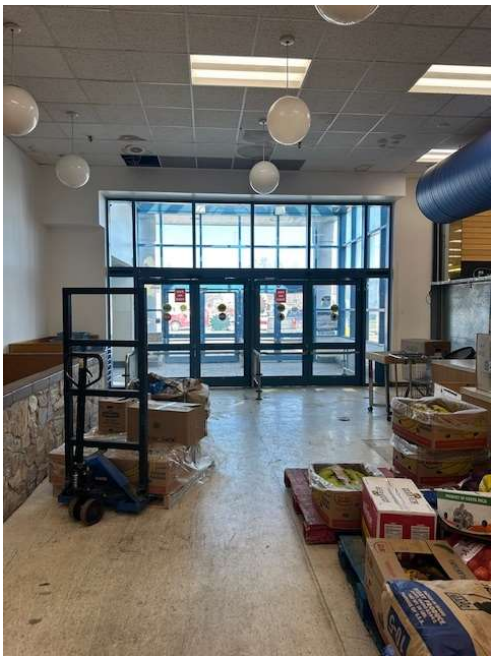
W 1st St
W 1st St
W 1st St
N Bellevue Ave

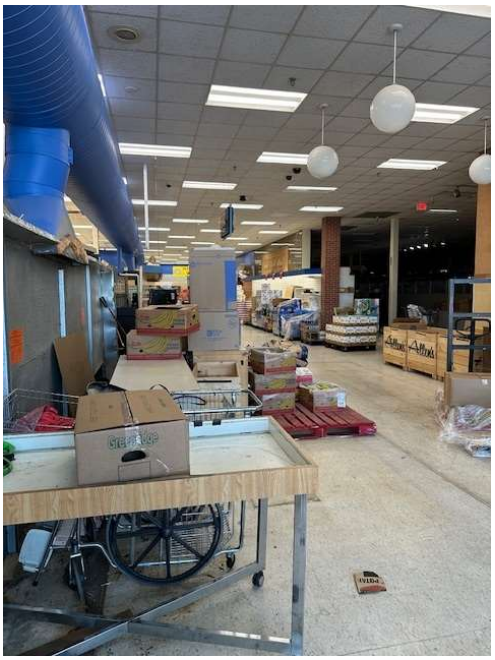
SUBJECT SITE

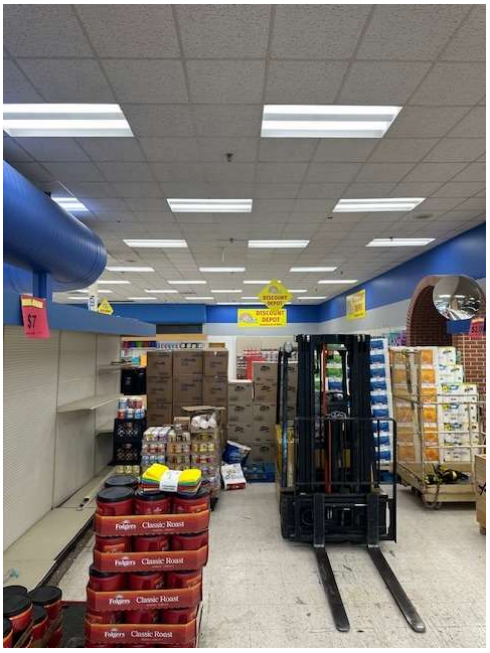
SITE PLAN - 1ST FLOOR

SITE PLAN - 2ND FLOOR

Exterior and Interior Photos of the Site






Folgers Classic Roast
Folgers Classic Roast
Folgers Classic Roast
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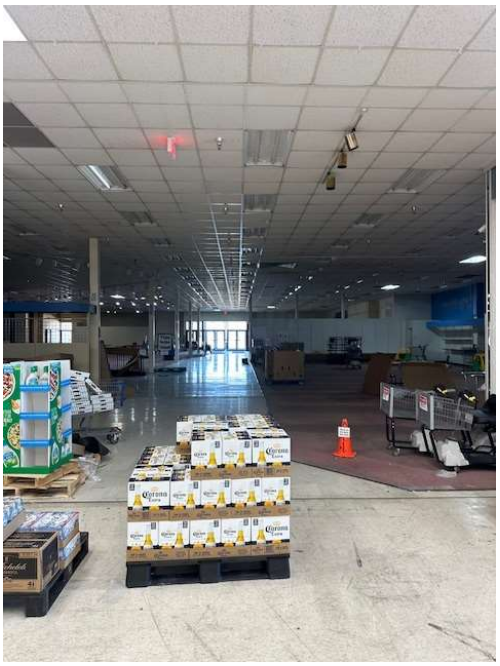
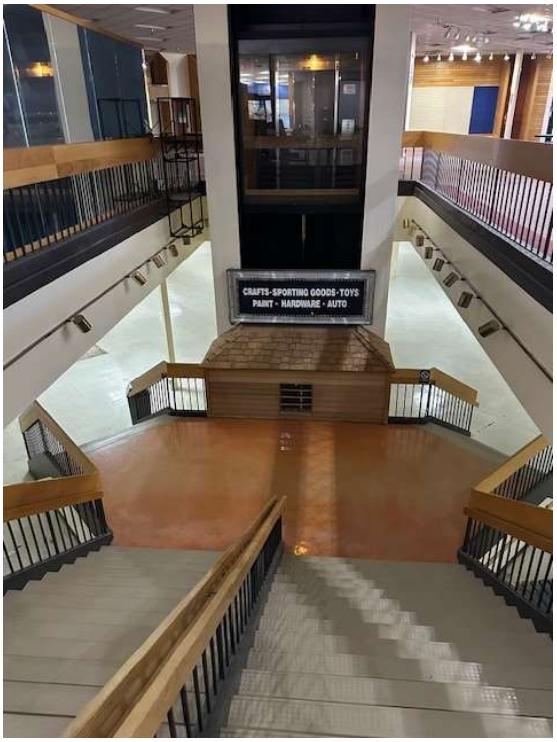



CRAFTS · SPORTING GOODS · TOYS
PAINT · HARDWARE · AUTO

ELEVATOR

Sec. 34-404(9) *Standards for self-service storage facilities*

(a) Site plan:
  (i) The plan shall be drawn at a scale of one inch equals 20 feet. Said plan shall include all building locations, drives, parking, fencing and signage. A landscape plan shall also be incorporated as part of the submittal and must be included as part of the site plan or submitted on a separate sheet. Building elevation shall also be included on the plan along with specification of the colors of buildings and materials to be used.
  (ii) Site drainage shall be incorporated in the plan so that storm water run-off from the site will not increase as a result of the proposed development. The facility shall be designed to control the storm water run-off from at least 25-year return frequency storm as certified by the City Engineer.

(b) Minimum site areas: None.

(c) Building setbacks shall be the same as in the C-3 District.

(d) The site shall abut and have direct access to a city street.

(e) Other requirements:
  (i) The storage facility shall be enclosed by a six foot high, sight-proof fence whenever the site abuts residentially zoned or developed property. Said fence, when abutting any residential district, shall be solid or semi-solid and constructed to prevent the passage of debris or light, and constructed of either brick, stone, masonry units, wood or similar materials. Chain-link fence may be used so long as it has slats installed to prevent the passage of light through the unit. The side and rear of a building located upon the site may serve as fencing.
  (ii) Landscaping shall be provided in the areas outside the fences between the fence and the property line.
  (iii) Two parking spaces shall be provided, plus one additional space for each employee. Internal drives and parking shall comply with Section 34-308 of this chapter for paving requirements.
  (iv) Building heights shall be limited to one story (not to exceed 14 feet at the eaves), unless waived for an existing building by the Planning Commission and the City Council.
  (v) Buildings shall be separated a minimum of 30 feet from one another within self-service storage facilities. Storage bays within a single building shall not be interconnected by interior doors or other interior means providing access from one storage bay to another. The dimensions of any storage bay shall not exceed 22 feet in the narrowest dimension or 36 feet in the widest dimension.
  (vi) A sign shall be limited to one ground pole sign at the entrance to the premises. Not more than 32 square feet in area shall be permitted with a maximum height of ten feet.
  (vii) All exterior lighting shall be of cut-off type to prevent off-site glare. Each tenant storage space shall be provided with separate interior lighting.
  (viii) All storage shall be kept within an enclosed building.
  (ix) Loading docks shall be prohibited and loading areas to storage bays shall be at the same elevation as the means of vehicular access thereto.

(f) Commercial activity: It shall be unlawful for any owner, operator or lessee of any self-service storage facility or portion thereof to offer for sale, or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever, other than leasing of the

storage units, or to permit same to occur upon any area designated as a self-service storage facility. Violation of this section shall be subject to the provisions of Section 34-804 of the Hastings City Code. Any violation may be cause for revocation of the conditional use permit by the City Council.

(g) Repair, reconditioning and fabrication prohibited:

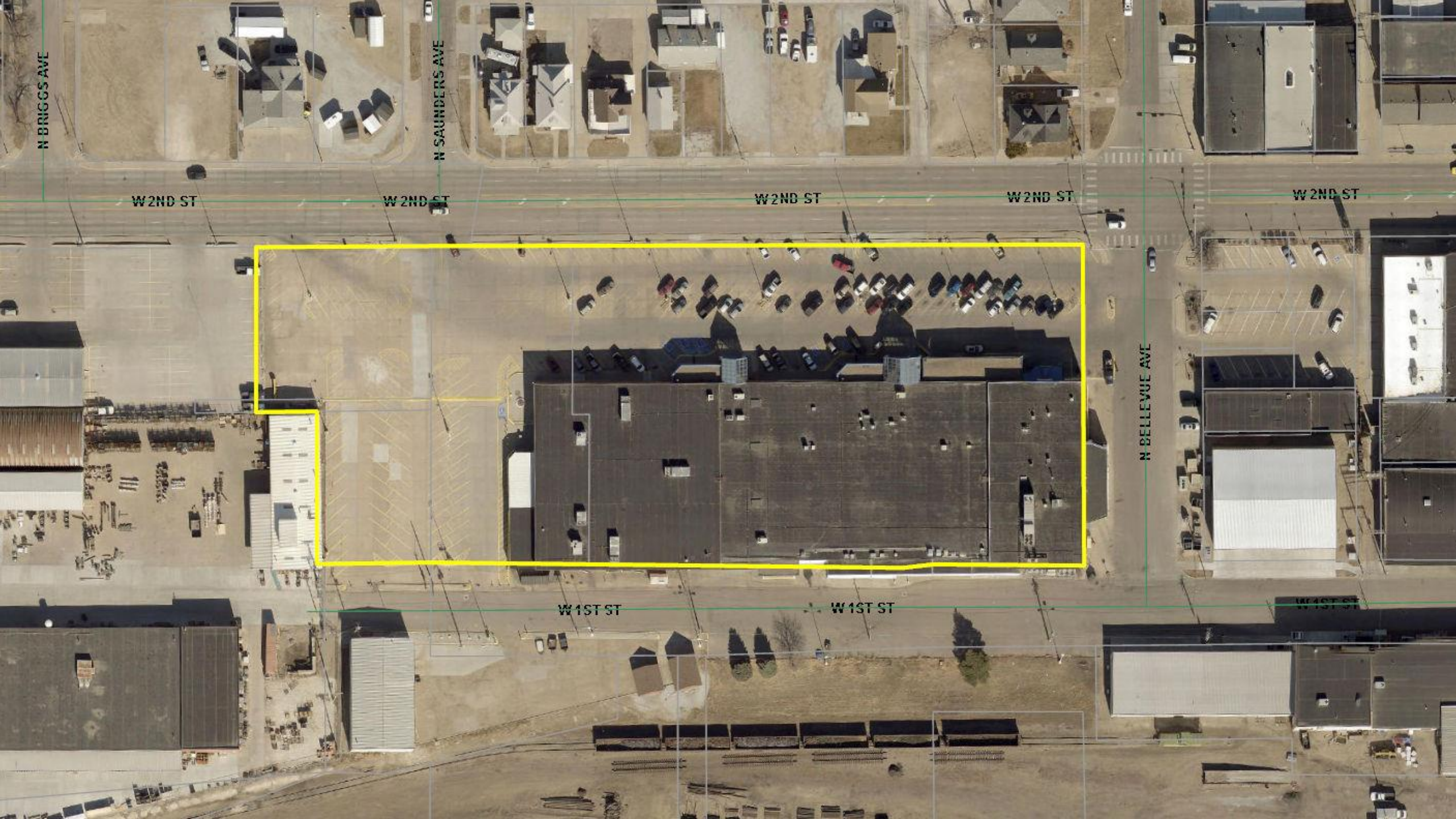
(i) Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture, and the storage of any propane or gasoline storage tank is prohibited within or outside any structure on a tract of land designated as a self-service storage facility.

(ii) This provision shall be posted and be included in the tenant lease agreement.

(h) An approved plan shall be valid for a period of 24 months following the date of approval by the Council. If construction has not been started within said 24-month period, the plan shall be null and void unless the time for start of construction has been extended by the Council.

HASTINGS
Nebraska

File No.	2025-82
Project	Public hearing to consider a request for a Conditional Use Permit for a self-service, storage facility in a portion of the existing building at 1115 W. 2nd Street
Applicant	B & R Stores, Inc.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N BALTIMORE AVE
KERR AVE
N BRIGGS AVE
N SAUNDERS AVE
N BELLEVUE AVE
N LEXINGTON AVE
N BURLINGTON AVE
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S BALTIMORE AVE
S BURLINGTON AVE
S LINCOLN AVE
PD

Staff Findings Summary

- The proposed use should not generate more vehicular traffic or impact pedestrian travel compared to its past and current uses.
- Utilities are available to serve the new proposed use and are an economical use of the existing infrastructure.
- No noise, fumes, dust or other environmental pollution should be generated from the self-service storage facility that would impact the surrounding area.
- The proposed use maintains a logical and efficient development pattern in the area
- The proposed use will maintain property values in the area.
- All additional requirements for a self-service storage facility have been met or are not applicable because it is within an existing building on a fully developed site

Staff Recommendation

Staff recommends the Planning Commission **APPROVE** the **CONDITIONAL USE PERMIT** for the creation of a self-service storage facility at 1115 West 2nd Street, in the I-1, Light Industrial District, with the following conditions:

1. The proposed facility must be developed as proposed.
2. All applicable permits must be acquired before construction.
3. All applicable requirements of Sec. 34-404(9) will be followed.
4. This conditional use permit is valid 24 months, per Sec. 34-404(9)(h).
5. The proposed facility will not be expended, unless an amended conditional use permit is approved by the City Council.

HASTINGS
Nebraska

Department: City Clerk
Staff Contact: Lee Vrooman, Tyler Ficken
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

Advising of objections to Street Improvement District 2025-1, Lochland Meadows Subdivision Number 17

Names of People/Business affected by this action:

Why Council action is required:

Type of action requested:

No Action Required

Suggested motion:

Deadlines associated with action:

Department head comments:

City Administrator comments:

HASTINGS
CITY CLERK

April 7, 2025

TO: Mayor and Council

FROM: Tyler Ficken, City Clerk

SUBJECT: Objections to Street Improvement District No. 2025-1
(The project consists of 6" thick, 31 foot wide concrete paving with curb and gutter and storm sewer for Quail Ridge Avenue from the end of existing paving to 567 feet north, White Wolf Street from 175 feet west of the intersection of White Wolf Street and Quail Ridge Avenue to 140 feet east of the intersection of White Wolf Street and Mallard Way Avenue, Mallard Way Avenue from the end of existing paving to 938 feet north)

On March 10, 2025 the Council passed Ordinance No. 4788 creating Street Improvement District No. 2025-1.

State Law provides that owners of record title representing more than 50% of the front footage of the property abutting or adjoining the street to be improved within any district can file with the City Clerk written objections within 20 days of the first publication of the Notice of Creation. The first publication of the Notice of Creation of Street Improvement District No 2025-1 was March 14, 2025, therefore the deadline for filing written objections was April 3, 2025.

Please be advised that the City Clerk's Office received no objections to the creation of Street Improvement District 2025-1. This letter has been forwarded to the City Engineer for determination of the validity of Ordinance No. 4788.

cc: Mark Funkey, City Administrator
Lee Vrooman, City Engineer

2727 W 2nd St, Ste. 424 • Hastings, NE 68901
tficken@cityofhastings.org • (402)461-2312

Department: Engineering
Staff Contact: Lee Vrooman
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

Resolution No. 2025-09 giving advance notice to the Nebraska Department of Transportation that the City of Hastings intends to conduct a special event, the Half Hastings Races, requiring the closing of a portion of the State Highway System on May 31, 2025.

Names of People/Business affected by this action:

City of Hastings
State of Nebraska
Mary Lanning Healthcare
Race Participants

Why Council action is required:

Approval of council is required to notify the State

Type of action requested:

Suggested motion:

Motion to approve Resolution No. 2025-09 giving advance notice to the Nebraska Department of Transportation that the City of Hastings intends to conduct a special event, the Half Hastings Races, requiring the closing of a portion of the State Highway System on May 31, 2025.

Deadlines associated with action:

The Nebraska Department of Transportation requires notification 30 days prior to the race due to the closure of a portion of US Hwy 281

Department head comments:

This item is required for the event to take place.

Recommend Approval

City Administrator comments:

Annual Hastings Half Marathon event. I recommend approval.

RESOLUTION NO. 2025-09

WHEREAS, the City of Hastings, Nebraska (City) pursuant to Neb. Rev. Stat, § 39-1359 is desirous of obtaining the written consent of the Nebraska Department of Transportation (NDOT) to temporarily utilize a portion of the state highway system for a special event designated by the City of Hastings, Nebraska; and

WHEREAS, said special event is to be known as the "Half Hastings Races", and

WHEREAS, the running course for said special event will require the temporary closing of U.S. Highway 281 between 16th Street and North Shore Drive located within the corporate limits and zoning jurisdiction of the City; and

WHEREAS, said "Half Hastings Races" is scheduled to be held on the 31st day of May 2025, between the hours of 7:30 o'clock A.M. (the time the City will assume temporary control of the portion of the state highway system) and 9:30 o'clock A.M. (the time the City will relinquish control of the portion of the state highway system); and

WHEREAS, the City understands that the City shall have the legal duty to protect the highway property from any damages that may occur arising out of said special event and the State of Nebraska and the NDOT shall not have any such duty during the time the City is in control of the highway property; and

WHEREAS, the City understands that any existing statutory or common law duty of the State of Nebraska and the NDOT to protect the public from damage, injury, or death shall become the duty of the City, and the State of Nebraska and the NDOT shall not have such statutory or common law duty during the time the City is in control of the highway property; and

WHEREAS, this Resolution is being passed and adopted for the purpose of providing NDOT with thirty days' advance written notice of said special event as provided by Neb. Rev. Stat §39-1359(3); and

WHEREAS, the City understands that the Nebraska Political Subdivision Tort Claims Act shall apply to any claim arising during the time specified in said notice;

NOW, THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, hereby passes and adopts the following Resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, that:

1. The City hereby gives advance written notice to the NDOT that it intends to conduct a special event to be known as the "Half Hastings Races" requiring the closing of a portion of the state highway system, to wit: U.S. Highway 281 between 16th Street and North Shore Drive located within the corporate limits and zoning jurisdiction of the City on the 31st day of May, 2025, 7:30 o' clock A.M. (the time the City will assume temporary control of that portion of the state highway system) and 9:30 o'clock A.M. (the time the City will relinquish control of the portion of that state highway system);

2. The City acknowledges that the City shall have the legal duty to protect the highway property from any damage that may occur arising out of said special event and the State of Nebraska and the NDOT shall not have any such duty during the time the City is in control of the highway property;

3. The City acknowledges that any existing statutory or common law duty of the State of Nebraska and the NDOT to protect the public from damage, injury, or death shall become the duty of the City, and the State of Nebraska and the NDOT shall not have such statutory or common law duty during the time the City is in control of the highway property;

4. The City acknowledges that the Nebraska Political Subdivisions Tort Claims Act shall apply to any claim arising during the time specified in said notice; and

5. The City acknowledges that the City accepts the duties set out in this Resolution, and if a claim is made against the State of Nebraska and/or NDOT, the City shall indemnify, defend, and hold harmless the State of Nebraska and NDOT from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of said special event.

PASSED AND ADOPTED this 14th day of April 2025.

ATTEST

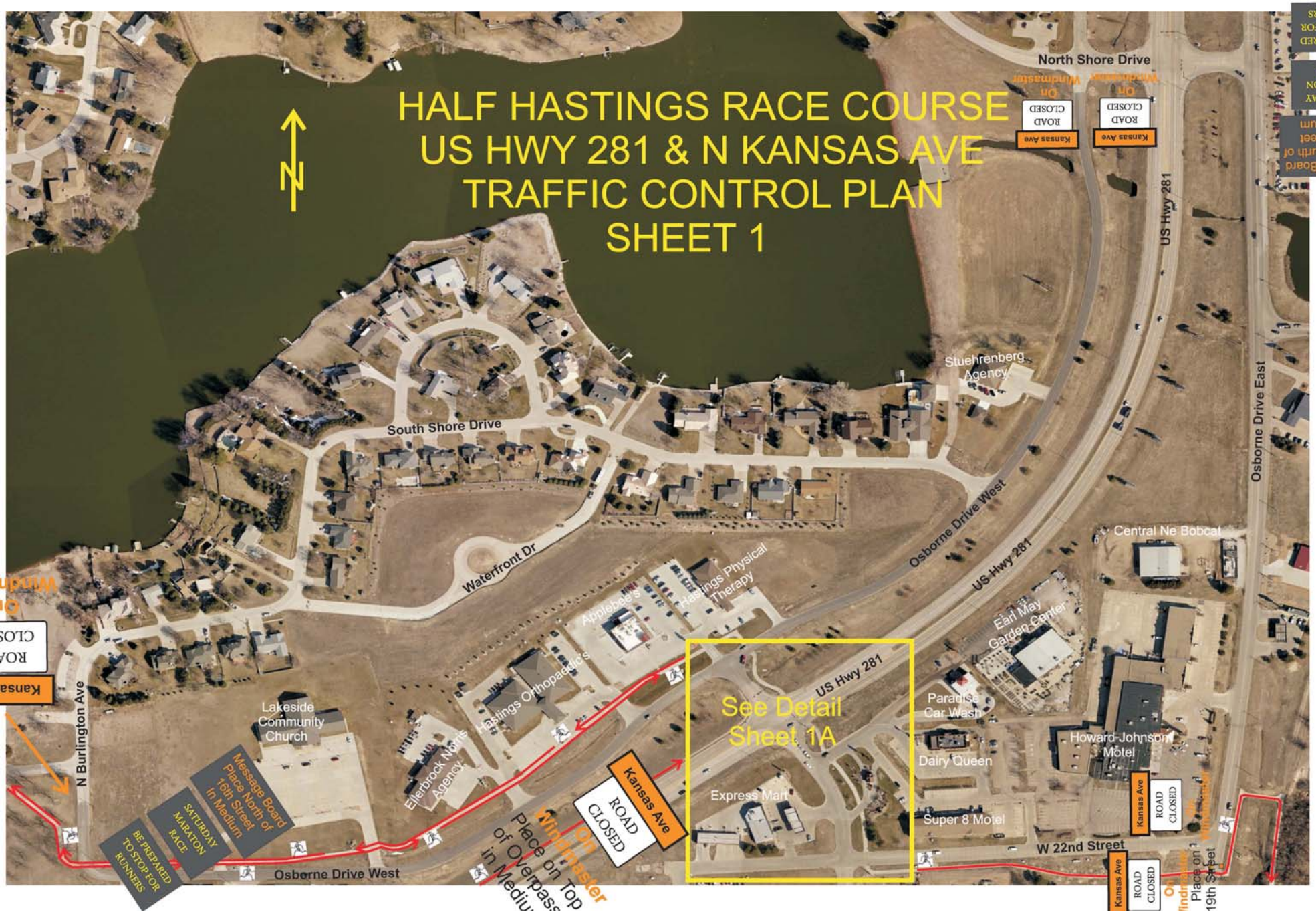
_____
MAYOR

_____
CITY CLERK

(SEAL)

Approved as to form: _____
CITY ATTORNEY

HALF HASTINGS RACE COURSE
US HWY 281 & N KANSAS AVE
TRAFFIC CONTROL PLAN
DETAIL SHEET 1A
Volunteer
Volunteer
Volunteer
Volunteer
Volunteer
Osborne Drive West
N Kansas Ave
US Hwy 281
US Hwy 281
Earl May Garden Center
Access Road
Dairy Queen
Barista's Daily Grind
Express Mart
N Kansas Ave
Kansas Ave
On WindMaster
Place 200' Ahead of Cones
Kansas Ave
On WindMaster
Place 200' Ahead of Cones
Kansas Ave
On WindMaster
Place 200' Ahead of Cones
ROAD CLOSED
ROAD CLOSED
ROAD CLOSED
ROAD CLOSED
West Side - 4 Type 3's, 2 Type 1's and 6 cones
East Side -4 Type 3's, 2 Type 1's and 6 cones
281 - 15 to 20 cones each turn lane, 2 No Left Turns


HALF HASTINGS RACE COURSE
US HWY 281 & N KANSAS AVE
TRAFFIC CONTROL PLAN
SHEET 1
N
North Shore Drive
ROAD CLOSED
Kansas Ave
On Windmaster
US Hwy 281
Osborne Drive East
Osborne Drive West
South Shore Drive
Waterfront Dr
Stuehrenberg Agency
Central Ne Bobcat
Earl May Garden Center
Paradise Car Wash
Howard Johnson Motel
Dairy Queen
Super 8 Motel
Express Mart
Applebee's
Hastings Physical Therapy
Hastings Orthopaedics
Ellerbrock Norris Agency
Lakeside Community Church
N Burlington Ave
See Detail Sheet 1A
W 22nd Street
Message Board Place North of 16th Street In Medium
SATURDAY MARATON RACE
BE PREPARED TO STOP FOR RUNNERS
Place on Top of Overpass in Medium
Place on 19th Street

Department: Development Services
Staff Contact: Chad Bunger
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

The City Council had a discussion item on their February 24, 2025, regulation meeting and held a work session on March 17, 2025, to discuss the possibility of allowing expedited review of Redevelopment Plans (Micro-TIF) in the City of Hastings. Following those discussions, the City Council directed staff to prepare for the program, as presented by staff.

The details of the program, as outlined in the adopting resolution, include:

1. The annual limit on redevelopment plans subject to expedited approval is fifteen (15), which shall be calculated on a calendar year basis beginning June 1, 2025.
2. Expedited Review shall only be available for single-family residential redevelopment projects meeting the estimated assessed property value limits pursuant to the Act.
3. The Development Services Director or their designee is hereby appointed to conduct the expedited review of such redevelopment plans and report the same to the City Council for approval or disapproval, pursuant to the Act.
4. A fee of fifty dollars is hereby imposed for each application for expedited review of redevelopment plans which shall be paid to Development Services upon filing of the application for expedited review.
5. The Community Redevelopment Authority of the City of Hastings is directed to administer contracts and issue bonds associated with redevelopment plans subject to expedited approval.
6. The City Council reserves the right to amend or revoke the terms of this resolution.

Names of People/Business affected by this action:

The residents of Hastings.

Why Council action is required:

Nebraska Revised Statutes 18-2155 requires the City Council to adopt a resolution to allow for the expedited review of redevelopment plans in the City that meets the minimum requirements of the Act.

Type of action requested:

Resolution
Motion

Suggested motion:

Motion to approve Resolution No. 2025-18 to allow expedited review of Redevelopment Plans in the City of Hastings.

Deadlines associated with action:

Department head comments:

The proposed resolution implements the elements discussed at the previous discussion and work sessions.

The City will continue to work with the Adams County Assessors' Office and the Hastings Community Redevelopment Authority to implement the program.

City Administrator comments:

Proposed Micro-TIF plan. I recommend approval.

RESOLUTION NO. 2025-18

RESOLUTION OF THE CITY OF HASTINGS, NEBRASKA, ALLOWING EXPEDITED REVIEWS OF REDEVELOPMENT PLANS MEETING THE REQUIREMENTS OF SECTION 18-2155(2) OF THE NEBRASKA COMMUNITY DEVELOPMENT LAW; ESTABLISHING THE ANNUAL LIMIT ON THE NUMBER OF SUCH REDEVELOPMENT PLANS THAT MAY BE APPROVED BY THE CITY COUNCIL; NAMING THE OFFICIAL TO CONDUCT EXPEDITED REVIEWS OF SUCH REDEVELOPMENT PLANS; SETTING A FEE FOR THE APPLICATION FOR SUCH EXPEDITED REVIEW AND OTHER MATTERS.

WHEREAS, the City of Hastings, Nebraska, (the "City") has designated portions of the City as substandard and blighted pursuant to the Nebraska Community Development Law, NEB. REV. STAT. §§ 18-2101 through 18-2157 (the "Act"); and

WHEREAS, the City created the Community Redevelopment Authority of the City of Hastings, Nebraska (the "Authority") pursuant to the Act with powers to implement redevelopment plans approved by the Hastings City Council; and

WHEREAS, the Act, in §18-2155, allows cities in counties with populations less than 100,000 to expedite reviews of certain redevelopment plans. The City is located in Adams County, Nebraska, which has a current population of 31,205, as noted by the 2020 United States Census; and

WHEREAS, the City Council finds that it is in the best interest of the City to allow expedited reviews of redevelopment plans pursuant to §18-2155 of the Act as set forth in the Resolution.

NOW THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Hastings, Nebraska, do hereby adopt the following resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Hastings, Nebraska, that expedited reviews of redevelopment plans (Micro-TIF) as provided in §18-2155 of the Act are hereby allowed in all areas of the City declared substandard and blighted pursuant to the Act, with the following requirements:

1. The annual limit on redevelopment plans subject to expedited approval is fifteen (15), which shall be calculated on a calendar year basis beginning June 1, 2025.

2. Expedited Review shall only be available for single-family residential redevelopment projects meeting the estimated assessed property value limits pursuant to the Act.
3. The Development Services Director or their designee is hereby appointed to conduct the expedited review of such redevelopment plans and report the same to the City Council for approval or disapproval, pursuant to the Act.
4. A fee of fifty dollars is hereby imposed for each application for expedited review of redevelopment plans which shall be paid to Development Services upon filing of the application for expedited review.
5. The Community Redevelopment Authority of the City of Hastings is directed to administer contracts and issue bonds associated with redevelopment plans subject to expedited approval.
6. The City Council reserves the right to amend or revoke the terms of this resolution.

PASSED AND APPROVED this 14th day of April, 2025.

_____
George, J.J. Beckby, Mayor

ATTEST:

_____
Tyler Ficken, City Clerk

(S E A L)

Approved as to form:

_____
Jesse Oswald, City Attorney

HASTINGS
DEVELOPMENT SERVICES

What is Micro-TIF?

Micro-TIF, or Expedited Review of Redevelopment Plans, allows smaller redevelopment projects on individual properties to use a simplified Tax Increment Financing process to help offset construction costs for a project. A qualifying redevelopment project can use the difference between the property taxes paid before the project and the property taxes anticipated to be owed as a result of the final redevelopment project and the new assessed value for the property. The Micro-TIF program has a shorter time frame and fewer approval procedures compared to the traditional TIF program. This process was adopted by the Nebraska Legislature in 2020 and can be found at: https://nebraskalegislature.gov/laws/statutes.php?statute=18-2155.

Eligible Projects

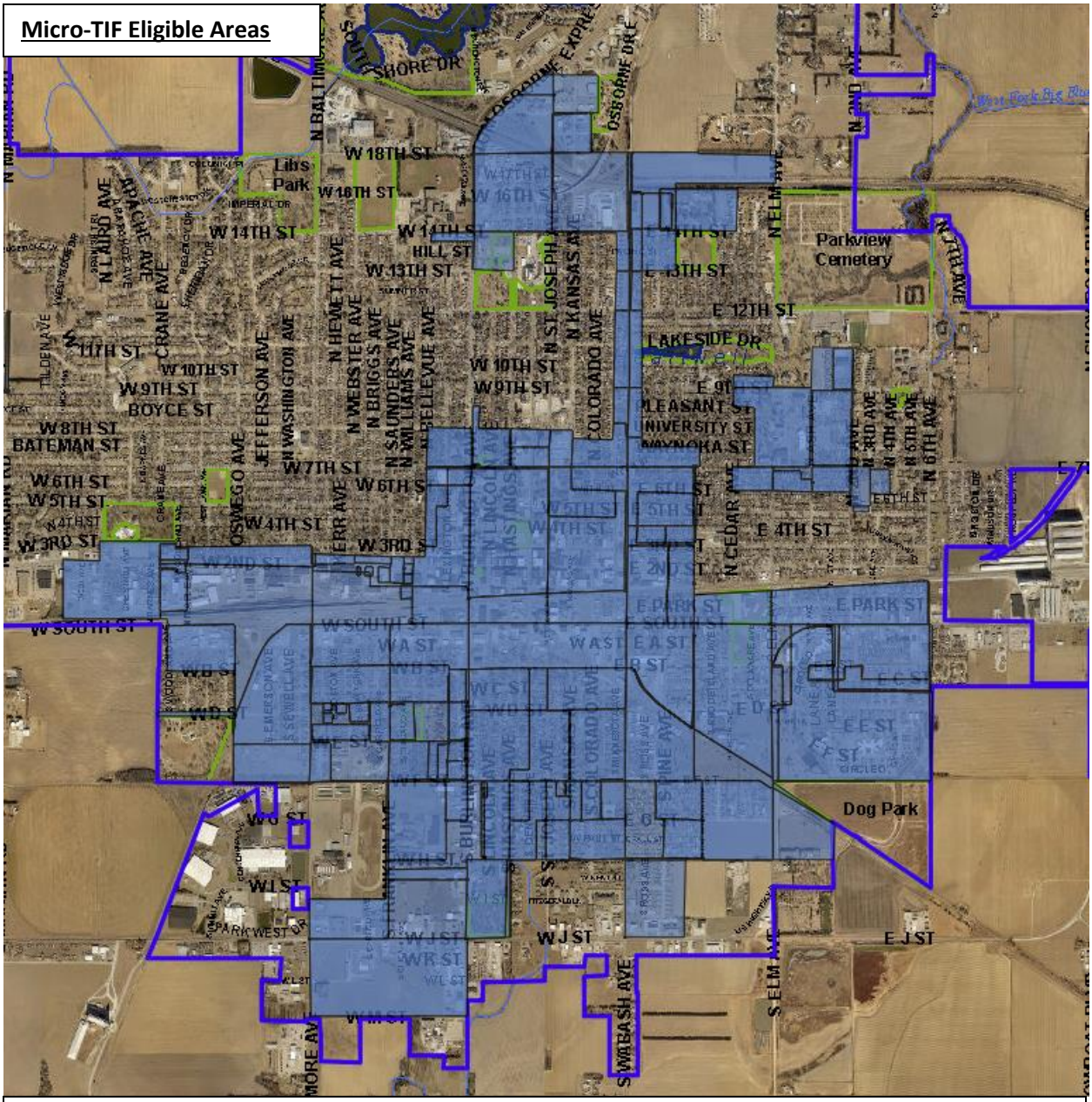
1. The Redevelopment Plan only includes one redevelopment project.
2. Redevelopment project involves:
    a. Repair, rehabilitation, or replacement of an existing structure located within a substandard and blighted area.
    b. Redevelopment of a vacant lot located within a substandard and blighted area.
3. The redevelopment project must have been within the city limits for at least 60 years.
    a. Vacant lot must have been platted for 60 years.
4. Assessed value when the redevelopment project is complete is estimated to be no more than:
    a. $350,000 for a single-family residential structure
    b. $1,500,000 for a multi-family residential structure or commercial structure
    c. $10,000,000 for the revitalization of a structure included in the National Register of Historic Places

Micro-TIF Application Procedure

1. The Applicant has a pre-application meeting with the City to discuss the Micro-TIF process.
2. Meet with the County Assessor's Office to discuss the redevelopment project to determine an estimate of the increase in property value and TIF eligibility.
3. The Applicant submits the application packet, which includes the Standard Form, Supplemental Form, & Owner Authorization Form, by the application deadline.
    a. Standard Form requires an estimated increase in value from the County Assessor.
    b. Owner Authorization Form is only needed if the Owner and Applicant are different.
4. The City Council approves or denies the redevelopment plan within 30 days of the application deadline.
5. Development Services notifies the applicant, CRA & County Assessor of the City Council decision.
6. CRA submits notice to divide taxes to the County Assessor.
7. Applicant notifies County Assessor of project completion. The project MUST be completed within two years of the redevelopment plan's approval (step 4).
8. The County Assessor submits the Standard Certification Form to CRA.
9. The CRA uses portion of taxes to pay indebtedness.

3505 Yost Avenue, Hastings, NE 68901
Planning: (402) 461-2331 Fax: (402) 461-2304
www.cityofhastings.org

Micro-TIF Eligible Areas



Areas highlighted in blue are within a substandard and blighted area and were annexed prior to 1964.

Hastings Micro-TIF
Application Submittal Checklist

HASTINGS
Nebraska

- ☐ Develop your project details, including site and building plan concepts, costs, and potential increase to your property value. The County Assessors can provide assistance with determining the future property value.

  Please note most maintenance projects, such as repairs to systems (e.g., plumbing, electrical), roof, window, or siding replacement, may not be good Micro-TIF projects. Although these repair and replacement projects are expenses, they will most likely not increase the value of your property to a level that would be a feasible Micro-TIF project.

- ☐ Review The Micro-TIF Eligibility Map (ADD BITLY) to determine if your property is eligible by being within a designated Blight and Substandard Area and if the property has been within the City limits for 60+ years.

- ☐ Meet with the Hastings Development Services Department, 3505 Yost Avenue, Hastings, NE, to discuss your project and the Micro-TIF project.

- ☐ Meet with the Adams County Appraisers Office to discuss your project and determine what the future property values may be in relationship to Micro-TIF.

- ☐ Submit the Micro-TIF Project application packet to the Development Services Department online or via a hard copy by the application deadline. The applicant can be submitted online at (ADD BITLY) or in person at 3505 Yost Avenue. The application packet must include:
  - State-required Application for Expedited Review of Community Redevelopment Plan Tax Increment Financing (TIF) Project application form.
  - City of Hastings Supplemental Form for Micro-TIF Project.
  - Improvement Information Statement.
  - Project details, such as site plan and floor plans.

- ☐ Pay the required $50.00 application fee. The application fee can be paid to the City of Hastings via the online portal or by check or cash at the Development Services Office, 3505 Yost Avenue.

<u>Process After the Application is Submitted</u>

- Once the application is submitted, City staff will work with the Adams County Appraisers Office, and the Hastings Community Redevelopment Authority (CRA) to review and prepare your application for City Council Review.

- The Hastings City Council will review your application based on the State statute and the City Ordinance establishing the program.

- Following the decision of the City Council, Development Services staff will send you a copy of the decision and corresponding Resolution, if approved. This information will also be forwarded to the Adams County Assessors Office and Hastings CRA.

- The Hastings CRA and Assessors Office will contact you, as needed, to complete the tax increment financing promissory note and other related documentation during your project's process. This will include completing the promissory note, notice to divide taxes, and Certification of Completion of Expediated Community Redevelopment Plan Tax Increment Financing (TIF) Project.

- **Please apply for and receive a building permit before you begin your project.**

- **You have up to two years from the date of the resolution approval to complete your TIF Project.**

- Following the completion of your project, the Hastings CRA will distribute the appropriate TIF funds to you, as your taxes are paid. These payments will continue until your TIF promissory note is paid in full for 15 years, whichever occurs first.

For Official Use
Date Received _____
Date of Review _____
___Approved __Denied

Application for Expedited Review of Community Redevelopment Plan Tax Increment Financing (TIF) Project

County Name	City
Redeveloper (Owner)	
Redevelopment Project Name	
Parcel Number	
Application Date of the Expedited Redevelopment	

1. What are the existing uses and condition of the property within the redevelopment project area?
2. What are the proposed uses of the property within the redevelopment project area?
3a. Has the structure been within the corporate limits of the city for at least sixty years? Yes ____ No _____ 3b. If the project includes the redevelopment of a vacant lot that is within the corporate limits of the city, has that lot been platted for at least sixty years? Yes ____ No _____
4. What is the current assessed value of the property within the redevelopment project area?
5. What the increase in the assessed value of the property within the redevelopment project area that is estimated to occur as a result of the redevelopment project?
6. Will the redevelopment project be financed in whole or in part through the division of taxes as provided in section 18-2147? Yes ____ No ____
7 What are the agreed-upon costs of the redevelopment project? $_____

►_____

Redeveloper's Signature Date

Upon completion of this form, the redeveloper must provide the original to the City or Community Redevelopment Authority.

(see form instructions on reverse)

Instructions

Who Must File. If a city or the city's community redevelopment authority (CRA) has elected to allow expedited reviews of redevelopment plans that meet the requirements below, this form must be filed with the city or the CRA in order to receive an expedited review. A redevelopment plan is eligible for expedited review if:

1. The redevelopment plan includes only one project;
2. The project is located within a substandard and blighted area that has been within the corporate limits of the city for at least sixty years and:
    a. Involves the repair, rehabilitation, or replacement of an existing structure; or
    b. Involves the redevelopment of a vacant lot that has been platted for at least sixty years;
3. The project is located in a county with a population of less than 100,000 inhabitants; and
4. The assessed value of the property within the project area when the project is complete is estimated to be no more than:
    a. $350,000 for a project involving a single-family residential structure;
    b. $1.5 million for a project involving a multi-family residential or commercial structure;
    c. $10 million for a project involving the revitalization of a structure included in the National Register of Historic Places.

The redeveloper shall submit the redevelopment plan directly to the city or CRA, along with an application fee in an amount set by the governing body, not to exceed fifty dollars. The governing body shall determine whether to approve or deny the redevelopment plan within 30 days after submission of the plan. If approved, the authority incurs indebtedness related to the redevelopment project, and the project begins.

The county assessor shall then determine: (1) If the redevelopment project was fully completed within two years after the approval of the development plan and (2) the assessed value of the property within the redevelopment project area. Once completion has been determined, the county assessor shall certify the completion of the expedited redevelopment plan to the city or community redevelopment authority (CRA). Once the county assessor has certified this form as required in Neb. Rev. Stat. § 18-2155, the city or CRA may begin to use the portion of taxes as indicated in Neb. Rev. Stat. § 18-2147 to pay the indebtedness incurred by the city or CRA pursuant to Neb. Rev. Stat. § 18-2155. Payments shall be remitted to the holder of the indebtedness.

Reissued June 2023. Replaces original issued November 2020 and July 2022. Authorized by Neb. Rev. Stat. § 18-2155

City of Hastings Proposed Supplemental Form for Micro-TIF Projects

Please fill out the following information as a supplement to the application for the expedited review of a community redevelopment plan for a tax increment financing (TIF) project. Both applications are required when submitting a Micro-TIF Project application.

1. Please provide your contact information.
    a. Applicant Name: _____
    b. Applicant Phone Number:_____
    c. Applicant Email Address:_____
    d. Applicant Mailing Address: _____
    e. Preferred Method of Communication: _____
    f. Property Owner Name: _____

2. Is the Project located within a designated blight & substandard area?
    ☐ Yes
    ☐ No

3. What is the purpose of this project?
    ☐ House renovation
    ☐ New house
    ☐ Other _____

4. What is the age of the structure? _____

Print Reset

To Be Filed With the County Assessor

Improvement Information Statement
to County Assessors

Co. Assessor's Use Only
No. _____
County Name

This statement is required to be filed when there are $2,500 or more in improvements, or alterations made to improvements on real property. See instructions below for exceptions.

Owner of Property	Applicant if Not the Owner	Contractor for Project
Name	Name	Name
Street or Other Mailing Address	Street or Other Mailing Address	Street or Other Mailing Address
City State Zip Code	City State Zip Code	City State Zip Code
Phone Number	Phone Number	Phone Number
Email Address	Email Address	Email Address

Real Property to Be Improved or Altered

Street Address (If Applicable)

Legal Description

Description and Intended Use of Improvement

Approximate Cost of Construction Materials Including Labor	Estimated Period of Construction (Years/Months)

Under penalties of law, I declare that this statement is, to the best of my knowledge and belief, true and correct.

sign here ▶ Signature _____ Date _____

Instructions

This Improvement Information Statement must be filed with the county assessor on or before December 31 of the year during which the construction, repair, alteration, or improvement occurs. This statement is required if a building permit is not required and if construction, repair, alteration, or improvement totals $2,500 or more. If a building permit is required and issued, this statement should not be filed with the county assessor. **This statement is not required from common carriers or public utilities which are government regulated.**

Failure to submit this Improvement Information Statement could result in a penalty of 12% of the tax due for each taxing period for improvements voluntarily filed after March 19th, or March 25th for counties with at least 150,000 inhabitants. A penalty of 20% of the tax due for each taxing period for involuntary filing after March 19th, or March 25th for counties with at least 150,000 inhabitants Neb. Rev. Stat. 77-1318. The maximum penalty charged is $1,000 per year, excluding any interest pursuant to Neb. Rev. Stat. § 45-104.01.

HASTINGS
DEVELOPMENT SERVICES

Owner's Authorization Letter

I/we hereby certify that I/we are the owner(s) of the property described herein. I/we am/are respectfully requesting processing and approval of the application(s) referenced herein. I/we hereby authorize the Applicant(s) listed on this application to act on my/our behalf during the processing and presentation of the request. The person(s) identified as Applicant shall be the principal contact with the City in processing this application.

Project: _____

Address/Location: _____

Applicant(s): _____

_____

Owner: Owner's Signature

_____

Owner: Owner's Signature

State of Nebraska)

) ss:

County of Adams)

The foregoing document was acknowledged before me this_____ day of_____

_____ , by _____

_____

_____

Notary Public

Department: Development Services
Staff Contact: Ember Batelaan, Chad Bunger
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

The applicant, Daniel Hernandez, has applied to rezone a 1.5-acre parcel located at 913 W J Street from R-1, Urban Single-Family Residential District to C-3, Commercial Business District.

Names of People/Business affected by this action:

The applicant, surrounding neighborhood, people of Hastings, and the City

Why Council action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Motion
Ordinance

Suggested motion:

Approve Ordinance No. 4791 and the amendment to the Official Zoning District Map to rezone the property at 913 W J Street from R-1, Urban Single-Family Residential District to C-3, Commercial Business District.

Deadlines associated with action:

Department head comments:

Development Services staff has reviewed the application to rezone the property located at 913 W J Street. The complete details of the staff review and recommendation are in the attached staff report.

The Planning Commission held a public hearing for the request on March 4, 2025, and recommended approval to the City Council by a vote of 7-0.

City Administrator comments:

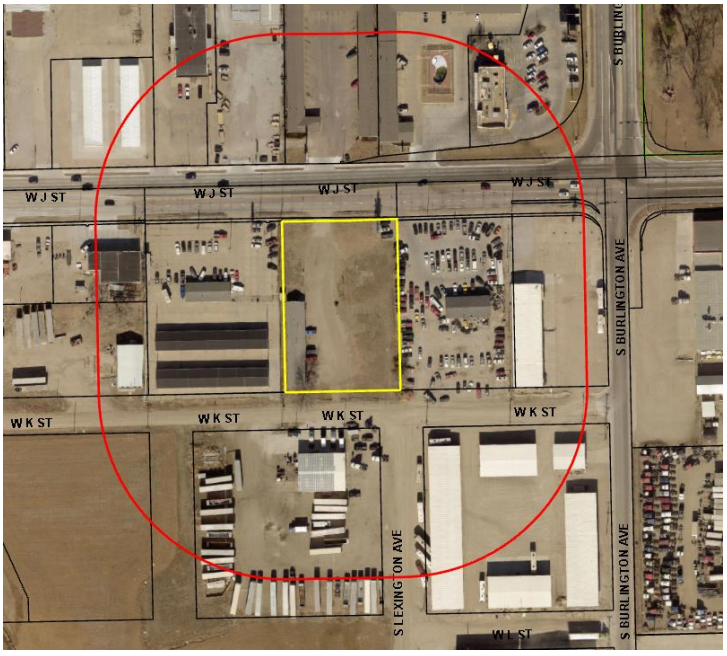
Zoning change was requested by the property owner. Recommend Approval.

City of Hastings Planning Commission

HASTINGS
DEVELOPMENT SERVICES

STAFF REPORT

Request to Rezone:	**From R-1, Urban Single-Family Residential District to C-3, Commercial Business District**
Case No.	2025-50
Applicant	Daniel Hernandez
Property Location:	913 W J Street, Hastings, Adams County, Nebraska
Lot Size:	1.5 acres (0.6 acres to be rezoned)
Date of Public Hearing:	March 4, 2025
Current Zoning	R-1, Urban Single-Family Residential District & C-3, Commercial Business District
Adjacent Zoning:	North: C-3, Commercial Business District
	East: C-3, Commercial Business District & R-1, Urban Single-Family Residential District
	South: C-3, Commercial Business District & R-1, Urban Single-Family Residential District
	West: I-2, Heavy Industrial District



DESCRIPTION OF REZONING REQUESTS: The applicant has requested to rezone the 1.5-acre tract of land from R-1, Urban Single-Family Residential District to C-3, Commercial Business District. The area to be rezoned is approximately 0.6 acres and encompasses Lots 4, 5, and 6, Block 2 of Veiths Park Addition.

The applicant has stated in the application materials that "the proposed rezoning is a request to have the full parcel zoned to C-3." The parcel is currently zoned C-3, Commercial Business District on the north half of the property and R-1, Urban Single-Family Residential District on the south half of the property.

No specific development plans or building permits have been provided for the future of the property.

Property Description: The property consists of five full lots and approximately 20 feet of a sixth platted lot in the Veiths Park Addition. The property is roughly 150 feet wide, east to west, and 270 feet deep, north to south. The land currently consists of a 50-year-old apartment and a gravel parking lot. The site is relatively flat.

Access is provided to the lot by existing curb cuts off West J Street. There is no sidewalk in the area.

STANDARDS TO REZONE PROPERTY:

The provisions of Article VIII regulate the process to rezone property within the City and its extraterritorial jurisdiction.

The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

a) **The existing use of the property, its physical and environmental characteristics, its zoning history, and its suitability for the zoning district it currently is within.**
The property was originally subdivided by the Veiths Park Addition in 1887. An apartment building was built in 1975 on the southern half of the property, in the R-1 zoned area of the property. The site is relatively flat with no environmental concerns on the site.

The site has been zoned C-3 and R-1 Districts since 1958. The C-3 District allows detached, semi-attached, attached, and multi-dwelling buildings. The R-1 District allows detached dwellings. The existing apartment building is not an allowed use in the R-1 District, however rezoning the property to the C-3 District would bring the property into conformance.

b) **Conformity of the proposed change with the Comprehensive Plan.**
The property is designated as Commercial/Retail with a Highway 6 Overlay in the 2009 Imagine Hastings Comprehensive Plan Future Land Use Map.

The policy statement for the Commercial/Retail use designation is:

The commercial/retail land use designation provides the opportunity for the development of general retail and service uses that serve neighborhoods and the community and region. This category also allows for, but is not limited to, general retail including grocery stores, personal services (dry cleaning, beauty salon, bank), restaurants (drive-in and drive-through) and gas stations. This land use designation may also include office uses. Supporting uses such as open space and recreation are also appropriate. Commercial/retail uses should be along primary arterials such as Burlington Avenue and Highway 6. Defined local access and connections to nearby neighborhoods through streets and sidewalks should be provided. Destination and through traffic should be discouraged within the surrounding neighborhoods.

The policy statement for the Highway 6 Overlay designation is:

An overlay district is an additional zoning requirement that is placed on a geographic area but does not change the underlying zoning. Overlay districts have been used to impose additional development standards in specific locations within a community. There are three overlay districts proposed in Hastings; South Burlington, Highway 6, and the Urban Industrial. Each of these overlay districts is designed to enhance the development pattern, access and circulation, and appearance of these areas through the creation of development standards.

Use of the property for commercial uses is appropriate. The 2009 Comprehensive Plan's Highway 6 Overlay designation proposed a zoning overlay district for the area that was never adopted. The proposed rezoning conforms to the Comprehensive Plan.

c) Adequacy of sewer, water, streets, and other needed facilities and services for permitted uses in the proposed zoning district.

The site is currently served by City utilities. These utilities should be adequate to provide needed water, sanitary sewer, electricity, and gas for the existing and future uses.

d) The character of the neighborhood, including the zoning and uses of nearby property.

The surrounding area can be considered a commercial/industrial area with commercial businesses fronting on W J Street (Highway 6) and industrial uses located to the south.

To the north, east, and west are various commercial businesses zoned C-3, Commercial Business District and to the south are industrial businesses zoned I-2, Heavy Industrial District.

As previously stated, the applicant has not provided detailed plans for the property. Rezoning the property to C-3 District would allow for one zoning district on the tract of land owned by one party, avoid confusion, and would bring the multiple-family building into conformance with the zoning regulations.

The proposed rezoning would meet the general character of the surrounding neighborhood.

e) Compatibility of the proposed zoning district with nearby property.

The proposed zoning district is compatible with nearby properties, which are also zoned C-3, Commercial Business District.

f) Additional matters as might apply in individual cases. Not applicable.

STAFF COMMENTS: Staff recommends the Planning Commission recommend **APPROVAL** of the request to Rezone the property at 913 W J Street, from R-1, Urban Single-Family Residential District to C-3, Commercial Business District to the City Council, based on the recommendations in the Staff Report.

PREPARED BY: Ember Batelaan, City Planner

DATE: February 19, 2025

ATTACHMENTS:

1. Application materials
2. 2009 Comprehensive Plan Future Land Use
3. Uses and district table (C-3 District highlighted)
4. C-3 District Regulations
5. Staff summary presentation

ORDINANCE NO. 4791

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO REZONE THE PROPERTY DESCRIBED IN SECTION ONE OF THIS ORDINANCE FROM R-1, URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT, AND C-3, COMMERCIAL BUSINESS DISTRICT TO ENTIRELY C-3, COMMERCIAL BUSINESS DISTRICT,; TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA AS PROVIDED IN SECTION 34-105 OF THE OFFICIAL HASTINGS CITY CODE; TO REPEAL ANY ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

SECTION 1. That pursuant to the application for rezoning filed with the City of Hastings, the property legally described as follows:

> All of Lots 1 to 6, Block 2 of Veith's Park Addition to the City of Hastings, Adams County, Nebraska, and the West 35 feet of the vacated South Lexington Avenue, as filed with the Adams County Register of Deeds.

be and the same is hereby rezoned to entirely "C-3, Commercial Business District," from "R-1, Urban Single-Family Residential District" and "C-3,Commercial Business District."

SECTION 2. That the City Engineer is hereby directed to cause the official zoning district map of the City of Hastings, Nebraska to be amended in accordance with the foregoing provisions.

SECTION 3. That any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 4. That this ordinance shall take effect and be in full force and effect from and after its passage, approval and publication in pamphlet form.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this _____ day of _____, 2025.

_____

George, J.J. Beckby, Mayor

(SEAL)

ATTEST:

_____
Tyler Ficken, City Clerk

APPROVED TO FORM:

_____
Jesse Oswald, City Attorney

Property Owner : CASABELLA ENTERPRISE LLC

Legal:

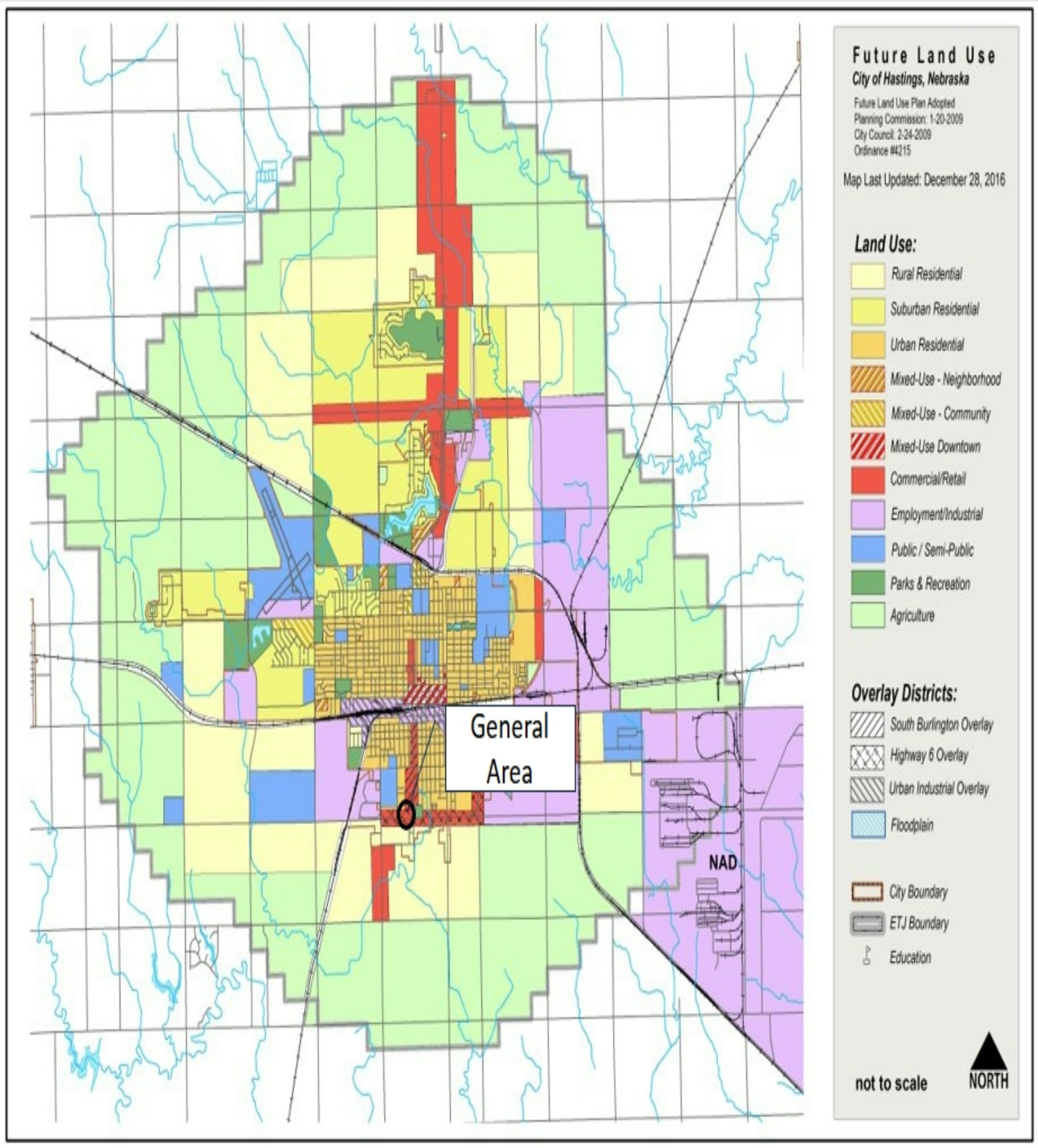
Twp: 07; Rng: 10; Block: 2; Lot: 1-6; Deeded Acres: 0.000
1376.00-LOTS 1-6 & VACATED ADJ ST EX HIGHWAY & EX TR DESC 20202770 BLK 2 VEITHS PARK

Physical Address:

913 West J Street

Request to have full parcel zoned to C-3

From 2 different zoning: R1 and C-3


Future Land Use
City of Hastings, Nebraska
Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215
Map Last Updated: December 28, 2016
Land Use:
Rural Residential
Suburban Residential
Urban Residential
Mixed-Use - Neighborhood
Mixed-Use - Community
Mixed-Use Downtown
Commercial/Retail
Employment/Industrial
Public / Semi-Public
Parks & Recreation
Agriculture
Overlay Districts:
South Burlington Overlay
Highway 6 Overlay
Urban Industrial Overlay
Floodplain
City Boundary
ETJ Boundary
Education
General Area
NAD
not to scale
NORTH

Sec. 34-200. - Uses and districts table.

TABLE 200-1: USES AND DISTRICTS														
	A	R-1	R-1A	R-1S	R-2	R-3	R-4	C-O	C-1	C-2	C-3	CMP	I-1	I-2
Residential Uses														
Detached dwelling	P	P	P	P	P	P	P	P	P		P			
Semi-attached dwelling					P	P	P	P	P		P			
Attached dwelling						P	P	P	P		P			
Multi-dwelling building						P	P	P	P		P			
Live/Work units							P	P	P	P				
Mixed-use dwelling							C			P		P		
Group housing		C	C	C	C	C	C				C			
Type A & B manufactured housing	P	P	P	P	P	P	P	P	P		P			
Mobile home court	C												C	C
Mobile home, accessory	C													
Detached dwelling, accessory	C													
Civic Uses														
Assembly, neighborhood	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Assembly, community								C	C	C	C	C	C	C
Eleemosynary or philanthropic institution.						C		C	C	P	P	P		
Golf course/Clubhouse (non-business)	P	P	P	P		C						P		
Public park/Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public museum or library	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School, elementary	P	P	P	P	P	P	P	P	P			P		
School, secondary	R	R	R	R	R	R	R	R	R			P		
School, college or university	P					P						P		
Recreational vehicle park	C										C		C	C
Recreational vehicle, temporary use	R										R		R	R

Temporary structure, temporary use	P	R	R	R	R	R	R			P	P	P	P	P
Service Uses														
Adult care, home	C	C	C	C	C	C	C	C	C	C	C	P		
Adult care facility								P	P	P	P	P		
Automobile service station, limited								C	P	P	P	P	P	P
Automobile service station, general											P	P	P	P
Automobile service station, large-scale											P	P	P	P
Automobile repair, limited								C	C	C	P	P	P	P
Automobile repair, general										C	P		P	P
Bank								P	P	P	P	P	P	P
Child care, home	R	R	R	R	R	R	R	R	R	R	R	P		
Child care facility					R	R		P	P	P	P	P	P	P
Halfway house, quasi-institutional use													C	C
Kennel, commercial	C										C		C	C
Lodging, bed and breakfast	C	C	C	C	C	C	C	C	C	C				
Lodging, rooming house						C			P	P	P	P		
Lodging, hotel										P	P	P	P	P
Lodging, motel											P	P	P	P
Medical office	C							P	P	P	P	P		
Medical clinic	C							P	P		P	P	C	C
Medical hospital	C							P	P			P	C	C
Nursing home/Assisted living	C	C	C	C	C	C	C	P	P	C	P	P		
Professional services office								P	P	P	P	P	P	P
Self storage, storage areas								C		R	C		C	C
Veterinary office	P							P	P	P	P		P	P
Veterinary hospital	P										C		C	C
Employment Uses														

Home occupation	R	R	R	R	R	R	R	R	R	R	R			
Office, limited						C	C	P	P	P	P	P	P	P
Office, small							C	P	P	P	P	P	P	P
Office, general									C	P	P	P	P	P
Office complex/campus										C	P	P	P	P
Commercial and Retail Uses														
Convenience retail, automobile (< 5K s.f.)								C			P	P	P	P
Convenience retail, corner store (< 2K s.f.)							C	P	P	P	P	P	P	P
Neighborhood retail (< 5K s.f.)									P	P	P	P	P	P
General retail (5Ks.f.—20Ks.f.)										P	P	C	P	P
Large-scale retail (20K s.f.—100K s.f.)										C	P	C	P	P
Warehouse retail (> 100K s.f.)											P		P	P
Neighborhood grocery (< 45K s.f.)									P	P		P		
Supermarket (> 45K s.f.)											P	C	P	P
Indoor entertainment & Rec. business										P	P	C	P	P
Outdoor entertainment & Rec. business	C									C	C	C	C	C
Entertainment venue	C									C	C	C	C	C
Outdoor sales, limited									C	P	P	P	P	P
Outdoor sales, seasonal									C	C	C	C	C	C
Outdoor sales, yard											P		P	P
Mobile vendor, temporary use										R	R	R	R	R
Outdoor market (Farmers market)										P				
Restaurant									P	P	P	P	P	P
Industrial Uses														
Grain storage elevator	P												P	P
Manufacturing, limited								C	C	C	P	P	P	P
Manufacturing, light										C	C	C	P	P

Manufacturing, general													P	P
Manufacturing, heavy														P
Impound yard													C	C
Motorized Vehicle Racetracks														P
Recycling collection and processing													C	P
Salvage yard/Junkyard													C	C
Slaughterhouse/Meat packing	C													C
Storage or sale of liquid petroleum	C													P
Warehouse storage/Bulk storage	C												P	P
Wholesale													P	P
Agriculture and Natural Resource Uses														
Agriculture, limited	R		R											
Agriculture, general	P													
Aquaculture	C													
Feed lot	C													
Natural resource extraction	C													
Nursery	P	C	C								P		P	
Stable, public	P										P		P	
Public Service Users														
Airfield	C	C	C	C										C
Heli-stop	C	C	C	C				C	C				C	C
Public parking lot						C	C	C	C	C	C	C	C	C
Public recreation grounds	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public utility plant	C												C	C
Public utility sub-station	C	C	C	C	C	C	C	C	C	C	C		C	C
Cemetery	C									C	C		C	
Small wind energy systems	R	R	R	R	R	R	R	R	R	R	R	R	R	R

Large scale wind generator (Wind farms	C												C	C
Telecommunication facilities and support structures	C							C	C	C	C	C	R	R

Key:

P = Permitted, allowed subject to general district standards

R = Restricted, allowed subject to specific use standards

C = Conditional, allowed subject to discretionary review

* Permitted use within the A District outside the City Limits, conditional use within A District within the City Limits.

(Ord. No. 4342-3/2013; Ord. No. 4674, § 2, 11-8-2021; Ord. No. 4735, § 2, 5-8-2023)

Sec. 34-211. - C-3 Commercial Business Districts.

(1) *Intent.* This district includes those areas which are heavily exposed to automobile traffic and which have been developed with general commercial uses. The district is intended specifically for those areas surrounding major arterial intersections where personal services, convenience goods, and auto-related service facilities are desirable and appropriate land uses.

(2) *Allowed uses.* See Table 200-1 in Section 34-200.

(3) *Minimum lot requirements.*

Use	Lot Area (sq. ft.)	Lot Width (lin. ft.)
3 and 4 family dwelling	7,000	70
5 to 10 family dwelling	8,000	75 (plus 1,000 sq. ft. for each dwelling unit in excess of 5)
All other permitted uses	6,000	None

(a) Apartment building for 11 or more families on sites having a minimum area of 14,000 sq. ft. and minimum frontage of 100 feet on a street of city collector or greater designation on the official major thoroughfare plan shall be limited by floor area ratio (F.A.R.)* of 2.0 and shall be subject to the yard requirements of this section.

(b) Floor area ratio is defined as the maximum gross floor area of a building on a lot or parcel, divided by the area of the lot or parcel. (F.A.R. of 2.0 provides for 28,000 gross sq. ft. of a building on a lot with an area of 14,000 sq. ft.)

(c) Multiple-family dwellings shall provide a usable yard of 100 sq. ft. per dwelling unit.

(4) *Minimum yard requirements.*

(a) *Residential uses.*

(i) *Front yard*—25 ft.

(ii) *Side yard*—There shall be a side yard on each side of a building not less than ten percent of the width of the lot; except, that such side yard shall not be less than seven feet, and need not be more than 25 feet.

Buildings on corner lots shall provide a side yard on the street side of not less than 15 feet; provided that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership on August 26, 1968 to less than 35 feet.

(iii) *Rear yard*—The depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 30 feet.

(b) *Commercial uses.*

(i) *Front yard*—None; provided, however, if the building is set back from the front property line it shall be a minimum of ten feet.

(ii) *Side yard*—None; provided, however, if the building is set back from the property line it shall be a minimum of five feet except; that where a side line of a lot in this district abuts upon the side line of a lot in a District R-1 to C-O inclusive, a side yard of not less than ten feet shall be provided.

Buildings on corner lots shall provide a side yard on the street side of not less than ten feet; provided that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership on August 26, 1968 to less than 30 feet.

(iii) *Rear yard*—None; except that not less than ten feet shall be provided adjacent to an existing alley and not less than 15 feet shall be provided next to any abutting property in a District R-1 to C-O, inclusive.

(5) *Minimum dwelling size.*

(a) *Single family*—650 square feet of living floor area.

(b) *Multi-family*—None.

(6) *Maximum lot coverage by all buildings.*

(a) *Residential uses*—50 percent

(b) *Other uses*—None

(7) *Maximum height of structures.*

(a) Except for multi-family structures and as otherwise provided in this chapter, the maximum height of a principle structure shall be 90 feet above grade.

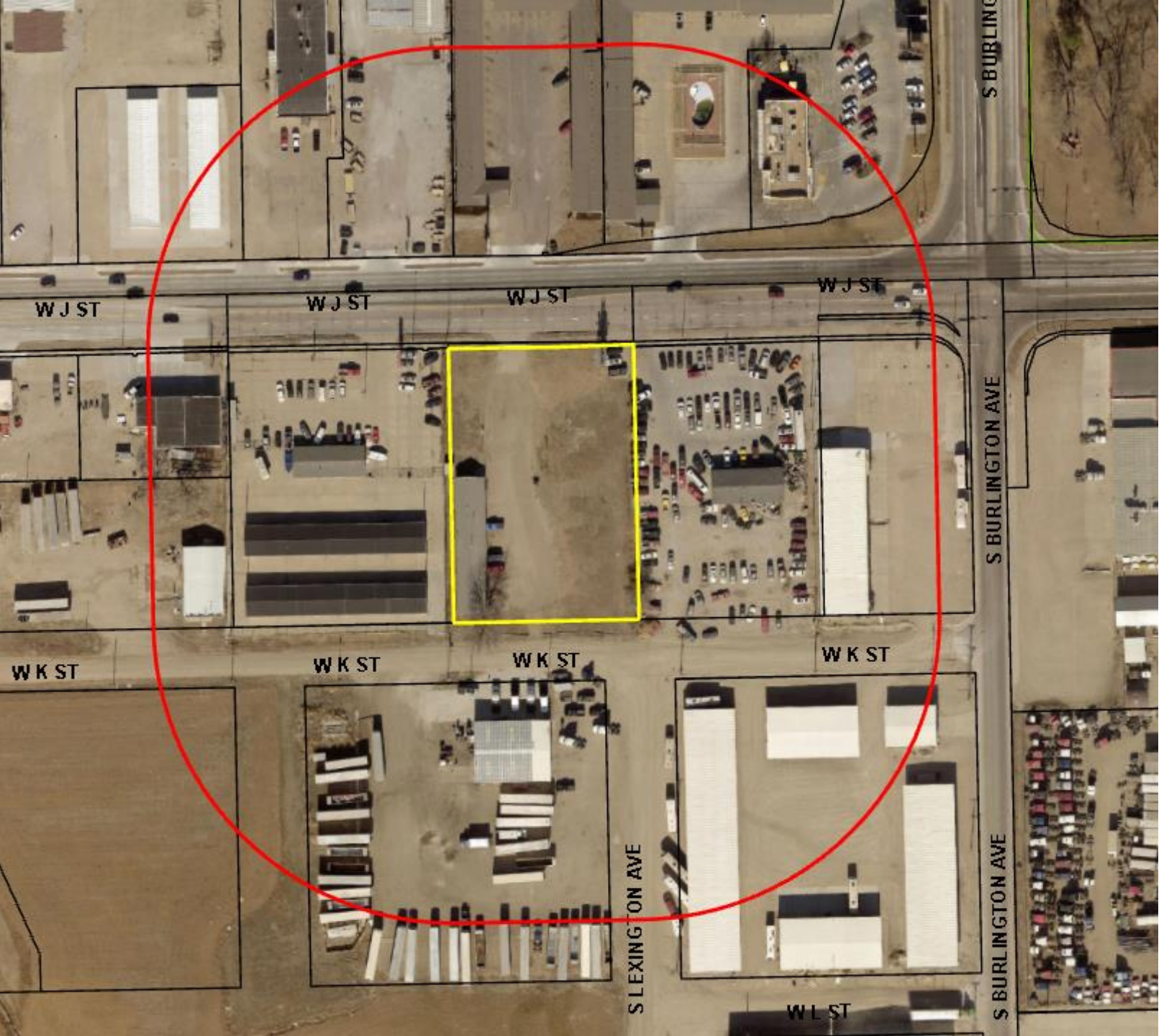
(b) Except as otherwise provided in this chapter, the maximum height of a multiple family dwelling shall be 45 feet above grade.

(c) The maximum height of an accessory structure shall not exceed lesser of 44 feet above grade or the height of the principal structure by more than 25 percent.

(Ord. Nos. 3133-7/89, 3218-6/91, 3215-6/91, 3242-12/91, 3284-11/92, 3292-1/93, 3397-6/94, 3428-10/94, 3448-12/94, 3488-7/95, 3861-6/2002, 3947-4/2004, 4233-11/2009, 4563-9/2018)

HASTINGS
Nebraska

File No.	2025-50
Project	Public hearing for a change of zoning for property commonly addressed as 913 W J Street, City of Hastings, Adams County, Nebraska, from R-1, Urban Single-Family Residential District to C-3, Commercial Business District, and to amend the Official Zoning District Map.
Applicant	Daniel Hernandez


W J ST
W J ST
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S BURLINGTON AVE
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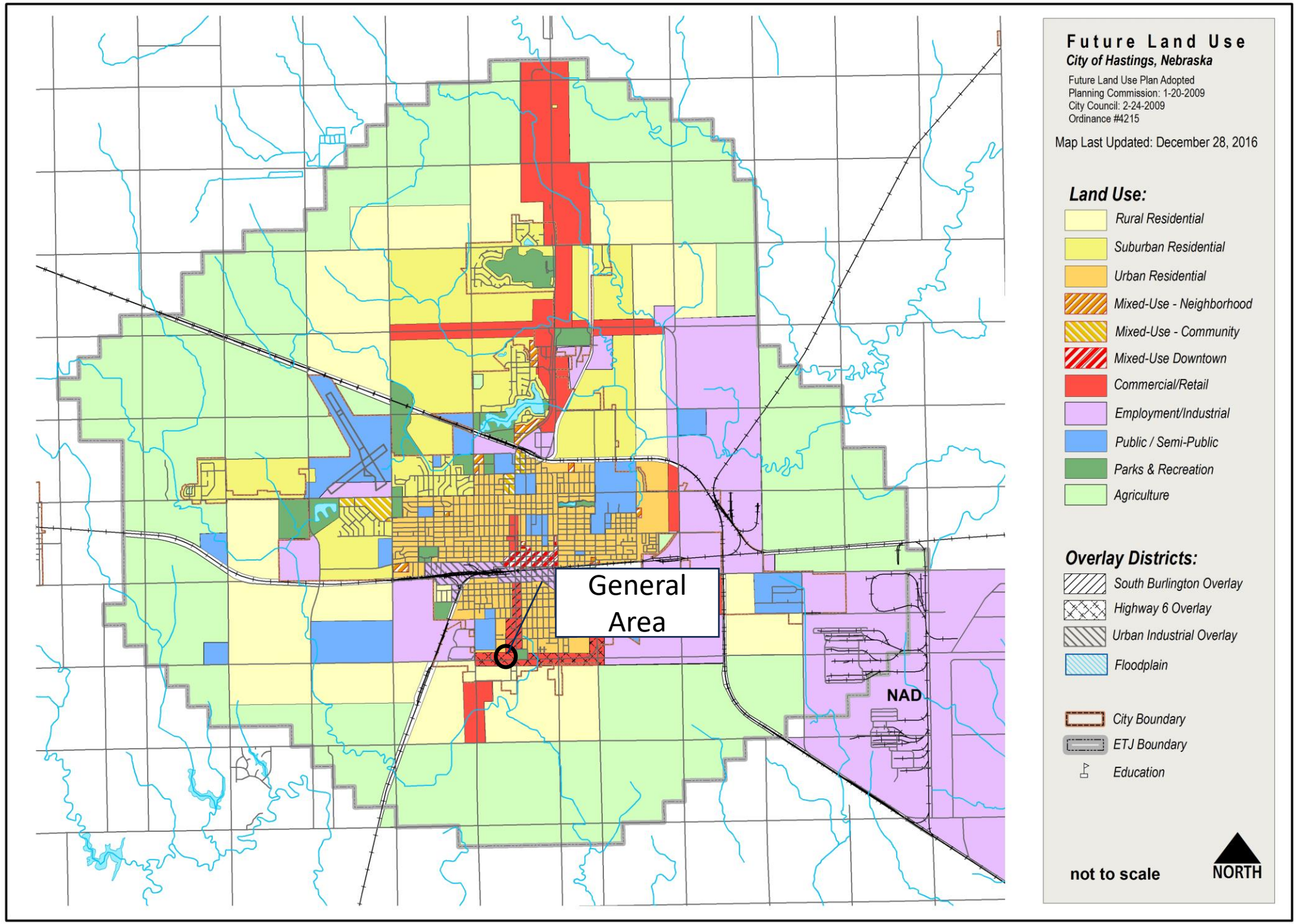
Future Land Use
City of Hastings, Nebraska
Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215
Map Last Updated: December 28, 2016
Land Use:
Rural Residential
Suburban Residential
Urban Residential
Mixed-Use - Neighborhood
Mixed-Use - Community
Mixed-Use Downtown
Commercial/Retail
Employment/Industrial
Public / Semi-Public
Parks & Recreation
Agriculture
Overlay Districts:
South Burlington Overlay
Highway 6 Overlay
Urban Industrial Overlay
Floodplain
City Boundary
ETJ Boundary
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General Area
NAD
not to scale
NORTH

Lincoln Park
W J ST
W J ST
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W J ST
W J ST
S CHICAGO AVE
S CHICAGO AVE
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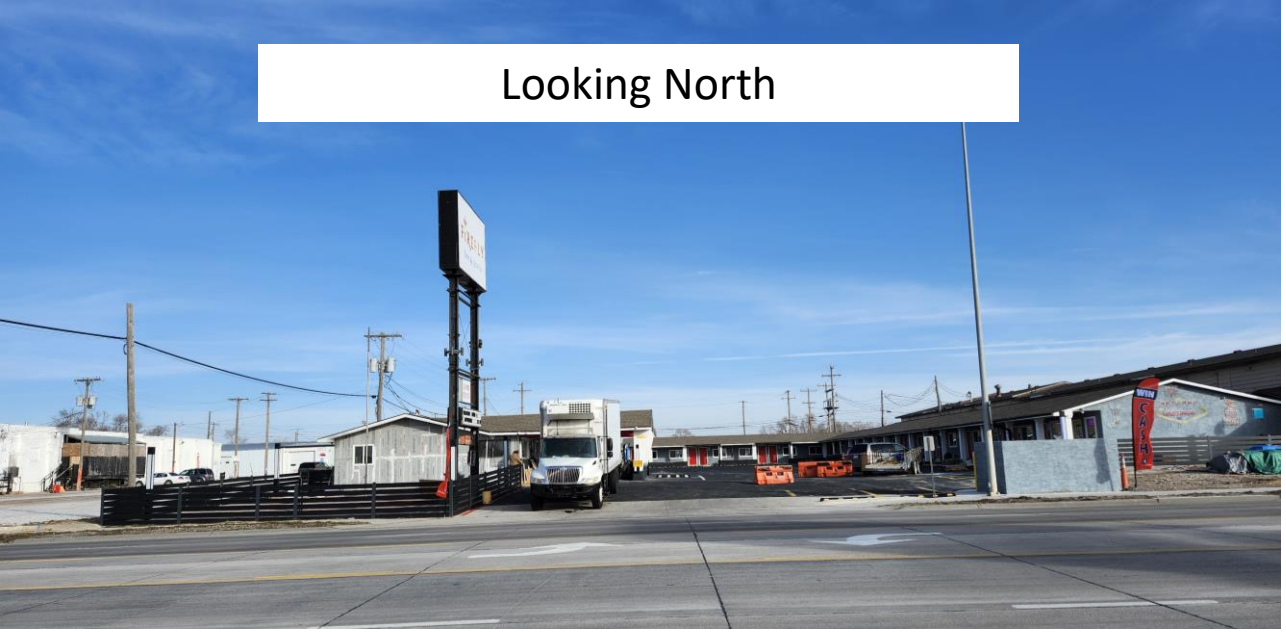
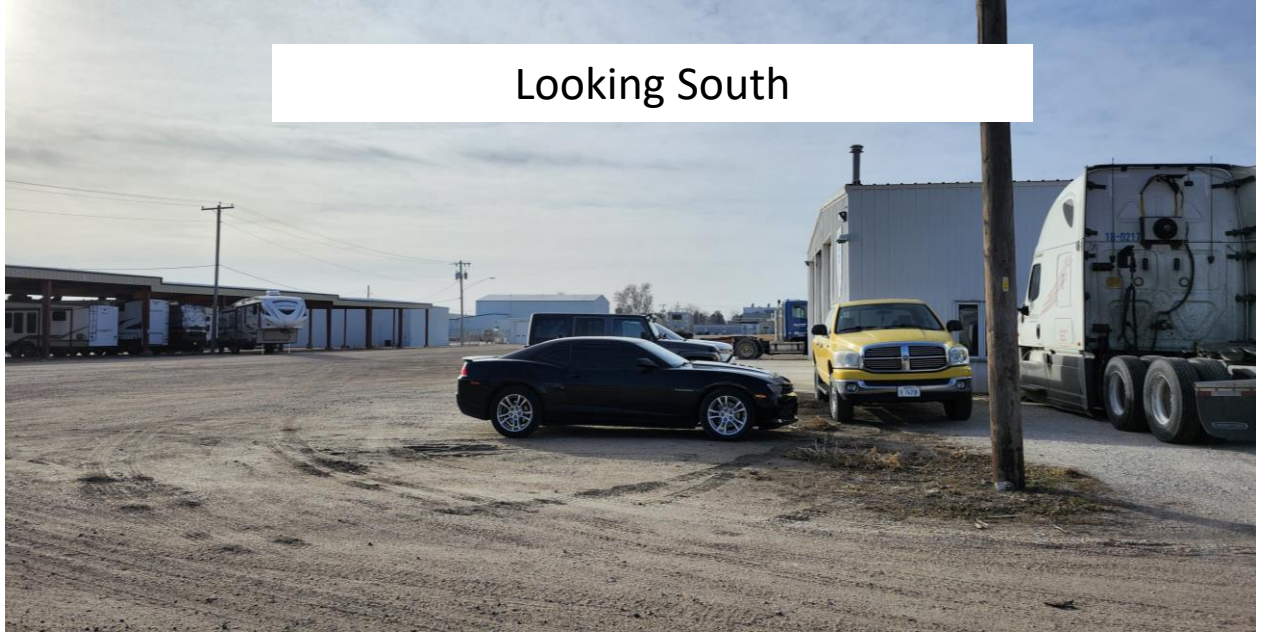
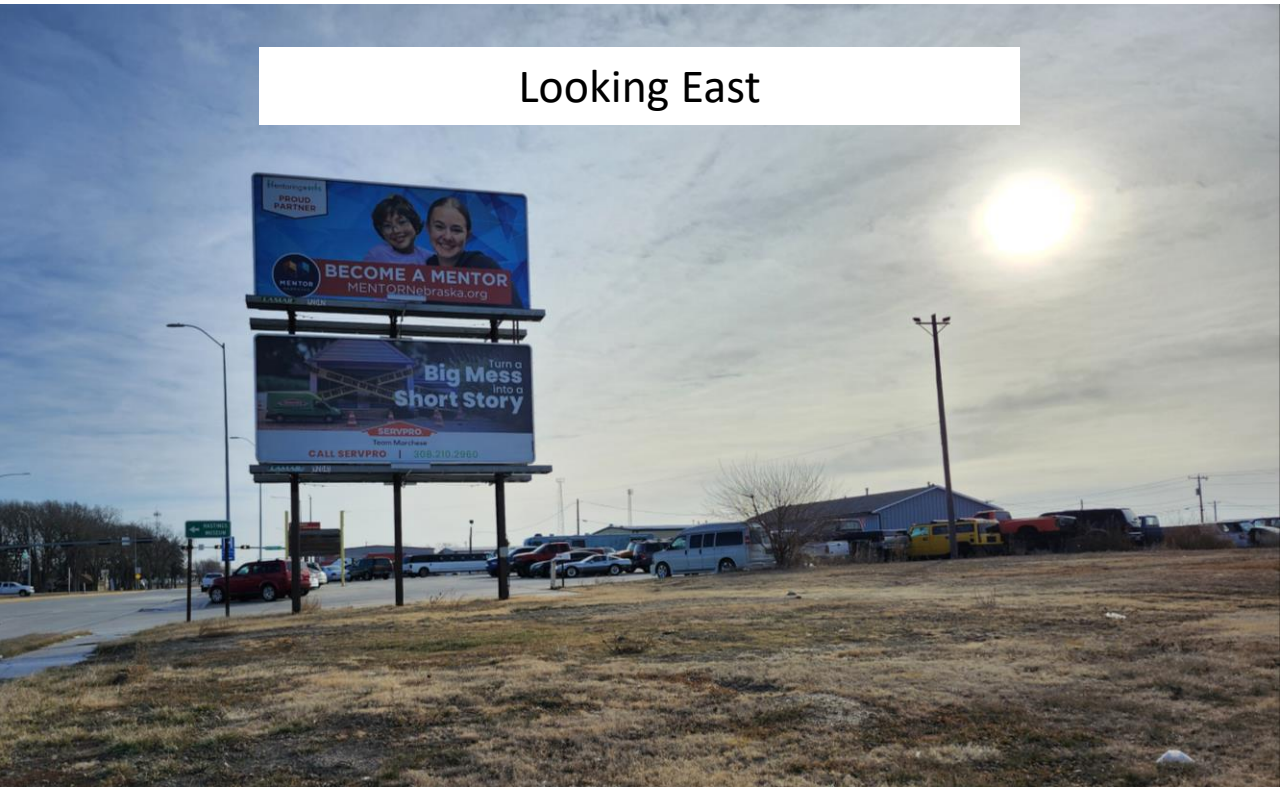
Looking North



Looking South



Looking East



Looking West

Staff Findings Summary

- The surrounding area is a commercial and industrial area that conforms with the 2009 Comprehensive Plan
- Adequate public infrastructure is available in the area to serve the development.
- The surrounding neighborhood is commercial/industrial in character and the proposed rezoning to C-3 would be compatible with the area.

Planning Commission Recommendation

The Planning Commission, by a vote of 7-0, **recommends approval** for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 913 W J Street, City of Hastings, Adams County, Nebraska, from R-1, Urban Single-Family Residential District to C-3, Commercial Business District, and to amend the Official Zoning District Map.

City staff recommends approval.

HASTINGS
Nebraska

Department: City Attorney
Staff Contact: Jesse Oswald
Council Meeting Date: 4/14/2025

AGENDA ITEM SUMMARY SHEET

Description of Item:

Ordinance No. 4793 revising all the ordinances of the City.

Names of People/Business affected by this action:

City of Hastings, Citizens of Hastings

Why Council action is required:

State law requires an ordinance be passed by council when revising city code.

Type of action requested:

Ordinance

Suggested motion:

Motion to approve Ordinance No. 4793 revising all ordinances of the City of Hastings.

Deadlines associated with action:

Department head comments:

The objective of this revision to city code is to align code with changes in state law. Additionally, there are changes to city code to reflect how the city currently operates (i.e. deleting all references to the board of public works).

Recommend approval.

City Administrator comments:

Updating of city code to align with State Statute and to identify and correct current practices within the code. I recommend approval.

ORDINANCE NO. 4793

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, REVISING ALL THE ORDINANCES OF THE CITY; PROVIDING A PENALTY FOR VIOLATIONS OF THE CODE; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND RELATED MATTERS.

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

Section 1. The Code entitled "The Code of the City of Hastings, Nebraska," published by Municode, consisting of chapters 1 through 54, each inclusive, is adopted.

Section 2. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule, or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding $500.00 . Except as otherwise provided by law or ordinance: (i) with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense; and (ii) with respect to violations that are not continuous with respect to time, each act constitutes a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief, restitution and revocation of licenses or permits, and such other remedies as provided by this Code, and Nebraska and federal law.

Section 3. Additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that the reference to the Code includes the additions and amendments.

Section 4. That Section 2-306 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows:

Section 2-306. Powers Generally.

The Mayor shall be the Chief Executive Officer of the City. He or she shall preside at all the meetings of the Council, and may vote on any matter when his or her vote will provide the additional vote required to create a number of votes equal to a majority of the number of members elected to the Council, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the Council. He or she shall have the superintending control of all the officers, affairs and property of the City, and shall take care that the ordinances of the City and the provisions of law relating to cities of the first class are complied with. The Mayor may administer oaths and shall sign the commissions and appointments of all the officers appointed in the City, and shall sign minutes of Council meetings, municipal

warrants, bonds, contracts, and such other official documents and records as may be required by ordinance or general law.

Section 5. That Section 2-307 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows:

Section 2-307. Veto Power.

(1) The Mayor shall have the power to approve or veto any ordinance, order, by-law, resolution, award of or vote to enter into any contract or the allowance of any claim; provided, that any such ordinance, order, by-law, resolution, award or vote to enter into any contract or the allowance of any claim vetoed by him, may be passed over the Mayor's veto by a vote of two-thirds of all the members elected to the Council, notwithstanding such veto. If he neglects or refuses to sign any ordinance, order, by-law, resolution, award or vote to enter into any contract or the allowance of any claim, and returns the same with his objections in writing at the next regular meeting of the Council, the same shall become a law without his signature. He may veto any items of any appropriation bill and approve the remainder thereof, and the items so vetoed may be passed by the Council over such veto as in other cases.

(2) The Mayor shall exercise the veto by submitting same in writing to the City Clerk within five business days after the measure being vetoed was adopted by the Council. Upon receipt of the veto, the City Clerk shall place the possible override of the veto on the agenda of the next regularly scheduled Council meeting, and the City Council shall consider the possible override at such meeting; provided, consideration of the possible override may be postponed or tabled to a later meeting, but the Council shall have no right to override a Mayor's veto after the end of the second regular meeting after the Mayor's veto was filed with the City Clerk. For the purposes of this subsection, "business day" shall mean any day of the week on which the City Hall offices are open for business, and does not include Saturdays, Sundays, or City holidays.

Section 6. Any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 7. This Ordinance shall be published in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval, and publication in electronic form.

Section 8. The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

PASSED AND APPROVED this _____ day of _____, 2025.

CITY OF HASTINGS, NEBRASKA

By: _____
George J.J. Beckby, Mayor

ATTEST:

By: _____
Tyler Ficken, Clerk

[S E A L]

Approved as to form: _____
Jesse Oswald, City Attorney

THE CODE

OF THE CITY OF

HASTINGS, NEBRASKA

Published in 2025 by Order of the City Council

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P.O. Box 2235 Tallahassee, FL 32316

OFFICIALS

of the

CITY OF

HASTINGS, NEBRASKA

AT THE TIME OF THIS RECODIFICATION

Jay Beckby
Mayor

Mike Anderson
Steven Huntley
Larry Consbruck
Brad Consbruck
Maggie Esch
Mark Rowan
Brian Hoffman
Matt Fong
City Council

Mark Funkey
City Administrator

Jesse Oswald
City Attorney

Kimberly Jacobitz
City Clerk

PREFACE

This Code constitutes a recodification of the general and permanent ordinances of the City of Hastings, Nebraska.

Source materials used in the preparation of the Code were the 2020 Code, as supplemented through March 11, 2024, and ordinances adopted by the city council. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the comparative tables appearing in the back of this Code, the reader can locate any section of the 2020 Code, as supplemented, and any subsequent ordinance included herein.

Acknowledgments

This publication was under the direct supervision of Roger D. Merriam, Senior Code Attorney, and Angie Barry, Editor, of CivicPlus, LLC. Credit is gratefully given to the other members of the publisher's staff for their sincere interest and able assistance throughout the project.

The publisher is most grateful to Mr. Shawn Metcalf, former City Administrator, Mr. Jesse Oswald, City Attorney, Ms. Kimberly Jacobitz, City Clerk, and Ms. Gail Plouzek, Administrative Assistant, for their cooperation and assistance during the progress of the work on this publication. It is hoped that their efforts and those of the publisher have resulted in a Code of Ordinances which will make the active law of the city readily accessible to all citizens and which will be a valuable tool in the day-to-day administration of the city's affairs.

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CODE OF ORDINANCES

Chapter 1

GENERAL PROVISIONS

Sec. 1-101. How Code designated and cited.
Sec. 1-102. Definitions and rules of construction.
Sec. 1-103. Headings of sections; effect of history notes; and references in Code.
Sec. 1-104. Effects of repeal of ordinances.
Sec. 1-105. Amendments to Code; effect of new ordinances; amendatory language.
Sec. 1-106. Supplementation of Code.
Sec. 1-107. General penalty; continuing violations.
Sec. 1-108. Severability of parts of Code.
Sec. 1-109. Provisions deemed continuation of existing ordinances.
Sec. 1-110. Code does not affect prior offenses or rights.
Sec. 1-111. Certain ordinances not affected by Code.

Sec. 1-101. How Code designated and cited.

(a) All ordinances embraced in this, and the following chapters and sections, shall constitute and be designated "The Code of the City of Hastings, Nebraska," and may be so cited. Such Code may also be cited as the "Hastings City Code."

(b) All references to ordinances or to the 2020 Code in uncodified ordinances and in all forms, notices, and signs promulgated by the city shall be deemed to reference successor provisions in this Code.

(Code 1973, § 1-1; Code 2020, § 1-101)

State law reference—Ordinance codification, Nebraska Revised Statutes, §§ 16-247, 16-403, 16-404.

Sec. 1-102. Definitions and rules of construction.

In the construction of this Code, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of this Code:

Generally.

(1) All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(2) All provisions shall be liberally construed.

(3) When provisions conflict, the specific shall prevail over the general.

(4) Provisions shall be interpreted and applied so as to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.

(5) In the event of conflicts between provisions, the more stringent provision controls.

City. The term "city" means the City of Hastings, Nebraska.

Code. The term "Code" means "The Code of the City of Hastings, Nebraska," as designated in section 1-101.

Computation of time. The time within which an act is to be done shall be computed by excluding the day of the act, after which the designated period of time begins to run, and including the last day, unless it is a Saturday or Sunday or a day the city hall is closed, in which event the period runs until the end of the next day on which the city hall is open.

State law reference—Similar provisions, Nebraska Revised Statutes, § 25-2221.

Conjunctions. In a provision involving two or more items, conditions, provisions or events, which items, conditions, provisions or events are connected by the conjunction "and," "or," or "either . . . or," the conjunction shall be interpreted as follows, except that in appropriate circumstances the terms "and" and "'or" are interchangeable:

(1) "And" indicates that all the connected terms, conditions, provisions or events apply.

(2) "Or" indicates that the connected terms, conditions, provisions or events apply singly or in any combination.

(3) "Either … or" indicates that the connected terms, conditions, provisions or events apply singly but not in combination.

Council, city council. The terms "council" or "city council" mean the council of the City of Hastings, Nebraska.

County. The term "county" means Adams County, Nebraska.

Day. The term "day" means the period of time between any midnight and the midnight following.

Daytime, nighttime. The term "daytime" means the period of time between sunrise and sunset. The term "nighttime" means the period of time between sunset and sunrise.

Delegation of authority. Any provision requiring a city officer or a city employee to do some act is to be construed to authorize the officer or employee to designate, delegate and authorize subordinates to perform the required act.

Departments, boards, officers, etc. References to a department, board, commission, office, officer or employee are to a city department, city board, city commission, city office, city officer or city employee.

Gender. Words of gender include all genders.

In the city. The term "in the city" means and includes all territory over which the city now has or shall hereafter acquire jurisdiction for the exercise of its police powers or other regulatory powers.

Joint authority. All words purporting to give a joint authority to three or more city officers or other persons shall be construed as giving such authority to a majority of such officers or other persons.

May. The term "may" is to be construed as being permissive.

May not. The term "may not" states a prohibition.

Month. The term "month" means a calendar month.

Must. The term "must" is to be construed as being mandatory.

Number. Words used in the singular include the plural. Words in the plural include the singular.

Oath. The term "oath" includes affirmation.

Owner. The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety of the whole, or of a part of, such building or land or vendee in possession under a land sale contract.

Person. The word "person" shall extend and be applied to firms, corporations, voluntary associations, partnerships and joint stock companies, as well as to individuals, unless plainly inapplicable.

Preceding, following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The word "property" shall include real and personal property.

Real property. The words "real property" shall include lands, tenements and hereditaments.

Reasonable time. In all cases where any provision of this Code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall mean such time only as may be necessary for the prompt performance of such duty, or compliance with such notice.

Shall. The term "shall" is to be construed as being mandatory.

Signature or *subscription by mark.* The term "signature" or "subscription by mark" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes their own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when one witness shall sign their own name thereto.

State. The term "state" means State of Nebraska.

Statutes. References to the Nebraska Revised Statutes are to such statutes as now or hereafter amended. Any reference to a state act by title is a reference to such act as now or hereafter amended.

Tenant or *occupant.* The term "tenant" or "occupant," applied to a building or land, includes any person holding a written or an oral lease of, or who occupies, the whole or a part of such building or land, either alone or with others.

Tense. The present tense includes the past and future tenses, and the future includes the present.

To. The term "to" means "to and including," when used in reference to a series of sections of this Code or when reference is made to the Nebraska Revised Statutes.

Week. The term "week" means seven consecutive days; but publication in a newspaper of any notice, or other matter indicated to be for a stated number of weeks, shall be construed to mean one insertion in each week, unless specifically stated to be for each day of the week or for more than one day in each week.

Writing. The term "writing" includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this Code, it shall be made in writing, in the English language, unless it is expressly provided otherwise.

Year. The term "year" shall mean a calendar year, except where otherwise provided.
(Code 1973, § 1-2; Code 2020, § 1-102)

Sec. 1-103. Headings of sections; effect of history notes; and references in Code.

(a) The catchlines of the several sections of this Code are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections, nor as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted.

(b) The history or source notes appearing in parentheses after sections in this Code are not intended to have any legal effect but are merely intended to indicate the source of matter contained in the section. State law references that appear after sections or subsections of this Code or which otherwise appear in footnote form are provided for the convenience of the user of this Code and have no legal effect.

(c) All references to chapters, articles, divisions, subdivisions or sections are to the chapters, articles, divisions, subdivisions or sections of this Code, as amended, unless otherwise specified.
(Code 1973, § 1-3, 1-5; Code 2020, §§ 1-103, 1-105)

Sec. 1-104. Effects of repeal of ordinances.

(a) When any ordinance repealing a former ordinance, clause or provision, shall itself be repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided.

(b) The repeal of an ordinance does not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the repealed ordinance.
(Code 1973, § 1-6; Code 2020, § 1-106)

Sec. 1-105. Amendments to Code; effect of new ordinances; amendatory language.

(a) All ordinances adopted subsequent to this Code that amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of the Code and printed for inclusion in the Code.

(b) Amendments to provisions of this Code may be made with the following language: "Section (chapter, article, division or subdivision, as appropriate) ____ of The Code of the City of Hastings, Nebraska, is hereby amended to read as follows: ...." The section (chapter, article, division, or subdivision) should be set out in full.

(c) If a new section, subdivision, division, article or chapter is to be added to the Code, the following language may be used: "Section (chapter, article, division or subdivision, as appropriate) ____ of The Code of the City of Hastings, Nebraska, is hereby created to read as follows: ...." The section (chapter, article, division, or subdivision) should be set out in full.

(d) All provisions desired for repeal should be repealed specifically by section, subdivision, division, article or chapter number, as appropriate, or by setting out the repealed provisions in full in the repealing ordinance.
(Code 1973, § 1-7; Code 2020, § 1-107)

Sec. 1-106. Supplementation of Code.

(a) By contract or by city personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the city council. A supplement to the Code shall include all substantive permanent and general parts of ordinances passed by the city council during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

(b) In preparing a supplement to this Code, all portions of the Code that have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

(c) When preparing a supplement to this Code, the person authorized to prepare the supplement may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the person may:

(1) Organize the ordinance material into appropriate organizational units;

(2) Provide appropriate catchlines, headings and titles for sections and other organizational units of the Code printed in the supplement, and make changes in such catchlines, headings and titles;

(3) Assign appropriate numbers to sections and other organizational units to be inserted in the Code and, where necessary to accommodate new material, change existing section or other organizational unit numbers;

(4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections ____ to ____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and

(5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall changes be made in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-107. General penalty; continuing violations.

(a) In this section, the term "violation of this Code" means any of the following:

(1) Doing an act that is prohibited or made or declared to be unlawful, an offense, or a misdemeanor by ordinance or by rule or regulation authorized by ordinance;

(2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance;

(3) Failure to perform an act if the failure is declared to be a misdemeanor an offense, or unlawful by ordinance or by rule or regulation authorized by ordinance.

(b) In this section, the term "violation of this Code" does not include the failure of a city officer or city employee to perform an official duty unless it is provided that failure to perform the duty is to be punished as provided in this section.

(c) Except as otherwise provided:

(1) A person convicted of a violation of this Code shall be punished by a fine not exceeding $500.00, plus costs.

(2) With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

(3) As to other violations, each act is a separate offense.

(d) Violations of this Code that are continuous with respect to time may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief or revocation of a license or permit.

(Code 1973, § 1-10; Code 2020, § 1-109; Ord. No. 4605-9/2019)

State law reference—Penalties for ordinance violations, Nebraska Revised Statutes, §§ 16-225, 16-245, 16-246.

Sec. 1-108. Severability of parts of Code.

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared invalid by the judgment or decree of a court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

(Code 1973, § 1-4; Code 2020, § 1-104)

Sec. 1-109. Provisions deemed continuation of existing ordinances.

The provisions of this Code, insofar as they are substantially the same as legislation previously adopted by the city relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

Sec. 1-110. Code does not affect prior offenses or rights.

(a) Nothing in this Code or the ordinance adopting this Code affects any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established before the effective date of the ordinance adopting this Code.

(b) The adoption of this Code does not authorize any use or the continuation of any use of a structure or premises in violation of any city ordinance on the effective date of the ordinance adopting this Code.

Sec. 1-111. Certain ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code affects the validity of the following ordinances or portion of ordinances that are not codified in this Code. Such ordinances or portions of ordinance continue in full force and effect to the same extent as if published at length in this Code.

(1) Annexing property into the city.

(2) Deannexing property or excluding property from the city.

(3) Describing the boundaries of the city.

(4) Establishing or modifying council districts.

(5) Promising or guaranteeing the payment of money, or authorizing the issuance, sale or security of bonds or other instruments of indebtedness.

(6) Authorizing or approving any contract, deed, or agreement.

(7) Making or approving any appropriation or budget.

(8) Providing for salaries, benefits, or terms or conditions of employment of city officers or employees not codified in this Code, or creating or amending any department, division or other agency of city government, or any employment classification or position, whether elected or appointed.

(9) Granting any right or franchise.

(10) Adopting or amending the comprehensive plan.

(11) Providing for local improvements, or levying or imposing any special assessment.

(12) Creating any special improvement district.

(13) Dedicating, establishing, naming, locating, relocating, opening, paving, widening, repairing or vacating any street.

(14) Establishing the grade of any street or sidewalk.

(15) Dedicating, accepting or vacating any plat or subdivision.

(16) Levying or imposing taxes not codified in this Code.

(17) Rezoning specific property or providing for airport zoning.

(18) That is temporary, although general in effect.

(19) That is special, although permanent in effect.

(20) The purpose of which has been accomplished.

Chapter 2

ADMINISTRATION

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Sec. 2-103. Community development agency.
Sec. 2-104. Role of city councilmembers.
Sec. 2-105. Go through city administration.
Sec. 2-106. Positive workplace environment.
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ARTICLE I. IN GENERAL

Sec. 2-101. Corporate seal; use.

The city clerk shall affix an impression of the corporate seal to all warrants, licenses, permits, ordinances and all papers issued by the order of the mayor and countersigned by the clerk.
(Code 1952, § 6-302; Code 1973, § 1-9; Code 2020, § 1-108)

Sec. 2-102. Departments of city government.

(a) City government shall be divided generally into departments as follows:

(1) Administration department.

(2) Finance department.

(3) Human resources department.

(4) Fire department.

(5) Police department.

(6) Parks and recreation department.

(7) Engineering department.

(8) Development services department.

(9) Utilities department.

(10) Hastings Public Library.

(11) Hastings Museum.

(12) Information technology department.

(b) There are various functions operating within the foregoing departments who shall report directly to the department head under which the function is assigned. All department heads shall be appointed by the mayor with the approval of the city council and shall report directly to the city administrator. The following positions of city administrator, city attorney, city clerk, city engineer, and finance director/city treasurer shall hold that office until the end of the mayor's term and until a successor is appointed and qualified, unless sooner removed by the mayor with the consent of the city council.
(Code 2020, § 2-102; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-103. Community development agency.

The community development agency shall be a department of government of the city. The community development agency is authorized to exercise all the powers granted under Nebraska Revised Statutes, §§ 18-2101 through 18-2144 and, further, to do all things necessary to obtain financial assistance and support from the federal or state government.
(Code 1973, 2-86; Code 2020, § 2-612; Ord. No. 2587)

Sec. 2-104. Role of city councilmembers.

Councilmembers shall respect and adhere to the mayor-council-administrator form of the city government. In this structure, the city council determines the policies of the city with the advice, information and analysis provided by the public, commissions, boards and city staff.
(Code 2020, § 2-103; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-105. Go through city administration.

(a) Except as otherwise provided in this Code, councilmembers shall not interfere with the administrative functions of the city or the professional duties of city staff; nor shall councilmembers impair the ability of the staff to implement council decisions.

(b) Before sending correspondence, councilmembers shall check with the city administrator to see if an official city response has already been sent or is in progress. Requests for additional staff support, even in high priority or emergency situations,shall be made to the city administrator, who is responsible for allocating city resources in order to maintain a professional, well-run city government.
(Code 2020, § 2-104; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-106. Positive workplace environment.

(a) Councilmembers shall support the maintenance of a positive and constructive workplace environment for city employees and for citizens and businesses dealing with the city. Members shall recognize their special role in dealings with city employees in order to not create the perception of inappropriate direction to staff.

(b) Questions of city staff and/or requests for additional background information shall be directed to the city administrator or city attorney. The city administrator shall be copied on or informed of any request.

(c) Request for follow-up or directions to staff shall be made only through the city administrator or city attorney when appropriate. When in doubt about what staff contact is appropriate, councilmembers shall ask the city administrator for direction. Materials supplied to a councilmember in response to a request will be made available to all members of the council so that all have equal access to information.

(d) Councilmembers shall never express concerns about the performance of a city employee in public, to the employee directly, or the employee's manager. Comments about staff performance shall only be made to the city administrator through private correspondence or conversation.
(Code 2020, § 2-105; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-107. Attendance.

No member shall be absent from the service of the city council, unless the member is on leave, is sick, or unable to attend. If the mayor or any Councilmember shall neglect or fail to attend five consecutive meetings of the council, unless the absences are documented by proof of illness or

accident resulting in injury, the mayor shall be deemed guilty of misconduct and the office shall be declared vacant by the council. Meetings of the council include regular, work sessions, or special meetings.
(Code 2020, § 2-106; Ord. No. 4663, § 2, 4-26-2021)

ARTICLE II. CITY COUNCIL*

Sec. 2-201. Meetings.

(a) Regular meetings of the city council shall be held on the second and fourth Mondays of each month, commencing at 5:30 p.m. City council work sessions shall be held on the third Monday of each month commencing at 5:30 p.m. All regular meetings shall be held in the council chambers in the city building. The city council may, by motion, establish a different time, date and location for any regular meeting.

(b) Special meetings may be called by the mayor or by four members of the council, by filing a written request with the city clerk. On filing of the request, the clerk shall notify the councilmembers not signing the request of the special meeting, stating the time of meeting and its purpose, provided that any member of the council may execute a waiver of notice of special meeting entered on the clerk's minute book.

(c) A majority of all members elected to the council shall constitute a quorum for the transaction of business, except as otherwise required by law, but a smaller number may adjourn from day to day until a quorum can be present.

(d) At the hour appointed for the meeting, the clerk shall proceed to call the roll of members and announce whether a quorum is present. If a quorum is present, the council shall be called to order by the mayor, if present, or the president of the council or by the presiding officer as provided for in section 2-202.
(Code 1973, § 2-4; Code 2020, § 2-202; Ord. No. 2142; Ord. No. 2457; Ord. No. 2626; Ord. No. 2758; Ord. No. 3287-11/92; Ord. No. 4545-1/2018; Ord. No. 4591-4/2019)

Sec. 2-202. Council president; vice-president; vacancies.

(a) In case of any vacancy in the office of mayor, or in the case of absence or disability, the president of the council shall exercise the powers and duties of the office of mayor until such vacancy shall be filled or such disability removed, or, in case of temporary absence, until the mayor returns, and shall perform such other duties as may be required by law.

(b) When there is a vacancy in the office of the mayor, the president of the city council shall serve as mayor for the unexpired term, except as otherwise provided in Nebraska Revised Statutes, § 16-217.

***State law reference**—City council, Nebraska Revised Statutes, §§ 16-304, 16-401 et seq.

(c) The council shall elect one of the councilmembers as vice-president of the council and that member shall serve in the place of the president if the president is absent. In such event, the vice-president shall be known as the acting president.

(d) If the mayor, the president, and the vice-president are all absent, the council shall elect one of the councilmembers temporarily as acting president of the council.

(e) The president or acting president, when occupying the place of mayor, shall have the same privileges as other members of the council, and all acts of the president or acting president, while so acting, shall be as binding upon the council and upon the city as if done by the mayor.

(f) In the event of a vacancy in the office of president, the vice-president shall not automatically become the president. Rather, the council shall meet and elect a new president from the remaining members of the city council. If the person holding the position of vice-president is elected as president, the council shall also elect a vice-president.
(Code 1973, § 2-5; Code 2020, § 2-202; Ord. No. 1948; Ord. No. 2760; Ord. No. 2937; Ord. No. 2958; Ord. No. 3287-11/92)

Sec. 2-203. Order of business.

(a) After the city council has been called to order, the council shall then proceed to business, which shall be conducted generally in the following order:

(1) Roll call.

(2) Pledge of allegiance.

(3) Motion to adopt current agenda.

(4) Public notice.

(5) Council communication.

(6) Citizen communications (only for agenda items not related to public hearing).

(7) Mayor's communications.

(8) Consent agenda.

(9) Regular agenda.

(10) Adjourn.

(b) The city clerk shall prepare the agenda, and in doing so, shall deviate from the general order described in subsection (a) of this section in order to allow related matters to be considered together.
(Code 1973, § 2-6; Code 2020, § 2-203; Ord. No. 2142; Ord. No. 2937; Ord. No. 2981-7/86)

Sec. 2-204. Rules of procedure.

The following rules of procedure shall govern meetings of the city council:

(1) The mayor or president shall preserve order and decide all questions of order, subject to an appeal to the council. When a member is called to order, they shall be seated until the point is decided.

(2) When the mayor or president is putting the question, no member shall leave the council room.

(3) All resolutions or motions shall be reduced to writing before being acted upon, if requested by the clerk or any member of the council.

(4) No motion shall be put or debated unless seconded; when seconded, it shall be stated by the presiding officer before being debatable.

(5) In all cases where a motion or resolution is entered on the minutes, the name of the member proposing such motion or resolution shall be entered also.

(6) The council may censure any of its members for any breach of trust or disorderly behavior.

(7) A resolution, ordinance or motion may be withdrawn by the sponsor thereof with the consent of the second, before being voted upon.

(8) Where a blank is to be filled and different sums or times are proposed, the question shall be put on the largest sum or the longest time.

(9) A question to reconsider shall be in order when made by a member voting with the majority, but such motion to reconsider shall be made before the expiration of the third regular meeting after the consideration of the same question.

(10) When a question is under debate, no motion shall be made, entertained, or seconded, except the following privileged motions, to wit:

a. The previous question;

b. To lay on the table;

c. To adjourn.

Each of such privileged motions shall be decided without debate.

(11) The vote of any member who is present and who abstains or passes, or otherwise does not vote on a matter, shall be counted as a vote against that matter.

(12) Any rule of the council may be suspended by a two-thirds' vote of the members present.

(13) In all cases in which provisions are not made by these rules, Robert's Rules of Order, Newly Revised, current edition, shall be the authority by which the council is governed. Three copies of that edition shall be kept on file with the city clerk.

(Code 1973, § 2-7; Code 2020, § 2-204; Ord. No. 2142; Ord. No. 3287-11/92)

Sec. 2-205. Work sessions; council liaisons.

(a) City council work sessions shall be determined by a resolution adopted by the city council. All work sessions shall be held in the council chambers in the city building. The city council may, by motion, establish a different time, date and location for any work session.

(b) Every election year at the organizational meeting of the city council, the mayor shall, with the approval of a majority of the council, appoint the following council liaisons from among the city council:

(1) Utility advisory board.

(2) Mayor's youth council.

(3) City tree board.

(4) Museum board.

(5) Library board.

(6) Airport advisory board.

(7) Electrical exam board.

(8) Mechanical exam board.

(9) Hastings Economic Development Corporation.

(10) Chamber of commerce.

(11) Hastings Public Access Channel.

(12) Little Blue Natural Resources District.

(13) Fire pension committee.

(14) Police pension committee.

(15) Joint city-county committee.

(c) The mayor may also direct the city administrator to attend scheduled meetings of the boards listed in subsection (b) of this section as necessary.
(Code 1973, § 2-8; Code 2020, § 2-205; Ord. No. 2759; Ord. No. 2937; Ord. No. 3055-4/88; Ord. No. 3287-11/92; Ord. No. 4591-4/2019)

ARTICLE III. OFFICERS AND EMPLOYEES IN GENERAL

DIVISION 1. GENERALLY

Sec. 2-301. Selection and term of office of appointive officers; appointment of members of board.

(a) The mayor, at the meeting of the council on the second Monday of December following the mayor's election, shall, with the consent of the council or a majority of the same, appoint a city administrator, city clerk, city treasurer, city engineer, and city attorney. All of such officers, when appointed by the mayor and confirmed by the council, shall hold the office to which they have been appointed until the end of the mayor's term of office, and until a successor is appointed and qualified, unless sooner removed by the mayor with approval of a majority of the council, or until the ordinance creating the office shall be repealed, except as otherwise herein provided.

(b) The mayor shall appoint annually, at such time and in such manner as provided elsewhere in this Code, one member of the council as member of the board of health; one member of the library board; and such other officers, board members, and city employees as the mayor may, in this division and other ordinances of the city, be authorized to appoint.
(Code 1973, § 2-11; Code 2020, § 2-401; Ord. No. 2257; Ord. No. 2338; Ord. No. 2844)

State law reference—Appointment of officers, Nebraska Revised Statutes, §§ 16-308, 16-309.

Sec. 2-302. Salaries of elective officers.

Claims for the salaries of the several officers as fixed herein need not be verified, but warrants for the amount due shall be issued as a matter of course. All fees collected by any officer or employee of the city shall be the property of the city and shall be paid over to the city treasurer. The salary and compensation herein fixed shall not be construed to preclude the additional payment of mileage of city officers and employees when authorized by majority vote of the city council.
(Code 1973, § 2-12; Code 2020, § 2-402; Ord. No. 1713; Ord. No. 2288; Ord. No. 2289; Ord. No. 2386; Ord. No. 2844)

State law reference—Compensation of officers, Nebraska Revised Statutes, §§ 16-218, 16-310, 16-502.

Sec. 2-303. Bonds.

(a) *Filing; premiums.* All bonds shall be filed with the city clerk and recorded in the office, and shall be for the general benefit of the city and for any and all persons injured by breach of the conditions thereof. The premium on any official bond required to be given as herein provided may be paid out of any proper fund of the city upon resolution of the mayor and council.

(b) *Insufficient sureties.* Should the sureties on the official bond of any officer of the city, in the opinion of the mayor and council, become insufficient, the mayor and council may, by resolution, fix a reasonable time within which such officer may give a new bond or additional sureties as directed by such resolution, and should such official fail, refuse or neglect to give such new bond or sureties within the time prescribed by the resolution to the satisfaction and approval of the mayor and council, then the office shall by such failure or neglect become vacant, and it shall be the duty of the mayor, by and with the assent of the council, to appoint a competent and qualified person to fill such office.
(Code 1973, § 2-13; Code 2020, § 2-403; Ord. No. 1800)

State law reference—Authority to require bonds, Nebraska Revised Statutes, § 16-219.

Sec. 2-304. Monthly reports.

When required by the city council, any advisory board, authority, commission, appointive officer and employee shall make a written report of the doings of the office or employment monthly, and shall file the same with the city clerk in due season before the fourth Monday in each month for the information and consideration of the mayor and council.
(Code 1973, § 2-15; Code 2020, § 2-405)

State law reference—Reports, Nebraska Revised Statutes, §§ 16-220, 16-327.

Sec. 2-305. Department heads.

(a) The following positions under the control of the mayor and city council are hereby created and confirmed:

(1) City administrator.

(2) City attorney.

(3) City clerk.

(4) City engineer.

(5) City treasurer.

(6) Director of human resources.

(7) Director of information technology.

(8) Director of parks and recreation.

(9) Finance director.

(10) Fire chief.

(11) Library director.

(12) Manager of utilities.

(13) Museum director.

(14) Police chief.

(b) The persons holding these positions shall be heads of their respective departments.

(c) Department heads shall be appointed by the mayor with consent of a majority of the council, and may be removed in the same manner; provided, however, only the positions of city administrator, city attorney, city clerk, city engineer, and city treasurer shall hold the office to which they may be appointed until the end of the mayor's term of office and until their successors are appointed and qualified, unless sooner removed or the ordinance creating the office is repealed, or as otherwise provided by law. The appointment, tenure, and removal of the fire chief and police chief shall be subject to the provisions of Nebraska Revised Statutes.

(d) The compensation of department heads shall be determined by the city council by resolution at the last regular council meeting in September of each year.
(Code 2020, § 2-501; Ord. No. 3698-7/99; Ord. No. 4473-4/2017; Ord. No. 4548-2/2018; Ord. No. 4732, § 1, 4-24-2023)

Secs. 2-306—2-325. Reserved.

DIVISION 2. ETHICS AND CODE OF CONDUCT

Sec. 2-326. Declaration of policy.

(a) It is the policy of the city that the proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all city officials and employees is adopted.

(b) This ethics and code of conduct has four purposes:

(1) To encourage high ethical standards in official conduct by city officials and employees;

(2) To establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the city;

(3) To require disclosure by such officials and employees of private, financial, or other interests in matters affecting the city; and

(4) To serve as a basis for disciplining those who fail to abide by its terms.

(c) The provisions of this division shall not apply to political contributions, loans, expenditures, reports or regulation of political campaigns or the conduct of candidates in such campaigns.

(d) The city council may adopt, amend, and rescind rules of procedure to carry out the provisions of this division. Such rules shall be consistent with this division and other applicable law.
(Code 2020, § 2-117; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-327. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affected, in the case of a person, entity or property, means reasonably likely to be subject to a direct economic effect or consequence, either positive or negative, as a result of the vote or decision in question. For instance, a person or entity owning real property, entering into a contract with the city or seeking a permit or franchise, is "affected" by votes or decisions such as zoning of the property, approval of the contract, or granting of the permit. The term "affected" does not include those persons or entities who are subject to an indirect or secondary effect from official action. Creditors, independent contractors, or guarantors of a person "affected" by a vote or decision are not also deemed to be "affected" by virtue of their relationship with the affected person. The vote or decision need not be the only producing cause of the economic effect or consequence reasonably likely to result. In determining whether a person, entity or property is or was "affected" by a vote or decision, it shall not be necessary to prove the actual existence or occurrence of an economic effect or consequence if such effect or consequence would be reasonably expected to exist or occur. Additionally, a vote or decision to place a matter on a ballot is deemed to affect a person, entity or property to the same extent that the results of the election would affect the person, entity or property.

Business means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, activity or entity.

Business interest or *business with which the individual is associated* means a business:

(1) In which the individual is a partner, director, officer; or

(2) In which the individual or a member of the individual's immediate family is a stockholder of closed corporation stock worth $1,000.00 or more at fair market value, or which represents more than a five percent equity interest, or is a stockholder of publicly traded stock worth $10,000.00 or more at fair market value or which represents more than ten percent equity interest. The term "business interest" does not include an individual retained or otherwise employed by a client when the employment creates a confidential professional relationship protected by law, unless that individual is a regularly salaried employee for whom the business withholds income tax or pays social security. A partnership or professional corporation whose officers, directors or employees occupy a confidential professional relationship protected by law is also not included. The term "business interest" shall not apply to publicly traded stock under a trading account if the official reports the name and address of the stockbroker.

City employee or *employee* means any person employed by the city, but does not include independent contractors hired by the city.

City official or *official*, unless otherwise expressly defined, means the mayor, members of the city council, city administrator, all department heads, whether such person is salaried, hired or elected, and all other persons holding appointed positions designated by this Code, as it may be amended from time to time. City official also includes individuals appointed by the mayor and city council to all city commissions, committees, boards, task forces, or other city bodies, unless specifically exempted from this chapter by the city council.

Decision means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other city board or commission, as well as the discussions or deliberations of the council, board or commission which can or may lead to a vote or formal action by that body. The term "decision of a city employee" means any action in which the employee exercises discretionary authority, including, but not limited to, the issuance of permits, imposition or collection of fines or fees, authorizations for expenditures, and other non-ministerial acts.

Discretionary authority means the power to exercise any judgment in a decision or action.

Entity means a sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted.

Interest in real property means an interest in real property involving either an equitable or legal ownership interest regardless of value.

Ministerial act means an act performed in a prescribed manner and not requiring the exercise of any judgment or discretion.

Misconduct means a violation of Nebraska Revised Statutes, classified as a misdemeanor or felony, or as specifically provided for in this chapter.

Other interests means a city official or employee, with regard to a partnership, professional corporation or other entity's interest in a client, has personally acted within the preceding six months in a professional or fiduciary capacity for the client.
(Code 2020, § 2-118; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-328. Standards of conduct.

(a) No city official or employee shall transact any business in their official capacity with any entity in which they have a business interest.

(b) No city official or employee shall formally appear before the body of which the official or employee is a member while acting as an advocate for themselves or any other person, group, or entity.

(c) No elected city official or employee shall represent, for compensation, any other private person, group or entity before any department, commission, board or committee of the city.

(d) No city official or employee shall represent, directly or indirectly, any other private person, group or entity in any action or proceeding directly against the interests of the city, or in any litigation in which the city or any department, commission, or board or committee thereof is a named party; provided, however, nothing herein shall limit an official from representing a court-appointed criminal defendant or representing a party to a civil action where the city is named a party by way of its holding a lien interest for a special assessment where the validity of the special assessment is not an issue; and, provided further, that nothing herein shall limit the authority of the city attorney and their staff to represent the city, its boards, commissions, committees and officers in the discharge of their duties.

(e) No city official or employee shall represent, directly or indirectly, any private person, group or entity in any action or proceeding in court which was instituted by a city official or employee in the course of official duties, except as provided in subsection (d) of this section.

(f) No city official shall represent any private person, group or entity in any action or proceeding in court which was instituted by or arising from a decision of a board, commission, committee, task force or other body on which the official serves.

(g) No city official or employee shall accept or solicit any gift or favor that might reasonably tend to influence that individual in the discharge of official duties, or that the official or employee knows or should know has been offered with the intent to influence or reward official conduct.

(h) No city official or employee shall solicit or accept other employment to be performed or compensation to be received while still a city official or employee if the employment or compensation could reasonably be expected to impair independence in judgment or performance of city duties.

(i) If a city official or employee accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official or employee might reasonably be expected to act,

investigate, advise, or make a recommendation, the official or employee shall disclose that fact to the council, board or commission on which they serve or to their supervisor, and shall take no further action on matters regarding the potential future employer.

(j) No city official or employee shall use their official position to secure a special privilege or exemption for themselves or others, or to secure confidential information for any purpose other than official responsibilities.

(k) No city official or employee shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(l) City officials and employees shall not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or officially recognized confidentiality of their work.

(m) No city official or employee in the course of their official duties shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen in the same circumstances.

(n) Preferential consideration of the request or petition of any individual citizen or group of citizens shall not be given. No person shall receive special advantages beyond that which are available to any other citizen.
(Code 2020, § 2-119; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-329. Impairment.

An elected official shall not be under the influence of alcohol, non-prescribed prescription drugs or illegal drugs while exercising their official duties.

(1) If reasonable cause exists, the elected official shall be asked to cease performing from continuing with their official duties until the following requirements are met:

   a. An elected official must substantiate with another elected official that there is reasonable cause to believe the elected official is under the influence of alcohol.

   b. If confirmed as provided in subsection (1)a of this section, the elected official shall be asked to submit to a preliminary breath test. Elected officials shall be trained in recognizing drug and alcohol use indicators and symptoms.

   c. A decision to do a preliminary breath test must be based on physical, behavioral, or performance indicators while the elected official is exercising their official duties. Examples of this evidence include, but are not limited to, repeated difficulties in performing official duties, repeating themselves, slurred speech, or lack of focus on the tasks at hand, all of which may be coupled with a contemporaneous event that indicates possible drug or alcohol use.

(2) Action under this section against an elected official shall not be based solely on the elected official's behavior and appearance in the absence of an alcohol test.

(3) Prescription and over-the-counter medications are not prohibited when taken in recommended dosage and/or according to a physician's direction or recommendation.

(4) If a preliminary breath test indicates the presence of alcohol, having a concentration of eight-hundredths of one gram or more by weight of alcohol per 210 liters of their breath, the elected official shall not be allowed to continue performing their official duties at that event.

(5) Refusal to take the preliminary breath test shall be deemed a failed test by the elected official.

(6) An elected official violating this section may be subject to sanctions as set forth in this division.

(Code 2020, § 2-120; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-330. Prohibition on conflict of interest.

(a) A city official or employee may not participate in a vote or decision on a matter affecting a person, entity, or property in which the business which the official or employee is associated is involved. Where the interest of a city official or employee in the subject matter of a vote or decision is remote or incidental, the city official or employee may participate in the vote or decision and need not disclose the interest.

(b) The term "remote interest" means an interest of a person or entity, including a city official or employee, who would be affected in the same way as the general public. The interest of a councilmember in the property tax rate, general city fees, city utility charges, or a comprehensive zoning ordinance or similar decisions is incidental to the extent that the councilmember would be affected in common with the general public.

(c) The term "incidental interest" means an interest in a person, entity or property which has insignificant value, or which would be affected only in a de minimis fashion by a decision. This subsection does not establish dollar limits on the terms "insignificant value" and "de minimis," which shall have their usual meanings and be subject to interpretation on a case-by-case basis.

(Code 2020, § 2-121; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-331. Conflict of interest; disclosure.

(a) A city official shall disclose the existence of any business with which the official is associated involving a person, entity or property which would be affected by a vote or decision of the body of which the city official is a member, or that the member serves as a corporate officer or member of the board of directors of a nonprofit entity for which a vote or decision regarding funding by or through the city is being considered. City officials and employees of the city shall comply with applicable provisions of state law relative to conflicts of interest and generally regulating the conduct of public officials or employees.

(b) To comply with this section, any elected official who has a conflict of interest, as set forth in subsection (a) of this section, in any matter before the city council, shall disclose such fact on the records of the city council and refrain from participating in any discussion or voting thereon, provided that such exceptions shall be observed as is permitted by law. This provision shall apply if a

councilmember is disqualified from voting. In addition, any elected official who has a conflict of interest shall complete the state's accountability and disclosure commission form C-2A and file the same with the city clerk.

(c) To comply with this section, any member of any official board, commission or committee who has a conflict of interest as defined herein, in any matter before the board, commission or committee, of which they are a member, shall disclose such fact on the records of such board, commission or committee and refrain from participating in any discussion or voting thereon, provided that such exceptions shall be observed as are permitted by law.

(d) To comply with this section, a city employee shall notify in writing their supervisor of any substantial interest they may have in a person, entity or property which would be affected by an exercise of discretionary authority by the city employee, and a supervisor shall reassign the matter. In addition, any employee who has a financial or other special interest in a matter before the city council or any board, commission, or committee, and who participates in discussion with or gives an official opinion to the council or to such board, commission or committee relating to such matter, shall disclose on the records of the council or such board, commission or committee, as the case may be, the nature and extent of such interest.
(Code 2020, § 2-122; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-332. Interest of spouse.

(a) A spouse of a city official or employee involved in a business with which they are associated shall be deemed to apply to that official or employee for the purposes of sections 2-330 and 2-331 concerning disclosure.

(b) A city official or a city employee may not participate in a vote or decision affecting a business with which an individual is associated if that individual is related in the first or second degree of consanguinity or affinity. For the purposes of this section, "business with which the individual is associated" shall be defined in section 2-327.
(Code 2020, § 2-123; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-333. Misuse of official information.

(a) No city official or employee shall willfully and knowingly use confidential information for pecuniary gain or reveal to any other person confidential information acquired by them in the course of, and by reason of, their official duties, nor shall any public official or employee use any such information for the purpose of pecuniary gain.

(b) No former city official or former employee shall use any confidential information to which they had access by virtue of their official capacity, and which has not been made public concerning the property, operations, policies, or affairs of the city.
(Code 2020, § 2-124; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-335. Penalties.

Any violation of the provisions of this division, and article XIV, division 2, shall be subject to the general penalty section of this Code.
(Code 2020, § 2-127; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-336. Disposition of alleged violations; hearings.

In addition to the penalty set forth in section 2-336 for a violation of this chapter, complaints and alleged violations of this chapter shall be handled as follows:

(1) In the case of city employees, disciplinary action shall be maintained as provided in the city's personnel rules as the same may from time to time be amended.

(2) In the case of city officials, upon the complaint of any person filed with the city clerk's office or on its own initiative, the city council shall consider possible violations of this chapter.

a. A complaint alleging a violation of this chapter must be filed with the city clerk within one year from the commission of the action alleged as a violation, and not afterward.

b. Not later than five working days after the city clerk receives a complaint, the city clerk shall acknowledge the receipt of the complaint to the complainant and provide a copy of the complaint to the city administrator, the city attorney, and the city council and the person complained against. Not later than ten working days after receipt of a complaint, the city council shall notify in writing the person who made the complaint, and the person complained against, of a date for a preliminary hearing.

c. The city council may consider possible violations of this chapter on its own initiative. Within five working days of the city council's decision to consider a possible violation of this chapter, the city council shall draft a written complaint specifying the section of this chapter alleged to have been violated and shall file a copy with the city clerk, and provide a copy to the city administrator, the city attorney and the person complained against. Not later than ten working days after the filing of the complaint with the city clerk, the city council shall notify in writing the person complained against of the date for the preliminary hearing.

d. The hearing before the city council may be either in public or in private. All hearings shall be in public, unless the person complained against shall notify the city clerk in writing of the person's desire to have a private hearing at least 72 hours prior to the time set for said hearing.

(3) Preliminary hearing.

a. The issue at a preliminary hearing shall be the existence of reasonable grounds to believe that a violation of this chapter has occurred. The person filing a complaint, or the legal counsel for the city council in cases considered upon the city council's own initiative, shall state the alleged violation and shall describe in narrative form the testimony and other evidence which would be presented to prove the alleged violation as stated in the written complaint. Statements at a preliminary hearing shall be under

oath, but there shall be no cross examination or requests for persons or evidence issued for the hearing. Members of the city council may question the complainant, legal counsel for the city council, or the city official named in the complaint.

b. The city official named in the complaint shall have the opportunity to respond, but is not required to attend or make any statement. The official may describe in narrative form the testimony and other evidence which would be presented to disprove the alleged violation. If the official agrees that a violation has occurred, they may so state, and the city council may consider the appropriate sanction or prosecution.

c. The complainant and the city official named in the complaint shall have the right of representation by counsel.

d. At the conclusion of the preliminary hearing, the city council shall decide whether a final hearing should be held. If the city council determines that there are reasonable grounds to believe that a violation of this chapter has occurred, it shall schedule a final hearing. If the city council does not determine that there are reasonable grounds to believe that a violation of this chapter has occurred, the complaint shall be automatically dismissed. A decision to conduct a final hearing is not a finding that a violation has occurred.

e. The city council, at any time during the preliminary hearing, may also dismiss a complaint if the complaint does not allege conduct which would be a violation of this chapter. Before a complaint is dismissed for failure to allege a violation, the complainant or the legal counsel for the city council shall be permitted one opportunity, within a period to be specified by the city council, to revise and resubmit the complaint.

f. The complainant, legal counsel for the city council, and the city official named in the complaint may ask the city council at a preliminary hearing to request certain persons and evidence for a final hearing, if one is scheduled pursuant to the city council's subpoena power granted under Nebraska Revised Statutes, § 16-406.

(4) Final hearing.

a. The final hearing shall be held as expeditiously as possible following the determination by the city council that there are reasonable grounds to believe that a violation of this chapter has occurred, but in no event shall it be held more than 30 days after said determination. The city council may grant one postponement, not to exceed 15 days each, upon the request of the city official named in the complaint or the complainant.

b. The issue at a final hearing shall be whether a violation of this chapter has occurred. The city council shall make its determination based on the preponderance of the credible evidence in the record. All witnesses shall make their statements under oath. If the city council determines that a violation has occurred, it shall state its findings in writing, shall identify the particular section of this chapter which has been violated, and within five working days shall deliver a copy of the findings to the complainant, if any, the person named in the complaint and the city clerk. Said findings shall constitute a public record for the purpose of access by the public.

(Code 2020, § 2-128; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-337. Oaths and requests for information.

If a complaint proceeds to a final hearing, the city council may subpoena witnesses to attend and testify, administer oaths and affirmations, take evidence and request the production of books, papers, records, or other evidence needed for the performance of the city council's duties or exercise of its powers, including its duties and powers of investigation. All hearings of the city council under this chapter shall be recorded by means of a mechanical recording device or by a certified court reporter.

(Code 2020, § 2-129; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-338. Sanctions.

(a) If the city council determines that a violation of this chapter has occurred, it shall proceed directly to determination of the appropriate sanction. The city council may receive additional testimony or statements before considering sanctions, but is not required to do so. If the city official named in the complaint acted in reliance upon a public written opinion of the city attorney, the city council shall consider that fact.

(b) If the city council determines that a violation has occurred, it may impose the following sanctions:

(1) A letter of notification shall be the appropriate sanction when the violation is clearly unintentional, or when the official's conduct complained of was made in reliance on a public written opinion of the city attorney. A letter of notification shall advise the official or employee to whom it is directed of any steps to be taken to avoid future violations. The city council may direct a letter of notification to any official or employee covered by this chapter.

(2) A letter of admonition shall be the appropriate sanction in those cases in which the city council finds that the violation is minor and/or may have been unintentional, but calls for a more substantial response than a letter of notification. The city council may admonish any official covered by this chapter.

(3) A reprimand shall be the appropriate sanction when the city council finds that a violation has been committed intentionally or through disregard of this chapter. The city council may reprimand any official covered by this chapter.

(4) A letter of censure shall be the appropriate sanction when the city council finds that a serious or repeated violation of this chapter has been committed intentionally or through culpable disregard of this chapter by an elected city official. A letter of censure directed to an elected city official shall be transmitted to the city clerk, and published in a newspaper of general circulation within the city.

(Code 2020, § 2-130; Ord. No. 4663, § 2, 4-26-2021)

ARTICLE IV. CITY ADMINISTRATOR

Sec. 2-401. Appointment.

A city administrator may be appointed by the mayor with the approval of a majority vote of the city councilmembers and may be removed at any time by the mayor with the approval of a majority vote

of the city councilmembers or by a two-thirds' vote of all the city councilmembers without the mayor's approval. The person appointed shall hold office until the end of the mayor's term of office and until a successor is appointed and qualified, unless sooner removed as provided by statute, or by repeal of this section.
(Code 1973, § 2-90; Code 2020, § 2-502; Ord. No. 2918)

Sec. 2-402. Duties, responsibilities and powers of city administrator.

The duties, responsibilities and powers of the city administrator shall be as follows:

(1) The city administrator shall, in the absence or unavailability of a department head, have the authority with respect to the hiring, suspension, discipline and/or termination of all city employees. In addition, the city administrator shall administer, supervise, be responsible for and coordinate all departments, divisions and services of the city government which are under the control and jurisdiction of the mayor and city council as provided by law.

(2) To prepare and keep up to date an inventory of all real and personal property and other public property, including any real property owned by the city for airport purposes; and, subject to the approval of the mayor and city council, to coordinate and organize the purchasing policies for the purchase of all supplies, goods, wares, merchandise, equipment and materials which may be required for the various departments, divisions and services of the city, excluding the utilities department, the library, the museum, the housing authority, and the planning commission.

(3) To exercise general supervision over all real and personal property and other public property under the control and jurisdiction of the mayor and city council.

(4) To keep the mayor and city council fully advised as to the financial condition and needs of the city; to be responsible for and prepare the annual estimate of expenditures for presentation to the mayor prior to the time for the passage and adoption by the city council of the annual appropriation ordinance; and, upon the adoption of such ordinance, to properly administer and execute the same.

(5) To serve as public relations officer of the city government; to endeavor to investigate and adjust all complaints made or filed against the city government or against any department, division, service, officer, or employee thereof; and to cooperate with all community organizations whose aim and purpose is to advance the best interests of the city and its citizens.

(6) To analyze the functions, activities, duties and responsibilities of the various departments, divisions and services of the city government and of all officers and employees thereof, and to make recommendations respecting the same to the mayor and city council or designated committee chairperson, and to administer any recommendations made by the mayor and city council respecting such functions, activities, duties and responsibilities.

(7) To recommend to the mayor and council the appointment and dismissal of all department heads over which they exercise jurisdiction. Appointment or dismissal of department heads will be made upon the recommendation of the mayor and confirmation by the council.

(8) To make recommendations to the mayor and city council regarding the activities and duties of any employee of the city, including the promotion, demotion, and suspension or discharge of such employee, and to prepare and recommend to the mayor and city council a class specification and compensation plan on all employees including, if necessary, the taking of wage and benefit comparability surveys.

(9) To submit to the mayor and city council at the end of each fiscal year a complete report respecting the finances and administrative activities of the city for the preceding fiscal year, which report shall include recommended short- and long-range improvements and any necessary facts to substantiate such recommendations.

(10) To attend all regularly scheduled meetings of the city council and such other meetings of the city council and city departments, divisions, services, boards, commissions, committees and officers as the administrator's duties may require; to report at such meetings any matter concerning city affairs within the jurisdiction and under the control of the administrator; and to recommend to the mayor and city council passage and adoption of such measures, resolutions and ordinances as may be deemed necessary or expedient.

(11) To perform such other duties and exercise such other powers as may be delegated to the administrator from time to time by the mayor, or by ordinance, resolution, or motion; and to delegate any duty, responsibility or power set forth herein upon approval of the mayor, or of the city council by proper ordinance, resolution, or motion.

(12) To obtain for the city information concerning federal and state funds which may be utilized by the city; to identify needs which may qualify for such funds; and to do all things necessary to obtain such funds if directed to do so by the mayor and city council.

(Code 1973, § 2-91; Code 2020, § 2-503; Ord. No. 2918; Ord. No. 4473-4/2017; Ord. No. 4548-2/2018; Ord. No. 4550-4/2018)

Sec. 2-403. Political activity prohibited.

The city administrator and all personnel working directly for the office of the administrator shall not participate in any local election that affects any city office, except for the casting of an individual ballot.

(Code 1973, § 2-92; Code 2020, § 2-504; Ord. No. 2918)

Sec. 2-404. Communication.

The mayor and members of the council reserve the right to make inquiries of city personnel relative to city activities. The mayor and members of the city council shall deal with the administrative services through the office of the city administrator, and any direction to municipal officials shall be given through the office of the city administrator. The mayor and members of the city council may require reports from the office of the city administrator on any municipal activity. The city administrator shall deal with the mayor and council as a body on all city affairs. Any and all reports and

communications shall go to the mayor and all members of the council. Nothing herein contained shall abridge the right of any department head to contact the mayor on any city matter pertaining to the department.
(Code 1973, § 2-94; Code 2020, § 2-505; Ord. No. 2918)

ARTICLE V. CITY CLERK

Sec. 2-501. Clerical assistants; assistant city clerk.

(a) The mayor and city council shall provide the city clerk with an assistant city clerk and necessary clerical assistants. The assistant city clerk shall act as the city clerk in the absence of the city clerk.

(b) The city clerk shall appoint, subject to the approval of the council, a stenographic assistant. The city clerk shall likewise appoint a competent and experienced person to keep the books of account of the office, to audit claims filed and to perform all other duties incident to city budget control, under the general direction and supervision of the city clerk. The deputy city clerk so appointed, in the absence of the city clerk, in the case of sickness or otherwise, shall be empowered to perform all the duties of the city clerk.
(Code 1973, § 2-33; Code 2020, § 2-507)

Sec. 2-502. City clerk; duties generally.

(a) The city clerk shall, in addition to the duties imposed upon the clerk by general law, perform such duties as may be imposed by this Code or other ordinance, including the following: attend the meetings of the council and keep a correct journal of the proceedings thereof; keep a record of all outstanding bonds against the city, and when any bonds are sold, purchased, paid or cancelled, the record shall show the fact; keep an account of the appropriation of the several funds, draw, sign and attest all checks ordered for the payment of money on the particular funds from which the same is payable, and at the end of each month make a report of the amount appropriated to each fund and the amount of the checks drawn thereon; issue all licenses, permits and occupation tax receipts authorized by law; describe particularly the bonds issued and sold during the year and the terms of the sale, with each and every item and expense thereof; with the seal of the city, duly attest thereby the mayor's signature to all ordinances and all deeds and papers required to be attested, when ordered by the mayor and the council, and all orders for money or warrants for the payment of money, and enter the same in numerical order in the book to be kept for that purpose; collect all occupation tax and license money, except where some other city officer is specifically charged with such duty; keep a register of all licenses granted in the city and the purpose for which they are issued, and report in detail concerning the same in writing to the council at every meeting, and at the beginning of each month, if required by the police department, furnish them a true copy of the register of all licenses and permits then in force.

(b) Within 30 days after any meeting of the council, the city clerk shall prepare and publish the proceedings of the council in a legal newspaper, designated by the mayor and council, or more than one legal newspaper if directed by the council, within the county, provided that the charge for such

publication shall not exceed one-third of the legal rate, and, provided further, council proceedings shall not be published until after they have been approved by the action or acquiescence of the council, and, provided further, the clerk's minute record shall be prepared in duplicate, the original one for the permanent council proceeding minutes and the other for the legal newspaper in which the same is to be published; and the mayor's approval in writing shall appear on printer's copy before same shall be published. Such publication charge shall be paid and allowed as other claims against the general fund.

(c) The city clerk shall, in January of each year, and at such other times when request shall be made, receive applications for license to sell cigars, tobacco, cigarettes and cigarette materials.

(d) When the claim of any person against the city is disallowed in whole or in part, the city clerk shall notify such claimant, the claimant's agent or attorney by letter within five days after such disallowance; and the city clerk shall prepare transcripts on appeals on disallowance of claims in proper cases. The city clerk shall see that all claims, except claims of officers' salaries and interest on the public debts, are properly verified before they are referred to the council for consideration.

(e) The city clerk shall procure a copy of the decree in any disconnection suit whereby the corporate limits of the city are affected.

(f) The city clerk shall file all official bonds after the same shall have been properly executed and approved, and shall also make the proper certificate of passage, which shall be attached to original copies of all ordinances, hereafter enacted by the council.

(g) The city clerk shall receive all objections to creation of paving districts and other street improvements.

(h) Monthly reports of the city treasurer shall be filed with the city clerk. The clerk shall make and present to the mayor and council monthly reports of the doings of the office. The city clerk shall make a monthly detailed report in writing to the mayor and council at the first regular meeting in each month following month end showing receipts and disbursements for the preceding month.

(i) The city clerk shall perform all duties relative to the certification of poll tax as provided by law. The city clerk shall turn over all money coming into the clerk's hands, the property of the city, promptly to the city treasurer on forms prescribed by the treasurer.

(j) The city clerk shall permit no records, public papers or other documents of the city, kept and preserved in the office, to be taken therefrom, except by such officers of the city as may be entitled to the use of the same, and then only upon their leaving a receipt therefor. The city clerk shall procure, at the expense of the city, a blank book, properly indexed, in which the clerk shall keep printed copies of all ordinances of the city hereafter passed, with the printer's affidavit of publication thereto attached; and shall index such ordinances under their respective heads or titles; and shall also copy all ordinances hereafter passed by the council in a book kept for that purpose, and insert in the book, together with the ordinance copy, the original thereof, signed, sealed and certified by the clerk as provided by law. For furnishing certified copies of any record in the clerk's office, the clerk may charge such fee as the council shall direct. The clerk shall also provide a blank book with proper index in which a copy of all notices required to be published or posted by the clerk will be kept by

order of the council or under the general ordinances of the city, to which notices shall be attached the printer's affidavit of publication, if such notices are required to be published, or the clerk's certificate under seal where the same are required to be posted only. The clerk shall keep a record of all licenses issued by them in a blank book with proper index. In a suitable book, the clerk shall record all petitions under which the council shall order public work to be done at the expense of the property fronting thereon, together with reference to all resolutions and ordinances relating to the same. The clerk shall affix the corporate seal to all documents requiring the same. The clerk shall keep all books and papers pertaining to the office conveniently accessible for the inspection of any member of the council, city official or of any citizen or taxpayer within office hours. The clerk shall, without unnecessary delay, deliver all warrants, ordinances or resolutions under their charge to the mayor for signature; and, likewise, shall deliver to officers or employees of the city and committees of the council all resolutions and communications referred to the officers, employees or committees by that body. The city clerk shall endorse the date of filing upon every paper or document filed in the office. All filings made with the clerk shall be properly docketed, and all books of record kept shall be fully and properly indexed. The clerk shall keep all standard codes, and amendments thereto, incorporated by reference in a separate file arranged in a manner convenient for reference. Upon resolution of the mayor and council, the city clerk, with approval of the city attorney, shall from time to time be authorized to destroy obsolete files and other records of the city in the clerk's custody and control.
(Code 1973, § 2-34; Code 2020, § 2-508)

State law reference—Duties of city clerk, Nebraska Revised Statutes, § 16-317.

ARTICLE VI. FINANCE DIRECTOR/CITY TREASURER

Sec. 2-601. Giving bond before entering office of finance director/city treasurer, assistant city treasurer.

The finance director/city treasurer shall give bond before entering upon the duties of the office in the amount of $250,000.00. The assistant finance director/city treasurer shall give bond before entering upon the duties of the office in the amount of $250,000.00. The premium on the bonds shall be paid by the city.
(Code 1973, § 2-39; Code 2020, § 2-509; Ord. No. 4549-3/2018)

State law reference—Bond of treasurer, Nebraska Revised Statutes, § 16-318.

Sec. 2-602. City treasurer—Procedure for handling funds.

The city treasurer shall be the custodian of all money belonging to the city; shall keep all money in their hands belonging to the city separate and distinct from their own money; shall keep a separate account of each fund or appropriation and the debits and credits belonging thereto; shall issue triplicate receipts for all money received by the treasurer for the city; shall give every person paying money into the treasury a receipt therefor, specifying date of payment and on what account paid; shall file one of the triplicate receipts with the accounting department and shall retain one of the triplicate receipts in the files of the office.
(Code 1973, § 2-40; Code 2020, § 2-510)

Sec. 2-603. City treasurer—Rendering of accounts.

The city treasurer shall, after the end of each and every month, and when requested at other times, render an account to the mayor and council under oath showing the state of the treasury at that date, the amount of money remaining in each fund and the amount paid therefrom, and the balance of money remaining in the treasury; the treasurer shall also review statements of revenues and disbursements as issued by the city clerk's office and as reported to the mayor and council, and shall produce and show all funds shown by such report to be on hand, or furnish depository evidence that the same is in a solvent and going bank of the city, to the credit of the treasurer of the city.
(Code 1973, § 2-41; Code 2020, § 2-511)

Sec. 2-604. City treasurer—Duties generally.

The city treasurer shall keep a daily cash book, which shall be footed and balanced daily; and shall adopt such bookkeeping methods as the council shall prescribe. The books and accounts shall always be open to inspection by the mayor, members of the council and such other persons as they may designate. The city treasurer shall manage all custodial funds. The city treasurer shall pay all overdue bonds, and the council's order therefor shall not be required. The city treasurer shall cancel all bonds, coupons, warrants and other evidence of debt against the city whenever paid by the treasurer by writing or stamping across the face thereof, "paid by the city treasurer," with the date of payment written or stamped thereon. The treasurer shall pay all checks properly drawn. The treasurer shall collect all special taxes, allocate special assessments to the several owners and shall obtain from the county treasurer monthly reports as to the collection of delinquent taxes.
(Code 1973, § 2-42; Code 2020, § 2-512)

Sec. 2-605. Assistant finance director.

The office of assistant finance director is hereby created. The assistant finance director shall perform all the duties of the city treasurer and the assistant's powers shall be co-extensive with those of the city treasurer. The assistant finance director shall be appointed by the city treasurer and shall hold office during the assistant's good behavior. The assistant finance director shall, before performing the duties of such office, take oath and furnish a bond in the amount of the city treasurer's bond.
(Code 1973, § 2-43; Code 2020, § 2-513; Ord. No. 2307)

ARTICLE VII. CITY ENGINEER

Sec. 2-701. Qualifications.

The person appointed and confirmed as city engineer shall be licensed as a professional engineer in the state.
(Code 1973, § 2-24; Code 2020, § 2-518)

ARTICLE VIII. CITY ATTORNEY

Sec. 2-801. Compensation and duties of city attorney.

The city attorney shall attend all meetings of the mayor and city council and shall, upon request, advise the mayor and council or any officer in all matters of law in which the interest of the city may be involved. The city attorney shall draw such ordinances, bonds, contracts and other writings as may be required in the administration of the affairs of the city. The city attorney shall examine all bonds, contracts and documents on which the mayor and council will be required to act and attach thereto a brief statement in writing whether or not the document is in legal and proper form. The city attorney shall prepare complaints, attend and prosecute violations of the ordinances of the city when directed to do so by the mayor, and, without direction, shall appear and prosecute all cases for violation of the ordinances of the city that have been appealed to and are pending in the district court. The compensation and reimbursement for expenses to be paid to special counsel employed to represent the city shall be fixed by the council at the time the employment of special counsel is authorized by the council.

(Code 1973, § 2-19; Code 2020, § 2-527; Ord. No. 1866)

State law reference—City attorney, Nebraska Revised Statutes, §§ 16-308, 16-319.

ARTICLE IX. DIRECTOR OF PARKS AND RECREATION

Sec. 2-901. Duties generally.

The director of parks and recreation shall be in charge and shall have the direction and control of the work, maintenance, and operation of all city parks, cemeteries, and the city auditorium. It shall be the duty of the director of parks and recreation to control, improve, beautify, and maintain the parks owned or controlled by the city for park purposes in the best interests of public welfare and consistent with direction from the city council. The director of parks and recreation shall be the administrative head of all park, cemetery, and auditorium operations within the city, and shall devote themselves to the management and care of the city parks, cemeteries, and auditorium for the public good to the extent that funds are available for such purposes. In that capacity, the director of parks and recreation shall employ such personnel as is necessary to carry out the objectives within the limitation of funds made available to the parks and recreation department by the council. The director of parks and recreation shall have the authority to protect the parks, cemeteries, and auditorium from acts of vandalism, malicious mischief, destruction, littering and all other improper uses of those properties which are inconsistent with the public interest. The director of parks and recreation shall perform such other duties in the line of the director's work as may be requested or required by the mayor and council.

(Code 2020, § 2-528; Ord. No. 2814)

ARTICLE X. MANAGER OF UTILITIES

Sec. 2-1001. Responsibilities of manager of utilities.

The manager of utilities, in addition to the responsibilities set forth in section 52-101, shall perform administrative and supervisory work in directing municipal utilities of electric production and distribution, gas distribution, water, sewer, and wastewater, and street lighting and the formulation of long-range plans and daily operational decisions.
(Code 2020, § 2-529; Ord. No. 4473-4/2017)

ARTICLE XI. EMPLOYEE CIVIL SERVICE

DIVISION 1. GENERALLY

Sec. 2-1101. Appointing authority.

The city administrator shall be the appointing authority for all full-time police officers or full-time firefighters, except for the police chief and fire chief.
(Code 2020, § 3-102; Ord. No. 4609-10/2019)

Sec. 2-1102. Obstructing examinations.

No commissioner or any other person shall, alone or in cooperation with one or more persons:

(1) Defeat, deceive, or obstruct any person in respect to the right of examination according to the rules and regulations made pursuant to the Civil Service Act;

(2) Falsely mark, grade, estimate, or report upon the examination and standing of any person examined or certified in accordance with such act or aid in so doing;

(3) Make any false representation concerning the same or concerning the persons examined;

(4) Furnish any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined or certified to be examined or certified; or

(5) Persuade any other person, or permit or aid in manner any other person, to impersonate them in connection with any examination, application, or request to be so examined.

(Code 2020, § 3-108; Ord. No. 4609-10/2019)

Sec. 2-1103. Police chief and fire chief; appointing authority.

The mayor shall be the appointing authority for the police chief and fire chief based on the city administrator's recommendation. The mayor's appointment shall be approved by the city council.
(Code 2020, § 3-302; Ord. No. 4609-10/2019)

Sec. 2-1104. Requirements for civil service position applicants.

An applicant for a position of any kind under civil service shall be able to read and write the English language, meet the minimum job qualifications of the position as established by the city administrator, and be of good moral character. An applicant shall be required to disclose the applicant's past employment history and criminal record, if any. Prior to certifying to the city administrator the names of the persons eligible for the positions, the commission shall validate the qualifications of such persons.
(Code 2020, § 3-303; Ord. No. 4609, 10-14-2019)

Sec. 2-1105. Probationary period.

To enable the appointing authority to exercise a choice in the filling of positions, no appointment, employment, or promotion in any position in the service shall be deemed complete until after the expiration of a period of three to six months' probationary service for firefighters and not less than six months nor more than one year after certification by the Nebraska Law Enforcement Training Center for police officers, as may be provided in the rules of the civil service commission, during which time the appointing authority may terminate the employment of the person appointed by it if, during the performance test thus afforded and upon an observation or consideration of the performance of duty, the appointing authority deems such person unfit or unsatisfactory for service in the department. The appointing authority may appoint one of the other persons certified by the commission, and such person shall likewise enter upon such duties until some person is found who is fit for appointment, employment, or promotion for the probationary period provided, and then the appointment, employment or promotion shall be complete.
(Code 2020, § 3-305; Ord. No. 4609, 10-14-2019)

Sec. 2-1106. Reinstatement.

Anyone who resigns a civil service position may, at the discretion of the city administrator, be reappointed to the respective department within two years of the resignation, providing a position is vacant and the individual:

(1) Left the civil service position in good standing;

(2) Successfully passes a background check; and

(3) Is recommended for reappointment by the respective department chief.
(Code 2020, § 3-305.01; Ord. No. 4617-11/2019)

Sec. 2-1107. Disciplinary actions.

(a) The tenure of a person holding a position of employment under the Civil Service Act shall be only during good behavior. Any such person may be removed or discharged, suspended with or without pay, demoted, reduced in rank, or deprived of vacation, benefits, compensation, or other privileges, except pension benefits, for any of the following reasons:

(1) Incompetency, inefficiency, or inattention to or dereliction of duty;

(2) Dishonesty, prejudicial conduct, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, any act of omission or commission tending to injure the public service, any willful failure on the part of the employee to properly conduct the employee's behavior, or any willful violation of the Civil Service Act or the rules and regulations adopted pursuant to such Act;

(3) Mental or physical unfitness for the position which the employee holds;

(4) Drunkenness or the use of intoxicating liquors, narcotics, or any other habit-forming drug, liquid or preparation to such an extent that the use interferes with the efficiency or mental or physical fitness of the employee or precludes the employee from properly performing the functions and duties of the position;

(5) Conviction of a felony or misdemeanor tending to injure the employee's ability to effectively perform the duties of the position; or

(6) Any other act or failure to act which, in the judgment of the civil service commissioners, is sufficient to justify the offender to be an unsuitable and unfit person to be employed in the public service.

(b) The disciplinary action procedure is as follows:

(1) No employee in the civil service who shall have been permanently appointed or inducted into civil service shall be removed, suspended, demoted, or discharged, except for cause, and then only upon the written accusation of the police or fire chief, city administrator or any citizen or taxpayer. Rules and regulations, and any amendments to such rules and regulations established by this section, shall be made available for examination and reproduction by members of the public. One copy of the rules and regulations and any such amendments shall be given to each full-time firefighter and full-time police officer.

(2) The written accusation against an employee shall set forth the alleged misconduct, charges, or grounds for investigation. The written accusation shall be filed by the complainant with the director of human resources, who shall cause a copy of such written accusation to be delivered after the filing to:

a. The police or fire chief;

b. The city administrator; and

c. The employee, personally or by certified mail addressed to the employee at the residence address of the employee shown in the personnel records.

The director of human resources shall cause a return showing such delivery or mailing to be executed and filed in the director's office.

(3) The police or fire chief shall have the authority to immediately suspend, with pay, an employee against whom such written accusation has been filed, pending the confirmation of the suspension or a decision of the city administrator to reinstate the employee, remove, demote, discharge, or suspend the employee, with or without pay.

(4) a. Upon receipt of a copy of the accusation from the director of human resources, the police or fire chief shall, within a reasonable period of time, investigate the alleged

misconduct, charges, or grounds against the employee; explain the basis of the employer's evidence to the employee; and provide the employee an opportunity to present the employee's version of the circumstances which resulted in the filing of the written accusation. If the chief's investigation reveals other misconduct, charges, or grounds, the chief shall take immediate action by filing an amendment to the written accusation with the director of human resources, who shall cause a copy of such amended accusation to be delivered after the filing:

1. To the police or fire chief;
2. To the city administrator; and
3. To the employee, personally or by certified mail addressed to the employee at the residence address of the employee shown in the personnel records.

In all cases, the director shall keep a record showing such delivery or mailing in the director's office. In the event that a police or fire chief is being disciplined, the city administrator shall follow the same procedures as are followed by the police or fire chief in disciplining employees under the Act.

b. Upon completion of this investigation, within a reasonable period of time, the police or fire chief shall make a recommendation to the city administrator in writing that the alleged misconduct, charges, or grounds set forth in the written accusation be deemed:

1. To be without merit;
2. To not warrant disciplinary action;
3. To warrant disciplinary action in the form of an oral or written reprimand; or
4. To warrant removal, demotion, discharge, or suspension, with or without pay.

(5) a. After receiving the written recommendation of the police or fire chief, and review by the city administrator, the city administrator shall offer a loudermill hearing with the accused, shall either accept the recommendation of the police or fire chief, or shall render a decision that the alleged misconduct, charges, or grounds for investigation against the employee set forth in the written accusation be deemed:

1. To be without merit;
2. To not warrant disciplinary action;
3. To warrant an oral or written reprimand; or
4. To warrant removal, demotion, discharge, or suspension, with or without pay.

b. The city administrator shall file a copy of the decision after receiving the written recommendation of the police or fire chief with the director of human resources, who shall cause the copy of the decision to be filed and cause a copy of the city administrator's determination to be delivered to:

1. The police or fire chief; and
2. The employee, personally or by certified mail addressed to the employee at the residence address of the employee shown in the personnel records.

In all cases, the director shall keep a record showing such delivery or mailing in the director's office.

(6) Any employee so removed, suspended, demoted or discharged may, within ten calendar days after receiving written notice of the city administrator's decision, file a written demand for an investigation and public hearing by the civil service commission. The employee shall file the request for the hearing with both the director of human resources and the city administrator. The failure to file such a request with the director of human resources within ten calendar days of receipt of notice of the decision by the city administrator shall constitute a waiver of the employee's right to review by the civil service commission, and the city administrator's decision shall become final.

(7) The procedure governing the investigation and public hearing before the commission shall be as follows:

a. Within ten calendar days of receipt of the employee's notice of appeal, the city administrator shall cause to be mailed or delivered the following notice to the employee and secretary of the civil service commission:

1. A statement of the charge;
2. The names of the witnesses who will be called on behalf of the city administrator and a general statement of the nature of their testimony; and
3. Copies of the documents to be introduced at the public hearing.

b. Within ten calendar days of the filing of the written demand for an investigation and public hearing by the commission, the employee shall mail or deliver the following upon the city administrator and commission:

1. A response to the statement of the charge;
2. The names of the witnesses who will be called on behalf of the employee and a general statement of the nature of their testimony; and
3. Copies of the documents to be introduced at the public hearing.

(8) Upon receipt of a written demand, the commission shall conduct an investigation. The investigation shall be confined to the determination of the question of whether or not such removal, suspension, demotion, or discharge was made in good faith for cause, which shall mean that the action was not arbitrary or capricious and was not made for political or religious reasons. The city attorney, if authorized by the city administrator, may represent the commission in such investigation and public hearing. If the city attorney does not represent the commission, special counsel appointed by the commission for any such investigation and hearing may represent the commission.

(9) The investigation shall consist solely of a review of the written submissions of the city administrator and employee to determine whether the commission, for the subsequent public hearing before the commission, should subpoena any individuals or documents ultimately to determine whether the city administrator acted in good faith for cause. The term "good faith for cause" means that the action was not arbitrary or capricious and was not made for political or religious reasons.

(10) The commission shall schedule a public hearing no less than ten nor more than 20 calendar days from the date of filing of the employee's written demand for an investigation, and render a decision no later than ten days after the hearing. The commission shall notify the city administrator and employee in writing, at least three calendar days prior to the date of the hearing, of the date, time and place of the hearing.

(11) All municipal officers and employees shall attend and testify whenever required to do so by the commission, the accused, or the appointing authority.

(12) The city administrator shall be permitted to appear in person and by counsel and to present the administrator's case. The city administrator may present evidence by testimony and documents and shall be permitted to cross examine the employee's witnesses. At the hearing, the employee shall be permitted to appear in person and by counsel and to present a defense. The employee may present evidence by testimony and documents and shall be permitted to cross examine the witnesses called by the city administrator.

(13) The commission may affirm the action taken if such action of the appointing authority is supported by a preponderance of the evidence. If it shall find that the removal, suspension, demotion, or discharge was made for political or religious reasons or was not made in good faith for cause, it shall order the immediate reinstatement or reemployment of such person in the position or employment from which such person was removed, suspended, demoted, or discharged, which reinstatement shall, if the commission,, in its discretion so provides, be retroactive and entitle such person to compensation and restoration of benefits and privileges from the time of such removal, suspension, demotion, or discharge. The commission, upon such hearing, in lieu of affirming the removal, suspension, demotion, or discharge, may modify the order of removal, suspension, demotion, or discharge by directing a suspension, with or without pay, for a given period, and the subsequent restoration to duty or demotion in position or pay. The findings of the commission shall be certified in writing to, and enforced by, the appointing authority.

(14) If such judgment or order is concurred in by the commission or a majority thereof, the accused or governing body may appeal to the county district court. Such appeal shall be taken within 45 days after the entry of such judgment or order by serving the commission with a written notice of appeal, stating the grounds and demanding that a certified transcript of the record and all papers on file in the office of the commission, affecting or relating to such judgment or order, be filed by the commission with such court. The commission shall, within ten days after the filing of such notice, make, certify, and file such transcript with and deliver such papers to the district court. The district court shall proceed to hear and determine such appeal in a summary manner. The hearing shall be confined to the determination of whether or not the judgment or order of removal, discharge, demotion, or suspension made by the commission was made in good faith for cause which shall mean that the action of the commission was based upon a preponderance of the evidence, was not arbitrary or capricious, and was not made for political or religious reasons. No appeal to such court shall be taken except upon such grounds.

(15) If such appeal is taken by the governing body and the district court affirms the decision of the commission, the municipality shall pay to the employee court costs and reasonable attorney's fees incurred as a result of such appeal and as approved by the district court. If such appeal is taken by the governing body and the district court does not affirm the decision of the commission, the court may award court costs and reasonable attorney's fees to the employee as approved by the district court.

(Code 2020, § 3-306; Ord. No. 4609, 10-14-2019)

Sec. 2-1108. Reduction in force policy.

(a) *Establishment.* There is hereby established a reduction in force policy for all civil service employees of the city. This policy is being adopted after having:

(1) Considered the recommendation of the city's civil service commission on such policy;

(2) Given reasonable notice to each police officer and firefighter of the city of the time, date and location of a public hearing on the policy or any amendment thereto; and

(3) Conducted the said public hearing in accordance with the notification provided to each police officer and firefighter.

(b) *Factors.*

(1) An employee who has successfully fulfilled the probationary period for the position that the employee holds will be removed from the classified service only after any probationary employees in the same job classification have been removed. In the event there are no such probationary employees, or if further reduction is to occur after removal of probationary employees, then the mayor and city council shall consider factors, including, but not limited to:

a. The multiple job skills recently or currently being performed by the employee;

b. The knowledge, skills, and abilities of the employee;

c. The performance appraisal of the employee, including any recent or pending disciplinary actions involving the employee;

d. The employment policies and staffing needs of the department, together with the contracts, ordinances and statutes related thereto;

e. Required federal, state, or local certifications or licenses;

f. Seniority;

g. Efficiency of the employee as demonstrated on the job;

h. Such other factors as may be determined to be relevant under the facts and circumstances of such reduction in force.

(2) These factors may be documented or supported by employee evaluations, disciplinary actions, employee files, commendations, documented training, citizen reports, and other verifiable comments or data relevant to the factors to be considered.

(c) *Weighting of factors.* Equal weight shall be accorded to each of the factors in subsection (b) of this section.

(d) *Determination.* Prior to the termination of any employment due to a reduction in force, the department head of the department in which the reduction is to occur shall meet with the mayor and city administrator to determine which employee should be terminated, taking into consideration the factors described in subsection (b) of this section.

(1) They shall first determine the job classification in which the reduction is to occur, and then they shall apply the factors to each employee within that class, and determine which employee should be terminated.

(2) In the event an employee becomes subject to layoff in a classification and the committee determines, in its discretion, that such employee is qualified to perform duties in a lower classification, the employee shall be permitted to take a position in such lower classification at that classification's highest rate of pay or the employee's existing rate of pay, whichever is less. Any employees in such lower classifications subjected to layoffs by virtue of the provisions of this subsection shall be laid off in accordance with the provisions of this section.

(3) Regular full-time employees who have been laid off shall be eligible for re-employment for a period of two years thereafter, and the employer shall rehire in the reverse order of layoff, provided such employees are otherwise qualified to perform the duties of the position.

(e) *Notification.*

(1) When it has been determined that an employee is to be terminated due to a reduction in force, the employee shall be notified in writing by the department head of:

a. The fact that employment is being terminated due to a reduction in force;

b. The effective date of the termination;

c. The reason that such employee was selected for a reduction in force; and

d. The employee's right to appeal the action taken to the city's civil service commission, to be represented by an attorney, and to confront and cross examine available adverse witnesses at such hearing.

(2) Such notice shall be delivered to the employee personally or mailed by certified mail with return receipt requested.

(f) *Effective date.* No reduction in force as to any employee shall be effective until 14 days have elapsed from the time such employee has been notified in writing that employment is being terminated due to a reduction in force.

(g) *Appeal.* An employee whose employment is terminated due to a reduction in force shall have the right to appeal such action to the city's civil service commission, which shall proceed to hear such matter as in other cases. The general rules pertaining to appeals of other matters to the commission under this article shall prevail. The commission, in considering the matter, shall determine whether

the department head, mayor and city administrator fairly and reasonably applied the factors described in this section and acted from honest convictions without any ill will, fraud, collusion, or other such improper motives.
(Code 2020, § 3-309; Ord. No. 4609-10/2019)

Sec. 2-1109. Political service disregarded.

No person holding any position subject to civil service shall be under any obligation to contribute to any political fund or to render any political service to any person or party whatsoever. No person shall be removed, reduced in position or salary, or otherwise prejudiced for refusing to do so. No public officer, whether elected or appointed, shall discharge, promote, demote, or in any manner change the official rank, employment, or compensation of any person under civil service, or promise or threaten to do so, for giving, withholding, or neglecting to make any contribution of money, services, or any other valuable thing for any political purpose.
(Code 2020, § 3-311; Ord. No. 4609-10/2019)

Sec. 2-1110. Violations, penalty.

Any person who shall willfully violate any of the provisions of the Civil Service Act or this article shall be guilty of a Class IV misdemeanor and prosecuted either as an ordinance violation or as a violation of state law.
(Code 2020, § 3-312; Ord. No. 4609-10/2019)

Secs. 2-1111—2-1127. Reserved.

DIVISION 2. CIVIL SERVICE COMMISSION

Sec. 2-1128. Civil service commission created.

There is hereby created a civil service commission that shall have five members, who shall each be a citizen of the United States, a resident of the city for at least three years immediately preceding such appointment, and an elector in the county.
(Code 2020, § 3-201; Ord. No. 4609-10/2019)

Sec. 2-1129. Appointment of members.

The mayor shall appoint the members of the civil service commission. At the time of any appointment, not more than three commissioners of a five-member commission, including the ones to be appointed, shall be registered electors of the same political party. Confirmation of the appointment shall be made by the city council.
(Code 2020, § 3-202; Ord. No. 4609-10/2019)

Sec. 2-1132. Removal from office.

Any member of the civil service commission may be removed from office for incompetency, dereliction of duty, malfeasance in office, or other good cause by the mayor with the approval of the

city council, except that no member of the commission shall be removed until written charges have been preferred, due notice given such member, and a full hearing had before the appointing authority. Any member so removed shall have the right to appeal to the county district court, which court shall hear and determine such appeal in a summary manner. Such an appeal shall be only upon the grounds that such judgment or order of removal was not made in good faith for cause, and the hearing on such appeal shall be confined to the determination of whether or not it was so made.
(Code 2020, § 3-204; Ord. No. 4609-10/2019)

Sec. 2-1133. Compensation of members.

Members of the civil service commission shall serve without compensation.
(Code 2020, § 3-205; Ord. No. 4609-10/2019)

Sec. 2-1134. Meetings.

The civil service commission shall hold meetings as may be required for the proper discharge of its duties.
(Code 2020, § 3-206; Ord. No. 4609-10/2019)

Sec. 2-1135. Chairperson.

The civil service commission shall annually elect one of its members as chairperson.
(Code 2020, § 3-207; Ord. No. 4609-10/2019)

Sec. 2-1136. Secretary and chief examiner.

As requested by the appointing authority, the city's director of human resources shall be the commission's secretary and a chief examiner whose responsibility shall be to keep the records of the commission, preserve all reports made to it, superintend and keep a record of all examinations held under its direction, and perform such other duties needed. The secretary and chief examiner shall be subject to suspension or discharge upon the vote of a majority of the appointed members of the commission.
(Code 2020, § 3-208; Ord. No. 4609-10/2019)

Sec. 2-1137. Quorum.

Three members shall constitute a quorum for the transaction of business.
(Code 2020, § 3-209; Ord. No. 4609-10/2019)

Sec. 2-1138. Powers and duties.

(a) The commission shall adopt and promulgate procedural rules and regulations that shall provide in detail the manner in which examinations may be held and any other matters assigned to it by the city administrator. At least one copy of the rules and regulations, and any amendments, shall be made available for examination and reproduction by members of the public. One copy of the rules and regulations, and any amendments, shall be given to each full-time firefighter and full-time police officer.

(b) The commission shall provide that all tests shall be practical and consist only of subjects that will fairly determine the capacity of persons who are to be examined to perform the duties of the position to which an appointment is to be made. Tests may include, but not be limited to, tests of physical fitness and of manual skill and psychological testing.

(c) The commission shall provide, by its rules and regulations, for a credit of ten percent in favor of all applicants for an appointment to an entry-level position, as defined by the city administrator under civil service who, in time of war or in any expedition of the armed forces of the United States, have served in and been honorably discharged from the armed forces of the United States, and who have equaled or exceeded the minimum qualifying standards established by the city administrator. These credits shall only apply to entry-level positions as defined by the appointing authority.

(d) The commission may conduct an investigation concerning, and report upon all matters regarding, the enforcement and effect of the Civil Service Act and the rules and regulations prescribed.

(e) The commission may inspect all institutions, departments, positions, and employments affected by such act to determine whether such act and all such rules and regulations are being obeyed. Such investigations may be conducted by the commission or by any commissioner designated by the commissioner for that purpose. The commission shall also make a like investigation on the written petition of a citizen, duly verified, stating that irregularities or abuses exist, or setting forth, in concise language, the necessity for such an investigation. The city attorney, if authorized by the city administrator, may represent the commission in such investigations. If the city attorney does not represent the commission, the commission may be represented by special counsel appointed by the commission in any such investigation. In the course of such an investigation, the commission, designated commissioner, or chief examiner shall have the power to administer oaths; issue subpoenas to require the attendance of witnesses and their production of books, papers, documents, and accounts appertaining to the investigation; and to cause the deposition of witnesses, residing within or without the state, to be taken in the manner prescribed by law for like depositions in civil actions in the state courts. The oaths administered and subpoenas issued shall have the same force and effect as the oaths administered by a district judge in a judicial capacity and subpoenas issued by the district courts of the state. The failure of any person so subpoenaed to comply shall be deemed a violation of the Civil Service Act and be punished as such. No investigation shall be made pursuant to this section if there is a written accusation concerning the same subject matter against a person in the civil service. Such accusation shall be handled pursuant to section 2-1105.

(f) The commission shall provide that all hearings and investigations before the commission, designated commissioner, or chief examiner shall be governed by the Civil Service Act, and the rules of practice and procedure to be adopted by the commission. In the conduct thereof, they shall not be bound by the technical rules of evidence. No informality in any proceedings or hearing or in the manner of taking testimony shall invalidate any order, decision, rule, or regulation made, approved, or confirmed by the commission, except that no order, decision, rule, or regulation made by any

designated commissioner conducting any hearing or investigation alone shall be of any force or effect unless it is concurred in by a majority of the appointed members of the commission, including the vote of any commissioner making the investigation.

(g) The commission shall establish and maintain a roster of officers and employees.

(h) The commission shall provide for, establish, and hold competitive tests to determine the relative qualifications of persons who seek employment in any position and, as a result thereof, establish eligible lists for the various positions.

(i) The commission shall make recommendations to the mayor and city council concerning a reduction in force policy or amendments thereto. The city council shall consider such recommendations, but shall not be bound by them in establishing a reduction in force policy. Prior to the adoption of a reduction in force policy or amendments thereto, the city council shall, after giving reasonable notice to each police officer and firefighter by first class mail, conduct a public hearing. The mayor and city council, in adopting a reduction in force policy or any amendments thereto, shall consider factors including, but not limited to:

(1) The multiple job skills recently or currently being performed by the employee;

(2) The knowledge, skills, and abilities of the employee;

(3) The performance appraisal of the employee, including any recent or pending disciplinary actions involving the employee;

(4) The employment policies and staffing needs of the department, together with contracts, ordinances, and statutes related thereto;

(5) Required federal, state, or local certifications or licenses; and

(6) Seniority.

(j) The commission shall keep such records as may be necessary for the proper administration of the Civil Service Act.

(k) An applicant for a position of any kind under civil service shall be able to read and write the English language, meet the minimum job qualifications of the position as established by the appointing authority, and be of good moral character. An applicant shall be required to disclose past employment history and criminal record, if any, and submit a full set of fingerprints and a written statement of permission authorizing the appointing authority to forward the fingerprints for identification. Prior to certifying to the appointing authority the names of the persons eligible for the position, the commission shall validate the qualifications of such persons.

(l) The commission shall begin and conduct all civil suits that may be necessary for the proper enforcement of the Civil Service Act and of the rules of the commission. The commission may be represented in such suits and all investigations pursuant to the Civil Service Act by the city attorney, if authorized by the appointing authority. If the city attorney does not represent the commission, the commission may be represented by special counsel appointed by it in any particular case.
(Code 2020, § 3-210; Ord. No. 4609-10/2019)

ARTICLE XII. EMPLOYEE BENEFITS

DIVISION 1. GENERALLY

Sec. 2-1201. Established; effective date.

A pension plan known as the city's employees' pension plan, and which is designed and intended to provide retirement benefits for the regularly employed or appointed full-time employees of the city who qualify for such plan, was established by the city on July 1, 1964. Various revisions were made effective July 1, 1973. The city council does hereby adopt a restated plan effective January 1, 1990, the substance of which is contained in a document entitled "retirement plan." A copy of the retirement plan shall be kept on file in the city clerk's office.
(Code 1973, § 26-7; Code 2020, § 4-101; Ord. No. 2041; Ord. No. 2116; Ord. No. 2548; Ord. No. 3152-12/89)

Secs. 2-1202—2-1221. Reserved.

DIVISION 2. SOCIAL SECURITY*

Sec. 2-1222. Employee defined.

The term "employee," as used in this division, shall mean an employee as defined by the Social Security Act, and shall include both officers and appointees of the city.
(Code 1973, § 2-73; Code 2020, § 2-901)

Sec. 2-1223. Acceptance of federal act.

The city 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, benefits and protection of the federal old age and survivors insurance system, hereinafter designated the "system," established by title II of the Social Security Act, the same being Public Law 734 (81st Congress, Second Session, H.R. 6000) and to be cited as the Social Security Act Amendments of 1950.
(Code 1973, § 2-74; Code 2020, § 2-902)

Sec. 2-1224. Contracts and agreements.

The mayor is hereby authorized and directed to enter into such contracts and make such agreements and stipulations with the administrator of the system in and for the state, or such other state agency, for the purpose that may hereafter be designated or created, as may be deemed necessary or expedient by the administrator, or other state agency authorized on the premises, as the case may be, or as required by general law, state or federal, or any applicable regulations of such state or federal agency, to extend the benefits and protection of such system to the eligible employees of the city, their dependents and survivors. Such contracts, agreements or stipulations

*__State law reference__—Social security, Nebraska Revised Statutes, § 68-601 et seq.

shall be executed in duplicate by the mayor, attested by the signature of the clerk with the seal of the city 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, 1951, in all respects.
(Code 1973, § 2-75; Code 2020, § 2-903)

Sec. 2-1225. Employees included in benefits.

The employees, or classes of employees, of the city eligible for participation in the social security system shall include all such employees as are not excluded from participation in the system and are hereby determined to be within and entitled to the benefits and protection of the system.
(Code 1973, § 2-76; Code 2020, § 2-904)

Sec. 2-1226. Employees excluded from benefits.

The following employees are hereby determined to be excluded from participation in the social security system:

(1) Any employee whose services on the effective date of the ordinance from which this section is derived are employed in a position which is covered by an existing municipal retirement or pension system, or authorized to be so covered by general law.

(2) Any employee with respect to any position not authorized for coverage by applicable state or federal laws or regulations of the Federal Administrative Agency.

(Code 1973, § 2-77; Code 2020, § 2-905)

Sec. 2-1227. Withholdings authorized.

Withholdings from the compensation of eligible employees of the city are hereby authorized, and the city shall impose upon such employees as to services covered by this division such withholdings to be made in amounts and at such time as may be required by general law, state or federal, and applicable regulations promulgated with respect thereto by state or federal administrative agencies.
(Code 1973, § 2-78; Code 2020, § 2-906)

Sec. 2-1228. Social security fund—Created; purpose.

There is hereby created, and the city treasurer is hereby authorized and directed to set up, an account to be known as the social security fund, into which the withholdings 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 the fund. The fund shall be kept segregated and shall be used for no other purposes than the provisions and obligations of this division, as herein provided to be accomplished by such fund.
(Code 1973, § 2-79; Code 2020, § 2-907)

Sec. 2-1229. Social security fund—Disposition of money.

The money in the social security fund shall be paid over to the tax commissioner designated by law as the administrator of the Social Security Act for the state, authorized and provided by regulations promulgated to that end by such administrator.
(Code 1973, § 2-80; Code 2020, § 2-908)

Sec. 2-1230. Records.

The city clerk and the 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.
(Code 1973, § 2-81; Code 2020, § 2-909)

Secs. 2-1231—2-1250. Reserved.

DIVISION 3. FIREFIGHTERS' RETIREMENT SYSTEM

Sec. 2-1251. Applicability of division.

This division shall apply to all full-time firefighters of the paid fire department, which shall include the fire chief and assistant fire chief, and all fire captains, fire lieutenants, and firefighters. For the purposes of this division, a full-time employee shall be any such firefighter in a position which normally requires at least 56 hours of work per week.
(Code 2020, § 4-201; Ord. No. 2873)

Sec. 2-1252. Firefighters' retirement system fund created.

There is hereby created a separate and distinct fund for the purpose of investing payroll deductions and city contributions to the retirement system for firefighters, which fund shall be known as the firefighters' retirement system fund. The city council shall be responsible for the general administration of the retirement system in the manner established by the Nebraska Revised Statutes.
(Code 2020, § 4-202; Ord. No. 2873)

Sec. 2-1253. Retirement committee established.

There is hereby created a retirement committee which shall be known as the firefighters' retirement committee, and which shall have such composition and be charged with such duties as established by the Nebraska Revised Statutes.
(Code 2020, § 4-203; Ord. No. 2873)

Secs. 2-1254—2-1273. Reserved.

DIVISION 4. POLICE OFFICERS' RETIREMENT SYSTEM

Sec. 2-1274. Applicability of division.

This division shall apply to all full-time officers of the paid police department, which shall include the police chief and all police captains, police lieutenants, police sergeants, investigation sergeants,

police patrolmen, and investigator patrolmen. For the purposes of this division, a full-time employee shall be any such police officer in a position which normally requires at least 40 hours of work per week.
(Code 1973, § 26-47; Code 2020, § 4-301; Ord. No. 2119; Ord. No. 2872)

Sec. 2-1275. Police officers' retirement system fund created.

There is hereby created a separate and distinct fund for the purpose of investing payroll deductions and city contributions to the retirement system for police officers, which fund shall be known as the police officers' retirement system fund. The city council shall be responsible for the general administration of the retirement system in the manner established by the Nebraska Revised Statutes.
(Code 2020, § 4-302; Ord. No. 2872)

Sec. 2-1276. Retirement committee established.

There is hereby created a retirement committee which shall be known as the police officers' retirement committee, and which shall have such composition and be charged with such duties as established by the Nebraska Revised Statutes.
(Code 2020, § 4-303; Ord. No. 2872)

ARTICLE XIII. FINANCE

Sec. 2-1301. Funds—Designation and classification.

The several funds of the city shall be designated and classified at the beginning of each fiscal year. All money coming into the hands of the city treasurer shall be kept and disbursed, and all claims shall be audited and allowed, during each fiscal year, under the funds so classified and designated.
(Code 1973, § 13-4; Code 2020, § 5-104)

Sec. 2-1302. Funds—Use; publishing of financial statements.

Each and every fund created by law or designated in the preceding section shall be strictly devoted to the purpose for which it was created and shall not be invested or diverted therefrom except as specifically directed by statute. The mayor and council shall cause city financial statements to be published annually and semiannually.
(Code 1973, § 13-5; Code 2020, § 5-105)

Sec. 2-1303. Annual appropriations and budget.

By ordinance, the city council during the last quarter of each fiscal year shall pass, in manner and form as fixed by statute, an ordinance to be termed the "annual appropriation bill," in which corporate authorities may appropriate such sums of money as may be deemed necessary to defray the necessary expenses and liabilities of the city during the then ensuing fiscal year, not exceeding in the aggregate the amount of tax authorized by law to be levied and the amount of revenue available for such year. A certified copy of such ordinance shall, by the city clerk, be delivered to the county clerk

on or before September 30 each year. By resolution, prior to the passage of the annual appropriation ordinance, the council shall prepare, within the maximum levy fixed by law, the annual estimate or yearly budget of the probable amount of money necessary to be raised in the city during the fiscal year, shall enter the same at large upon its minutes, and the city clerk shall cause the same to be published for one week in some legal newspaper published in and of general circulation in the city.
(Code 1973, § 13-6; Code 2020, § 5-106)

State law reference—Annual appropriations bill, Nebraska Revised Statutes, § 16-704.

Sec. 2-1304. Procedure for handling claims against the city.

All claims against the city, including claims for personal injury but not including officers' salaries and interest upon public debts, must be filed with the city clerk. Upon the filing of any such claim, the party shall state therein the party's post office address; and, upon the disallowance of any such claim, it will be the duty of the city clerk to notify the claimant, the claimant's agent, or attorney by letter mailed to such address within five days after such disallowance.
(Code 1973, § 13-7; Code 2020, § 5-107; Ord. No. 2459)

State law reference—Claims against the city, Nebraska Revised Statutes, § 16-726 et seq.

Sec. 2-1305. Deposit of city funds.

The city treasurer shall deposit and at all times keep on deposit, for safekeeping, all money collected, received or held by the treasurer as such officer in such state or national banks doing business in the county, and of approved and responsible standing, as may be selected and designated by the mayor and city council in the manner prescribed in this chapter and as have complied with the provisions of this article. It shall be unlawful for the city treasurer or other person having custody or control of city money to deposit, keep on deposit, or cause or permit to be deposited or keep on deposit, any such money in any bank which has not complied with all of the terms of this article, or with any person not authorized to do a banking business in the state.
(Code 1973, § 13-9; Code 2020, § 5-108)

Sec. 2-1306. City depositories; application by banks.

Any bank located within the county and authorized to do business as such within the state may apply for the privilege of receiving and holding the city's money or any part thereof on deposit, and each bank so authorized by the council to receive and hold on deposit city money shall be known as a city depository. All such applications shall be in writing and directed to the mayor and council of the city and shall give the name of the applicant, state the rate of interest applicant is willing to allow on such deposits and to be paid and credited to the city on the first days of January, April, July and October of each year.
(Code 1973, § 13-10; Code 2020, § 5-109)

State law reference—City depositories, Nebraska Revised Statutes, § 16-712 et seq.

Sec. 2-1307. Fees.

Commencing with the effective date of the ordinance from which this section is derived, the amount of all fees, rentals, admission charges and other charges, hereinafter collectively referred to

as fees, which are charged for use of the city's services or facilities or for permits to conduct certain regulated activities, shall be established by resolution of the city council. To the extent that any fee established in such resolution is in conflict with any fee currently imposed by ordinance, the fee provisions of such ordinance are hereby repealed. Any fees established by ordinance, but not affected by the fee resolution, shall remain in full force and effect until incorporated in the fee resolution.
(Code 2020, § 1-111; Ord. No. 3026-7/87)

Sec. 2-1308. Perpetual care trust fund.

There is hereby created a separate and distinct fund for the care and maintenance of Parkview Cemetery, to be known as the perpetual care trust fund, which fund shall be administered as follows:

(1) The city treasurer shall, as custodian of the perpetual care trust fund, receive by gift, grant, deed of conveyance, assignment, bequest or devise, money, stock, bonds or other valuable personal property, or real estate, from any person, firm or corporation for the purpose of endowing Parkview Cemetery with a permanent fund.

(2) All money and property received by the city treasurer shall be held in trust in perpetuity and shall be maintained separate and distinct from any other funds of the city. The funds received shall be invested as conditioned by the donor, or as directed by the perpetual care trust fund board.

(3) The perpetual care trust fund board shall consist of the mayor, city treasurer and city clerk. The principal of the perpetual care trust fund shall be invested and, from time to time, reinvested, and kept invested, by the board, in securities authorized by Nebraska Revised Statutes, § 30-3209.

(4) The income derived from the investment of said trust fund shall be used solely for the general care, maintenance, ornamentation and embellishment of Parkview Cemetery, and shall be applied in such manner as the perpetual care trust fund board may, from time to time, determine to be for the best interests of Parkview Cemetery. The board shall in all cases abide by the wishes of the donor in applying the income derived from bequests or donations accompanied by conditions of special directions.

(Code 1973, § 9-5; Code 2020, § 23-105; Ord. No. 2772)

ARTICLE XIV. CONTRACTS AND PURCHASING

DIVISION 1. GENERALLY

Secs. 2-1401—2-1420. Reserved.

DIVISION 2. PROHIBITED INTERESTS IN CONTRACTS

Sec. 2-1421. Officer defined.

For the purposes of this division, the term "officer" means a member of any board or commission of the city which spends and administers its own funds, who is dealing with a contract made by such board or commission; or any elected city official.
(Code 2020, § 2-141; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-1422. Officers' interest in contracts—Prohibited.

Except as provided by Nebraska Revised Statutes, § 70-624.04, no officer may have an interest in any contract to which the city, or anyone for its benefit, is a party. The existence of such an interest in any contract renders the contract voidable by decree of a court of proper jurisdiction as to any person who entered into the contract or took assignment thereof with actual knowledge of the prohibited conflict. An action to have a contract declared void under this section may be brought by the city or any resident thereof, and must be brought within one year after the contract is signed or assigned. The decree may provide for the reimbursement of any person for the reasonable value of all money, goods, material, labor or services furnished under the contract, to the extent the city has benefited thereby. This prohibition shall apply only when the officer or officer's parent, spouse or child has a business association as defined by Nebraska Revised Statutes, § 49-1408, or will receive a direct pecuniary fee or commission as a result of the contract.
(Code 2020, § 2-142; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-1423. Officers' interest in contracts—Exceptions.

(a) The provisions of section 2-1422 shall not apply if the interested officer:

(1) Makes a declaration on the record to the governmental body responsible for approving the contract regarding the nature and extent of the officer's interest, prior to official consideration of the contract;

(2) Does not vote on the matter of granting the contract, except that if the number of members of the governmental body declaring an interest in the contract would prevent the governmental body, with all members present, from securing a quorum on the issue, then all members may vote on the matter;

(3) Does not act for the city, which is a party to the contract as to inspection or performance under the contract in which the officer has an interest.

(b) An officer who has no business association as defined in Nebraska Revised Statutes, § 49-1408, with the business involved in the contract or will not receive a pecuniary fee, as prescribed in section 2-1422, shall not be deemed to have an interest within the meaning of this chapter.
(Code 2020, § 2-143; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-1424. Certain transactions not considered contracts.

The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of the city by a financial institution shall not be considered a contract under this division. The ownership of less than five percent of the outstanding shares of a corporation shall not constitute an interest within the meaning of this section.
(Code 2020, § 2-144; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-1425. Permitted contracts with officers not exempt from competitive bidding; requirements.

(a) Notwithstanding the provisions of this division, if an officer's parent, spouse, or child is an employee of the city, the officer may vote on all issues of the contract which are generally applicable to all employees or all employees within a classification and do not single out the officer's parent, spouse, or child for special action.

(b) If an official has the authority to hire or supervise a relative, they should comply with the nepotism provisions of the city's employee handbook.
(Code 2020, § 2-145; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-1426. Competitive bidding.

Notwithstanding any other provision of this chapter, any contract entered into with an interested officer of the city shall be subject to applicable competitive bidding requirements and shall be fair and reasonable to the city.
(Code 2020, § 2-146; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-1427. Contract ledger to be maintained by city clerk.

(a) The city clerk shall maintain, separately from other records, a ledger containing the information listed in this subsection about every contract entered into by the city in which an officer or employee of the city has an interest, and for which disclosure is required under Nebraska Revised Statutes, § 49-14,103.01, and as provided in section 2-1422, and for which disclosure is made as provided in section 2-1423. Such information shall be kept in the ledger for five years from the date of the officer or employee's last day in office or on the job, and shall include the following:

(1) Names of the contracting parties;

(2) Nature of the interest of the officer or employee in question;

(3) Date that the contract was approved by the city;

(4) Amount of the contract; and

(5) Basic terms of the contract.

(b) The information supplied related to the contract shall be provided to the clerk no later than ten days after the contract has been signed by both parties. The ledger kept by the city clerk shall be available for public inspection during normal working hours.
(Code 2020, § 2-147; Ord. No. 4663, § 2, 4-26-2021)

Sec. 2-1428. Open account deemed a contract.

An open account established for the benefit of the city or entity thereof with a business in which an officer has an interest shall be deemed a contract subject to the provisions of Nebraska Revised Statutes, §§ 49-14,103.01 to 49-14,103.06, and this division. The statement required to be filed pursuant to section 2-1427 shall be filed within ten days after such account is opened. Thereafter, the city clerk shall maintain a running account of all amounts purchased on the open account. Purchases made from petty cash or a petty cash fund shall not be subject to the provisions of Nebraska Revised Statutes, §§ 49-14,103.01 to 49-14,103.06, and this division.
(Code 2020, § 2-148; Ord. No. 4663, § 2, 4-26-2021)

Secs. 2-1429—2-1448. Reserved.

DIVISION 3. PURCHASING

Sec. 2-1449. Definitions.

For the purposes of this division, the following terms, phrases, words and their derivations shall have the meaning given herein.

Bid means and includes all bids and proposals.

Contractual services means and includes all telephone, gas, water, electric light and power service, towel and cleaning service, insurance, lessee for all grounds, buildings, offices or other space required by the using agencies; and the rental, repair or maintenance of equipment, machinery, and other city-owned property. The term "contractual services" shall not include professional and other contractual services which are in their nature unique and not subject to competition.

Supplies means and includes all supplies, materials, and equipment.

Using agency means any department, agency, commission, bureau, or other unit in the city government using supplies or procuring contractual services as provided for in this division.
(Code 2020, § 7-102; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1450. Formal contract procedure.

(a) When the estimated cost of supplies, equipment or contractual services exceeds $40,000.00, no formal contract for purchase or sale shall be authorized until the contract, if any, has been reviewed by the city attorney, and without prior approval of the city council. All supplies, equipment, and contractual services in this category shall be purchased or sold by formal written contract, from the lowest responsible and responsive bidder, after due notice inviting bids.

(b) The municipal electric utility may enter into a contract for the enlargement or improvement of its electric system or for the purchase of equipment used for such enlargement or improvement, if the price of the same is under $120,000.00.

(c) Notice inviting bids shall be published once in at least one official newspaper in the city, and at least seven days preceding the last day set for the receipt of bids. The notice shall include a general description of the articles to be purchased or sold, and shall state where bid blanks and specifications may be secured, and the date, time and place for opening bids.

(d) When deemed necessary, bid deposits shall be prescribed in the public notice inviting bids. Unsuccessful bidders shall be entitled to a return of surety required by the bid specifications. Successful bidders shall forfeit the bidder's bid deposit upon failure on their part to enter a contract within ten days after being notified of the award.

(e) Bids shall be sealed and submitted to the city clerk as directed in the request for bid, and shall be identified as bids on the envelope. Bids shall be opened in public on the date and at the time and place stated in the public notices. A tabulation of all bids received shall be available for public inspection.

(1) The city council shall have the authority to reject all bids, parts of all bids, or all bids for any one or more supplies or contractual services included in the proposed contract when the public interest will be served thereby.

(2) The city shall not accept the bid of a contractor who is in default on the payment of taxes, licenses, or other monies due the city.

(f) Contracts shall be awarded to the lowest responsible and responsive bidder. In determining the lowest responsible bidder, in addition to price, the following shall be considered:

(1) The ability and skill of the bidder to perform the contract required;

(2) The character, integrity, reputation, judgment, experience and efficiency of the bidder;

(3) Whether the bidder can perform the contract within the time specified;

(4) The quality of performance of previous contracts;

(5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract;

(6) The life-cost of the personal property in relation to the purchase price and specific use of the item;

(7) The performance of the personal property, taking into consideration any commonly accepted tests and standards of product usability and user requirements;

(8) The energy efficiency ratio as stated by the bidder for alternative choices of appliances or equipment;

(9) The information furnished by each bidder, when deemed applicable, concerning life-cycle costs between alternatives for all classes of equipment, evidence of expected life, repair and maintenance costs, and energy consumption on a per-year basis;

(10) Such other information as may be secured having a bearing on the decision to award the contract.

The term "responsive bidder" means a person or company who has submitted a bid which conforms in all material respects to the invitation for bids.

(g) When the award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared and filed with other papers relating to the transaction.

(h) No contract in excess of $30,000.00 for enlargement or general improvements, such as water extensions, sewers, public heating systems, bridges, works on streets, or any other work or improvement, when the cost of such enlargement or improvement is assessed to the property, shall be awarded by the city council until an estimate of the cost shall be made by the city engineer and submitted to the council.

(i) The electric utility shall not enter into a contract for the enlargement or improvement of the electric system, or for the purchase of equipment used for such enlargement or improvement, without advertising for bids if the price is over $120,000.00.

(j) Except in the case of tie bids, there shall be neither formal nor tacit local vendors preference policies. The city shall neither impose nor condone any bidding or procurement policies that result in exclusionary or anti-competitive bidding, or violate state or federal antitrust laws. If all bids received are for the same total amount or unit price, quality and service being equal, the contract shall be awarded to a local bidder. Where there is no local bidder, or when two or more local bidders are equal, the award of the contract shall be by drawing lots in public to one of the tie bidders.

(k) The city, whenever applicable, may purchase supplies, equipment, or services without the necessity of using the formal bid requirements as set forth in this section by either:

(1) Purchasing under a state contract; or

(2) Purchasing the same supplies, equipment, or services from another vendor at or below the purchase price of a state contract; or

(3) Purchasing under a contract or agreement compliant with the Interlocal Cooperation Act, where the acquisition cost of the item being purchased has been established through a public procurement process; or

(4) Purchasing under a contract or agreement with a joint public agency, where the cost of the item being purchased has been established through a public procurement process; or

(5) Purchasing where the entire cost of the supplies or services is 100 percent funded by a donation to the city for said supplies, equipment, or services, and the following criteria are met:

   a. The project utilizing said supplies, equipment, or services has been approved by the city in advance of the donation to the city; and

   b. The donor has requested that particular supplies, equipment, or services be acquired by the city with the donated funds; and

c. The city, before accepting the donation, has considered the criteria set forth in subsection (f) of this section, and has declared that, having considered the criteria set forth in subsection (f) of this section, it is in the best interest of the city; or

(6) Purchasing used equipment with prior authorization of the council; or

(7) Purchasing items that are available only from a single source; or

(8) Purchasing parts and labor needed for maintenance and repairs; or

(9) Purchasing consumables and fuels.

(Code 2020, § 7-103; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1451. Informal bidding.

(a) When the estimated cost of supplies, equipment or contractual services is less than $40,000.00, or less than $120,000.00 in the event of a purchase by the municipal utility for its electric system, the purchase shall be made in the open market, without newspaper advertisement and without observing the procedure prescribed for the award of formal contracts, and shall be referred to as open market purchases.

(b) All open market purchases in an amount greater than $10,000.00 but less than $40,000.00, or in the event of a purchase by the municipal utility for its electric system is greater than $10,000.00 but less than $120,000.00, shall, whenever possible or practicable, be based on at least three competitive bids, and shall be awarded to the lowest responsible and responsive bidder, in accordance with the same criteria established in this division for the formal contract procedure.

(c) All open market purchases of $10,000.00 or less may be made by utilizing open monthly purchase orders, or by purchasing from available sources without the necessity of a bid.

(d) Open market bids may be solicited by direct mail request to prospective vendors, by public notice on bulletin board, by telephone, by facsimile transmission, by electronic mail or other electronic means.

(e) The respective department head or the head's designee shall keep a record of all open market orders, and the bids submitted in competition thereon, and such records shall also be open to public inspection.

(f) The city, whenever applicable, may purchase supplies, equipment, or services without the necessity of using the informal bid requirements as set forth in this section by either:

(1) Purchasing under a state contract; or

(2) Purchasing the same supplies, equipment, or services from another vendor at or below the purchase price of a state contract; or

(3) Purchasing under a contract or agreement compliant with the Interlocal Cooperation Act, where the acquisition cost of the item being purchased has been established through a public procurement process; or

(4) Purchasing under a contract or agreement with a joint public agency, where the cost of the item being purchased has been established through a public procurement process; or

(5) Purchasing where the entire cost of the supplies or services is 100 percent funded by a donation to the city for said supplies, equipment, or services, and the following criteria are met:

a. The project utilizing said supplies, equipment, or services has been approved by the city in advance of the donation to the city; and

b. The donor has requested that particular supplies, equipment, or services be acquired by the city with the donated funds; and

c. The city, before accepting the donation, has considered the criteria set forth in section 2-1430(f) and has declared that, having considered the criteria set forth in section 2-1430(f), it is in the best interest of the city; or

(6) Purchasing used equipment with prior authorization of the council; or

(7) Purchasing items that are available only from a single source; or

(8) Purchasing parts and labor needed for maintenance and repairs; or

(9) Purchasing consumables and fuels.

(Code 2020, § 7-104; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1452. Emergency purchases.

(a) In the event of an emergency which requires immediate purchase of supplies or contractual services, the city administrator shall be empowered to authorize the purchase by open market procedure as herein set forth, at the lowest obtainable price, any supplies or contractual services.

(b) The term "emergency" means any event which interrupts the normal administration of municipal services, thereby jeopardizing the life, health or convenience of citizens.

(c) Should an emergency situation arise on a weekend or holiday, any purchase necessary shall be made by the department.

(d) A report of the circumstances of an emergency purchase shall be filed by the department head with the city administrator.

(Code 2020, § 7-150; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1453. Inspection and testing.

(a) The respective department head or the department head's designee shall inspect, or supervise the inspection of, all deliveries of supplies or contractual services to determine their conformance with the specifications set forth in the order or contract.

(b) The respective department head or the department head's designee may require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the respective department head or the department head's designee shall have the authority to make use of laboratory facilities of any agency of the city government or any outside laboratory.

(Code 2020, § 7-106; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1454. Surplus stock and real property.

(a) All agencies and departments shall submit to the city clerk, at such time and in such form as they shall prescribe, reports showing stocks of all supplies which are no longer used or which have become obsolete, worn out or scrapped.

(b) The respective department heads shall have the authority to sell or dispose of all surplus supplies and equipment of less than $40,000.00 in value which have become unsuitable or unnecessary for public use. The respective department heads shall sell or dispose of the property by any method which is most advantageous to the city, including offering it first to other city departments, or subsequently by auction, sealed bid, private or public sale, or trade-in for other property. All sales of any one piece of equipment or supplies of $40,000.00 or more in value shall require the prior approval of the mayor and city council.

(c) Any sale of surplus real estate shall be sold or disposed of as directed by the city administrator.

(Code 2020, § 7-107; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1455. Prescribed authority structures.

Insofar as the sale or purchasing procedures of this division are concerned, the following authority structure shall apply:

(1) Every city employee shall requisition for supplies, equipment or services only with the approval of the employee's department head or duly authorized representative;

(2) After obtaining the approval of the department head, the employee shall follow the procedures of the sale or purchase as specified in this division;

(3) No city employee shall circumvent that prescribed authority structure of this division without permission of the city administrator.

(Code 2020, § 7-108; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1456. Exceptions.

This division shall not apply to construction contracts for special improvement districts, nor to state or federally funded programs that mandate a different contracting procedure, nor to contracts for legal services.

(Code 2020, § 7-109; Ord. No. 4672, § 1, 6-28-2021)

Sec. 2-1457. Contract and agreement approval and signing.

(a) Contracts and agreements for supplies, equipment materials, and contractual services which exceed $40,000.00, or in the event of a purchase by the municipal utility for electric supplies, electrical equipment, electrical materials and electrical contractual services which exceed $120,000.00, shall be approved by the city council and signed by the mayor, unless the amount of the expenditure or contract is less than any amount budgeted for the subject supplies, equipment, materials or contractual subjects, in which case the contract or agreement need not be approved by the city council, but shall be signed by the mayor.

(b) Multiple-year contracts and agreements for supplies, equipment, materials and contractual services exceeding $40,000.00 over the life of the contract or agreement, or in the event of a purchase by the municipal utility for electric supplies, electrical equipment, electrical materials and electrical contractual services exceeding $120,000.00 over the life of the contract or agreement, shall be approved by the city council and signed by the mayor.

(c) Contracts and agreements for supplies, equipment, materials and contractual services not exceeding $40,000.00, or in the event of a purchase by the municipal utility of supplies, equipment, materials and contractual services not exceeding $120,000.00, may be signed by department heads.

(d) Other contracts, agreements, memorandums of understanding and other similar documents not described in this section shall be signed by the mayor or the mayor's designee.
(Code 2020, § 7-110; Ord. No. 4672, § 1, 6-28-2021)

ARTICLE XV. BOARDS, COMMISSIONS, COUNCILS AND AUTHORITIES

DIVISION 1. GENERALLY

Secs. 2-1501—2-1520. Reserved.

DIVISION 2. MAYOR'S YOUTH COUNCIL

Sec. 2-1521. Composition; appointment.

The mayor's youth council shall consist of up to 22 members. Each member shall be appointed by the mayor, by and with the approval of a three-fourths' vote of the city council. The mayor may appoint such additional ex officio members of the mayor's youth council as discretion may deem desirable, but such appointments shall be with the approval of a three-fourths' vote of the city council.
(Code 2020, § 2-622; Ord. No. 4029-6/2005; Ord. No. 4152-11/2007)

Sec. 2-1522. Term of office; eligibility for appointment; code of conduct; removal; filling vacancies in office.

Each member shall serve a one-year term. A member may be appointed to up to two consecutive terms. Each member shall be a junior or senior in high school. No member may use or possess alcohol, tobacco or an illegal substance. No member may violate any provision or rule established by the mayor's youth council. Any member that is expelled from school, drops out of school, possesses or uses alcohol, tobacco or an illegal substance, or materially violates any other provision or rule of the mayor's youth council may be removed from office. Removal from office shall be done by recommendation of the mayor and approval of three-fourths of the city council. Vacancies in office shall be filled in the same manner as the appointments in section 2-1521.
(Code 2020, § 2-623; Ord. No. 4029-6/2005)

Sec. 2-1523. Officers; meetings; quorum; voting; rules and regulations; records.

At the first meeting, and on an annual basis thereafter, each school's representatives shall elect one president and one vice-president/secretary. Each shall serve a minimum of a one-year term in said office. There shall be up to two meetings but not less than one meeting per month, which shall take place at such a time and place as determined by a majority vote of the presidents. All meetings shall be advertised and open to the public, and in compliance with the open meetings laws of the state. Eight members shall constitute a quorum. Each high school shall have up to five voting representatives on the council for any given meeting. The members eligible to vote at any meeting shall be determined by the representatives from each school, prior to each meeting. The mayor's youth council shall develop a set of rules and regulations, as may be amended from time to time by a majority vote of the members present at any meeting. However, all 22 members of the council are allowed to vote on the adoption of the initial set of rules and regulations. The method of designating the voting members for each meeting shall be addressed in the rules and regulations developed by the mayor's youth council. Records of the mayor's youth council, including minutes of all meetings, shall be kept by the city clerk, and open to inspection by the public.
(Code 2020, § 2-624; Ord. No. 4029-6/2005)

Secs. 2-1524—2-1543. Reserved.

DIVISION 3. CITY MUNICIPAL AIRPORT ADVISORY BOARD

Sec. 2-1544. Created.

The city municipal airport advisory board is hereby created to assist the city in the development of the airport. The board shall take no official action in the operation of the airport, and is solely a body to work with the airport manager and the aeronautic community and provide recommendations to the city council.
(Code 1973, § 2-50; Code 2020, § 2-701; Ord. No. 2287; Ord. No. 3965-8/2004; Ord. No. 4151-10/2007; Ord. No. 4468, § 1, 12-30-2015)

Sec. 2-1545. Board members; terms of service.

(a) The airport advisory board (the board) shall consist of five members.

(1) At least one member shall be a licensed pilot.

(2) At least one member shall not have a pilot's license.

(3) One member shall be a sitting member of the city council.

(4) All five members must live within the corporate limits of the city.

(b) Appointment and terms of service.

(1) The mayor, with the approval of the council, shall appoint the board members.

(2) All appointments shall be for five-year terms.

(3) Members may be removed by a majority vote of the city council.

(4) Vacancies shall be filled in the same manner as appointments, except that the individual appointed to fill the vacancy shall serve only the remaining term of the predecessor and not a new five-year term. That individual may then be reappointed to successive terms after filling the vacancy.

(Code 1973, § 2-51; Code 2020, § 2-702; Ord. No. 2287; Ord. No. 3965-8/2004; Ord. No. 4102-9/2006; Ord. No. 4151-10/2007; Ord. No. 4468, § 1, 12-30-2015)

Sec. 2-1546. Meetings.

(a) The board shall meet at least quarterly, as determined by the mayor, city administrator or city engineer, and at a time, date and location to be determined by the city administrator.

(b) By September 1 each year, the mayor shall appoint a chairperson. In the event that an appointment is not made by September 1 of any year, the previously appointed individuals shall continue in that capacity until a new appointment is made for the seat.

(c) The chairperson shall preside at all meetings for one year after being elected as such.

(d) Three members shall constitute a quorum. Without a quorum, no recommendations may be given.

(e) A motion shall be considered successful if it carries a majority of the present members.

(Code 1973, § 2-52; Code 2020, § 2-703; Ord. No. 2287; Ord. No. 3965-8/2004; Ord. No. 4151-10/2007; Ord. No. 4468, § 1, 12-30-2015)

Sec. 2-1547. Responsibilities of airport advisory board.

(a) The board shall make such recommendations as it deems necessary to the mayor, city administrator and council. Said recommendations shall relate to community relations, the layout of the airport, long-term development, needs for expansion, requests from the aeronautical community and increasing the number of aircraft, but shall not deal with personnel or tax levies.

(b) The board shall review nearby development and advise the planning commission and/or mayor and council as to any potential encroachments into airspace or airport grounds that may be a violation of an FAA regulation or the Nebraska Airport Zoning Act (Nebraska Revised Statutes, §§ 3-301—3-333, as amended).

(c) The board shall act as a sounding board for system and facility enhancement, community relations and requests of the aeronautical community.

(Code 1973, § 2-53; Code 2020, § 2-704; Ord. No. 2287; Ord. No. 3965-8/2004; Ord. No. 4151-10/2007; Ord. No. 4468, § 1, 12-30-2015)

Sec. 2-1548. Ex officio chairman of board of health; duties relative to public health.

The mayor shall be ex officio chairman of the board of health of the city and shall see that all health and quarantine ordinances of this city are enforced over all places within two miles of the corporate limits of the city.

(Code 1973, 2-27; Code 2020, § 2-303; Ord. No. 2343)

State law reference—Public health jurisdiction of mayor, Nebraska Revised Statutes § 16-314.

Chapter 3

RESERVED

Chapter 4

ALCOHOLIC BEVERAGES*

Sec. 4-101. Definitions.
Sec. 4-102. Display of license and warning.
Sec. 4-103. Sales to minors and incompetents; sale or possession by minors; misrepresentation of age; confiscation of vehicles.
Sec. 4-104. Hours of sale; generally.
Sec. 4-105. Consumption on property owned by the state or certain governmental subdivisions thereof.
Sec. 4-106. Sale, etc., by non-beverage user.
Sec. 4-107. Occupation tax.
Sec. 4-108. Evasion of payment of tax or duty; possession of untaxed liquor.
Sec. 4-109. Compliance with zoning regulations.
Sec. 4-110. Right of entry into licensed premises by police.
Sec. 4-111. Liability of licensee for acts of managers, agents, etc.
Sec. 4-112. Liquor application—Municipal examination.
Sec. 4-113. Liquor application—Municipal examination; notice.
Sec. 4-114. Liquor application—Municipal examination; hearing.
Sec. 4-115. Liquor application—Municipal examination; order of procedure.
Sec. 4-116. Liquor application—Retail licensing standards.
Sec. 4-117. Agent for special designated license.

*__State law reference__—Liquor, Nebraska Revised Statutes, § 53-101 et seq.

Sec. 4-101. Definitions.

Unless the context otherwise requires, the definitions found in Nebraska Revised Statutes, §§ 53-103.01 to 53-103.51, as the same may from time to time be amended, are hereby adopted for the purpose of construing this chapter. Said definitions are hereby incorporated by reference as though set forth herein.

(Code 1973, § 3-1; Code 2020, § 8-101; Ord. No. 2027; Ord. No. 4436-4/2015; Ord. No. 4572-10/2018; Ord. No. 4678, § 1, 9-13-2021)

Sec. 4-102. Display of license and warning.

Under the Nebraska Liquor Control Act, every licensee within the city shall cause their license to be framed and hung in plain view in a conspicuous place on the licensed property. In addition, every retail or bottle club licensee shall post in a conspicuous place a sign which clearly reads as follows: "Warning: Drinking alcoholic beverages during pregnancy can cause birth defects," in the form prescribed by the state liquor control commission.

(Code 1973, § 3-3; Code 2020, § 8-103; Ord. No. 2027; Ord. No. 4436-4/2015; Ord. No. 4572-10/2018; Ord. No. 4678, § 2, 9-13-2021)

State law reference—Similar provisions, Nebraska Revised Statutes, §§ 53-148, 53-148.01.

Sec. 4-103. Sales to minors and incompetents; sale or possession by minors; misrepresentation of age; confiscation of vehicles.

(a) No person shall sell, furnish, give away, exchange or deliver, or permit the sale, gift, or procuring of, any alcoholic liquors to or for any minor or to any person who is mentally incompetent.

(b) No minor shall, within the city, represent that they are of age for the purpose of asking for, purchasing or receiving any alcoholic liquors from any person.

(c) No minor may sell or dispense or have in their possession or physical control any alcoholic liquor in any tavern or in any other place, including public streets, alleys, roads, highways, within the corporate limits of the city, upon property owned by the city or inside any vehicle while in or on any other place, including, but not limited to, the public streets, alleys, roads, highways or upon property owned by the city, except that a minor may possess or have physical control of alcoholic liquor in their permanent place of residence.

(Code 2020, § 8-104; Ord. No. 4436-4/2015)

State law reference—Similar provisions, Nebraska Revised Statutes, §§ 53-180—53-180.02.

Sec. 4-104. Hours of sale; generally.

(a) It shall be unlawful for any licensed person or their agents to sell any alcoholic beverages within the city except during the hours provided herein:

ALLOWED HOURS OF SALE

Alcoholic Liquors (except beer and wine)	
Secular days	
Off sale	6:00 a.m. to 1:00 a.m.
On sale	6:00 a.m. to 1:00 a.m.
Sunday	
Off sale	12:00 noon to 1:00 a.m.
On sale	12:00 noon to 1:00 a.m.
Beer and Wine	
Secular days	
Off sale	6:00 a.m. to 1:00 a.m.
On sale	6:00 a.m. to 1:00 a.m.
Sunday	
Off sale	6:00 a.m. to 1:00 a.m.
On sale	6:00 a.m. to 1:00 a.m.
Bottle Clubs	
Secular days and Sunday	6:00 a.m. to 5:00 a.m.

(b) No provision herein shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

(c) It shall be unlawful on property licensed to sell alcoholic liquor at retail to allow alcoholic liquor in open containers to remain, or be in possession or control of any person for purposes of consumption, after 1:15 a.m. on any day.

(Code 1973, § 3-5; Code 2020, § 8-105; Ord. No. 2529; Ord. No. 2728; Ord. No. 3072-7/88; Ord. No. 3150-11/89; Ord. No. 3168-4/90; Ord. No. 3227-8/91; Ord. No. 4436-4/2015; Ord. No. 4572-10/2018)

Sec. 4-105. Consumption on property owned by the state or certain governmental subdivisions thereof.

(a) It shall be unlawful for any person to consume alcoholic liquors in the public streets, alleys, parking areas, roads, or highways, or inside vehicles while upon the public streets, alleys, parking areas, roads, or highways; or upon property owned by the state, the county, the city, or the school district; provided, however, alcoholic liquors, including beer, may be sold or distributed for consumption on the following premises:

(1) At Brickyard Park, the Hastings City Auditorium, Auditorium Park, Central Park and the Hastings Museum and Museum Park, the Hastings Public Library, the Terminal Building at Hastings Municipal Airport, the Fixed Base Operator (FBO) building located at 3100 West 12th Street, and the Hastings Municipal Airport Building #1 located at 3300 West 12th Street under a special designated permit issued by the state's liquor control commission with the approval of the city council;

(2) At property controlled by the chamber of commerce;

(3) For any portion of Prairie Ridge Park for which a state liquor license is in effect;

(4) The city may execute a license agreement for the use of a portion of the public sidewalk by a properly licensed establishment located within the downtown area. The terms of the license agreement shall be developed according to the circumstances of the parties and any laws, rules, and regulations applicable. For purposes of this section, the downtown area shall be all property abutting or located within Burlington Avenue on the west, Kansas Avenue on the east, 1st Street on the south, and 4th Street on the north; and

(5) The city may execute a license agreement for the use of a portion of the public street for a community-sponsored event pursuant to and under a special designated permit issued by the state's liquor control commission with the approval of the city council. For purposes of this section, the downtown area shall be all property abutting or located within Burlington Avenue on the west, Kansas Avenue on the east, 1st Street on the south, and 4th Street on the north.

(b) This section shall not apply to persons who are passengers of, but not drivers of, a limousine or bus being used in a charter or special party service as defined by rules and regulations adopted and promulgated by the state public service commission and subject to Nebraska Revised Statutes chapter 75, article 3. Such passengers may possess open alcoholic beverage containers and may consume alcoholic beverages while such limousine or bus is upon the public streets, alleys, parking areas, roads or highways if:

(1) The driver of the limousine or bus is prohibited from consuming alcoholic liquor; and

(2) Alcoholic liquor is not present in any area that is readily accessible to the driver while in the driver's seat, including any compartments in such area.

(c) This section shall not apply to any person issued a valid and current license to operate a pedal-pub vehicle in the state, nor the pedal-pub vehicle customers.

(Code 1973, § 3-9; Code 2020, § 8-107; Ord. No. 2027; Ord. No. 2190; Ord. No. 2987; Ref. of 5-5-1987; Ord. No. 3014-5/87; Ord. No. 3240-1/92; Ord. No. 3373-2/94; Ord. No. 3477-5/95; Ord. No. 3866-7/2002; Ord. No. 3964-8/2004; Ord. No. 4132-7/2007; Ord. No. 4164-2/2008; Ord. No. 4259-6/2010; Ord. No. 4335-1/2013; Ord. No. 4391-3/2014; Ord. No. 4436-4/2015; Ord. No. 4448-8/15; Ord. No. 4505-3/2017; Ord. No. 4511-7/2017; Ord. No. 4519-8/17; Ord. No. 4556-5/2018; Ord. No. 4592-5/2019; Ord. No. 4740, § 1, 7-24-2023)

State law reference—Consumption of liquor on public property, Nebraska Revised Statutes, § 53-186.

Sec. 4-106. Sale, etc., by non-beverage user.

No non-beverage user shall, within the city, sell, give away or otherwise dispose of any alcohol purchased under a license as such non-beverage user in any form fit for beverage purposes.

(Code 1973, § 3-10; Code 2020, § 8-108; Ord. No. 2027; Ord. No. 4436-4/2015)

State law reference—Similar provisions, Nebraska Revised Statutes, § 53-187.

Sec. 4-107. Occupation tax.

(a) For the purpose of raising revenue for the city, there is hereby levied upon distributors, retailers, and non-beverage users of alcoholic liquor in the city an annual occupation tax as set forth in the city's fee schedule. No reduction in occupation tax, except as may be provided herein, shall be made regardless of the time when the application for license is made or the license is issued. Such occupation tax, or any part of it, shall not be refunded for any cause.

(b) All occupation taxes levied pursuant to subsection (a) of this section shall be due and payable within 30 days of the renewal of the licensee's state liquor license.
(Code 1973, § 3-11; Code 2020, § 8-109; Ord. No. 2027; Ord. No. 2188; Ord. No. 2771; Ord. No. 3176-5/90; Ord. No. 3614-12/97; Ord. No. 3997-3/2005; Ord. No. 3997-4/2005; Ord. No. 4436-4/2015; Ord. No. 4572-10/2018; Ord. No. 4678, § 3, 9-13-2021)

Sec. 4-108. Evasion of payment of tax or duty; possession of untaxed liquor.

(a) It shall be unlawful for any person in the city to evade or attempt to evade the payment of tax or duty on any alcoholic liquor in any manner whatever, and upon conviction thereof, in addition to the general penalty prescribed for the violation in this chapter, such person shall forfeit such alcoholic liquor.

(b) It shall be unlawful for any person in the city to possess or transport any cask, package, bottle or bottles of any alcoholic liquor without having thereon each mark and stamp for tax as required by the Nebraska Liquor Control Act; and such cask, package, bottle or bottles of alcoholic liquor not having the mark or stamp for tax as so provided shall be forfeited to the city.
(Code 1973, § 3-12; Code 2020, § 8-110; Ord. No. 2027; Ord. No. 4436-4/2015)

Sec. 4-109. Compliance with zoning regulations.

Under the provisions of chapter 54, the sale of alcoholic liquors, including beer, shall be construed to be a business in and of itself where such sales are made by an incorporated club now established to members and guests only; and no permit for the sale thereof shall be issued to any applicant, except upon the written consent of the owners of lots or parts of lots as provided in such chapter.
(Code 1973, § 3-14; Code 2020, § 8-112; Ord. No. 2027; Ord. No. 4436-4/2015)

Sec. 4-110. Right of entry into licensed premises by police.

All police officers of the city are hereby authorized to enter at any time upon any premises of any licensee under the Nebraska Liquor Control Act (Nebraska Revised Statutes, § 53-101 et seq.), within the city to determine whether any of the provisions of such act or of this chapter, or any rules or regulations adopted by the city or by the state's liquor control commission, have been or are being violated and at such time to examine sufficiently the premises of the licensee in connection therewith.
(Code 1973, § 3-15; Code 2020, § 8-113; Ord. No. 2027; Ord. No. 4436-4/2015)

Sec. 4-111. Liability of licensee for acts of managers, agents, etc.

Every act or omission of whatsoever nature constituting a violation of any of the provisions of this chapter by any officer, director, manager or other agent or employee of any licensee, if the act is committed or omission is made with the authorization, knowledge or approval of the licensee, shall be deemed and held to be the act of such employer or licensee, and the employer or licensee shall be punishable in the same manner as if the act or omission had been done or omitted by them personally.

(Code 1973, § 3-16; Code 2020, § 8-114; Ord. No. 2027; Ord. No. 4436-4/2015; Ord. No. 4678, § 4, 9-13-2021)

Sec. 4-112. Liquor application—Municipal examination.

Any person desiring to obtain a license to sell alcoholic liquors at retail shall file an application with the liquor control commission. The commission shall notify the city clerk by registered mail, certified mail or electronic delivery. The city council shall then meet and determine the desirability of the application and report its recommendation for approval or denial of the application in writing to the state's liquor control commission within 45 days of receipt from the state's liquor control commission. The city council may examine, or cause to be examined, under oath, any applicant; examine, or cause to be examined, the books and records of any such applicant; hear testimony and take proof for its information in the performance of its duties. For the purpose of obtaining any of the information desired, the city council may authorize its agent, the city administrator, or the city attorney, to act on its behalf. The city council may conduct the examination and hold the hearing upon receipt from the commission of the notice and copy of the application. The city council shall fix a time and place at which a hearing will be held, at which time the city council shall receive evidence under oath, either orally, or by affidavit, from the applicant and any other person concerning the propriety of the issuance of such license. Notice of the time and place of such hearing shall be published in a legal newspaper in, or of general circulation in, the municipality one time not less than seven nor more than 14 days before the time of the hearing. Such notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the local city council, in support of, or in protest against, the issuance of such license may do so at the time of the hearing. Such a hearing shall be held not more than 45 days after the receipt of notice from the commission. After such hearing, the city council shall cause to be spread at large in the minute record of its proceedings a resolution recommending either issuance or refusal of such license. The city clerk shall thereupon mail to the commission by first class mail or electronic delivery a copy of the resolution and the published notice of hearing.

(Code 2020, § 8-115; Ord. No. 2972-5/86; Ord. No. 3176-5/90; Ord. No. 4436-4/2015)

Sec. 4-113. Liquor application—Municipal examination; notice.

Notice of a hearing held pursuant to Nebraska Revised Statutes, § 53-133, shall be mailed or electronically delivered to the applicant by the city clerk and shall contain the date, time, and location of the hearing. Two or more proceedings which are legally or factually related may be heard and considered together unless any party thereto makes a showing sufficient to satisfy the council that prejudice would result therefrom.

(Code 2020, § 8-116; Ord. No. 2972-5/86; Ord. No. 4436-4/2015; Ord. No. 4678, § 5, 9-13-2021)

Sec. 4-114. Liquor application—Municipal examination; hearing.

(a) The hearing will be informal and conducted by the mayor. The applicant shall attend the hearing in the event there are questions regarding the applicant's application. The hearing shall be held for the purpose of inquiring into the facts and shall not be an adversary action. Each witness may present testimony in narrative fashion or by question and answer.

(b) The city council or the applicant may order the hearing to be recorded by an official court reporter or by the clerk, at the expense of the applicant.

(c) The city council and its representatives shall not be bound by the strict rules of evidence, and shall have full authority to control the procedures of the hearing, including the admission or exclusion or testimony or other evidence. The city council may admit, and give consideration to, evidence which possesses probative value commonly accepted by reasonably prudent individuals. The mayor may limit testimony where it appears to be incompetent, irrelevant, or unduly repetitious. If there is opposition to any application and such opposition desires the opportunity to present arguments and to cross examine the applicant and any witnesses in favor of such application, they shall choose a spokesperson to perform such function, who shall notify the mayor of their representation prior to the start of the hearing.
(Code 2020, § 8-117; Ord. No. 2972-5/86; Ord. No. 4436-4/2015; Ord. No. 4572-10/2018)

Sec. 4-115. Liquor application—Municipal examination; order of procedure.

(a) The order of procedure shall be as follows:

(1) Exhibits will be marked in advance by the clerk and presented to the mayor during the presentation;

(2) Presentation of evidence, witnesses, and arguments by applicant;

(3) Testimony of any other citizens in favor of such proposed license;

(4) Examination of applicant, witnesses or citizens by city attorney, city administrator, city council, or duly appointed agent.

(5) Cross examination of applicant, witnesses or citizens by spokesperson for opposition, if any;

(6) Presentation of evidence and witnesses by opposition;

(7) Testimony of any other citizens in opposition to such proposed license;

(8) Presentation of evidence by city and law enforcement personnel;

(9) Cross examination by applicant;

(10) Rebuttal evidence by both parties, and by city administration and agent;

(11) Summation by applicant and opposition spokesperson, if any.

(b) In all cases, the burden of proof and persuasion shall be on the party filing the application.

(c) Any member of the city council, the city administrator and the city attorney, or any duly authorized agent, may question any witness, call witnesses, or request information.

(d) All witnesses may be sworn.

(e) The city council may make further inquiry and investigation following the hearing.

(f) The city council or the applicant may order the hearing to be recorded by an official court reporter or by the clerk, at the expense of the applicant.

(Code 2020, § 8-118; Ord. No. 2972-5/86; Ord. No. 4436-4/2015; Ord. No. 4678, § 6, 9-13-2021)

Sec. 4-116. Liquor application—Retail licensing standards.

For the purpose of taking any actions authorized by state statute, and in particular, Nebraska Revised Statutes, § 53-134, the city council shall consider those criteria established by the Nebraska Liquor Control Act (Nebraska Revised Statutes, ch. 53, art. 1). In order to assist the city council in its consideration of those criteria, the city's police department and development services department shall prepare reports for the city council covering all of the criteria and other matters which may be considered by the city council, and those reports shall be filed with the city clerk prior to the public hearing, and shall become a part of the record of the public hearing.

(Code 2020, § 8-119; Ord. No. 2972; Ord. No. 3002; Ord. No. 3069-6/88; Ord. No. 3176-5/90; Ord. No. 4436-4/2015; Ord. No. 4678, § 7, 9-13-2021)

Sec. 4-117. Agent for special designated license.

The city council hereby designates the city administrator, or the administrator's designee, as the agent to determine whether a special designated license is to be approved or denied. The determination of the agent shall be considered the determination of the city council unless otherwise provided by the city council.

(Code 2020, § 8-120; Ord. No. 3650-8/98; Ord. No. 4436-4/2015; Ord. No. 4678, § 8, 9-13-2021)

Chapter 5

RESERVED

Chapter 6

ANIMALS

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ARTICLE I. IN GENERAL

Sec. 6-101. Issuance of citations.

The animal officer shall be vested with the power to issue, to any person violating any of the provisions of this chapter, a complaint and citation in lieu of arrest on forms by, or similar to, forms approved for use in the state.
(Code 2020, § 10-207; Ord. No. 2588; Ord. of 5-23-1977; Ord. No. 2953)

Sec. 6-102. Impounding; procedure when animal kills or wounds livestock; reclaiming; charges.

(a) If the impounded animal has bitten a human, killed livestock or wounded other domestic animals or been determined as a dangerous or vicious animal or potentially dangerous animal by an animal officer or court of law, the impoundment shall continue until a court order is entered directing the city to destroy the animal or release the animal.

(b) In all cases where an animal has bitten a human being, the animal shall be immediately impounded in the animal shelter or with a veterinarian and placed under observation for a period of no less than ten days.

(c) The chief or a representative may allow home confinement if the situation meets certain criteria developed by the police department.

(d) If the animal is diagnosed as being positively rabid during this period, it shall be destroyed. If any animal so under observation should die for any reason, the head shall be shipped to the state health department laboratories or other reliable laboratory for examination. The chief of police shall institute appropriate action in the county court to recover all costs and fees related to such destruction and examination.

(e) Unless otherwise ordered by the court, the owner of any dog or cat so impounded shall be responsible for the payment of the impound charges not to extend beyond the date of any court order entered directing the city to destroy or release the animal, whether the owner has attempted to reclaim any such animal or not.
(Code 1973, § 5-27; Code 2020, § 10-210; Ord. No. 1759; Ord. No. 1935; Ord. No. 2236; Ord. No. 2953; Ord. No. 2969-4/86; Ord. No. 3680-4/99)

ARTICLE II. ANIMAL CONTROL GENERALLY

Sec. 6-201. Applicability of article to dogs, cats or caged birds, etc.

The provisions of this article shall not apply to dogs, cats or caged birds maintained within the dwelling house of a person owning or keeping the same.
(Code 1973, § 5-18; Code 2020, § 10-101; Ord. No. 1759)

Sec. 6-202. Keeping of animals prohibited; exceptions.

It shall be unlawful for any person to keep, harbor or maintain inside the corporate limits of the city any wild or domesticated animal, reptile or fowl, except as follows:

(1) Dogs and cats may be kept, harbored and maintained within the city as provided in this chapter.

(2) Horses, ponies, llamas, donkeys, mules, sheep, swine, goats, cattle, and ducks may be kept, harbored and maintained as provided in chapter 54; horses and ponies may be ridden within the city subject to any limitations contained in this chapter.

(3) Chickens, kept only at a detached single-family residential use, subject to the following provisions:

a. *Not domesticated.* For the purposes of this chapter, chickens shall not be considered to be domesticated animals.

b. *Number.* No more than six hens shall be allowed for each single-family dwelling within the foregoing zoning districts.

c. *Setbacks.* Coops or cages having chickens shall be kept at least 25 feet from the door or window of any dwelling or occupied structure other than the owner's dwelling. Coops and cages shall not be located within five feet of a side yard lot line, nor within 18 inches of a rear yard lot line.

d. *Coops and cages.* Coops and cages shall not be located in the front yard.

e. *Enclosure.* Hens shall be provided with a covered, predator-proof coop or cage that is well-ventilated and designed to be easily accessed for cleaning. The coop shall allow at least two square feet per hen. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property and to prevent predators access to the birds. Hens shall not be allowed out of these enclosures unless a responsible individual, over 18 years of age, is directly monitoring the hens and able to immediately return the hens to the coop or cage if necessary.

f. *Running at large.* Any chicken running at large on any of the public ways or upon the property of another within the city when caught by the animal control officer shall be disposed of.

g. *Sanitation.* The coop or cage and outdoor enclosure must be kept in a sanitary condition and free from offensive odors to neighboring properties, and prevent conditions that are unsanitary or unsafe. The coop or cage and outdoor enclosure must be cleaned on a regular basis to prevent the accumulation of waste.

h. *Slaughtering.* There shall be no outdoor slaughtering of chickens.

i. *Roosters and crowing hens.* It is unlawful for any person to keep roosters or a hen which has developed the rooster-like quality of crowing or making crowing-like sounds.

(4) Canaries, parakeets, parrots, fish, hamsters, gerbils, guinea pigs, white mice or rabbits, so long as they are confined within a residential structure or other building.

(5) Raptors, kept by a person licensed under the laws of the state and in accordance with federal law.

(6) Live bait, such as earthworms, minnows and crayfish, for sale or for use.

(7) Amphibians and non-venomous reptiles, as long as they are confined within an owner's dwelling unit or escape-proof enclosures compatible with the animals' welfare, and provided that all amphibians and non-venomous reptiles that are not native to the state are registered with the animal control officer on forms provided by the animal control officer, and a registration fee in the amount established by resolution is paid.

(8) The prohibitions of this section shall not operate to prevent the keeping of prohibited animals by primary, secondary and post-secondary educational institutions for educational purposes.

(9) The prohibitions of this section shall not operate to prevent the temporary storage or display of animals adjacent to and for use in connection with any veterinary clinic, packing plant, livestock sale yard, zoo, circus, rodeo, horse-racing track, parade, county fair, or by a humane society or the city's health department.

(10) Upon the annexation of lands into the city where sheep, goats, cattle, horses, ponies, llamas, swine or fowl are kept, the person keeping said animals shall be allowed 30 months from the date of annexation to remove said animals, or to otherwise bring their property into compliance with this section. During such time, the person granted said extension shall not:

a. Expand or enlarge the area within which the animals are kept; or

b. Increase the number or types of animals that are being kept there on the effective date of the annexation ordinance.

(Code 1973, § 5-1; Code 2020, § 10-102; Ord. No. 1759; Ord. No. 3019-7/87; Ord. No. 3381-3/94; Ord. No. 4238-11/2009; Ord. No. 4347-5/2013; Ord. No. 4415-11/2014)

Sec. 6-203. Horses prohibited on private and public property; exceptions thereto.

It shall be unlawful for any person who owns or is in charge of a horse to allow the horse to go upon any city park or public property other than the improved portion of the public streets and alleys within the city without a permit or consent from the city council for such accepted usage, and it shall be unlawful for any person to permit a horse owned by or in said person's charge to go upon private property within the city without the consent of the owner or occupant of said private property.
(Code 1973, § 5-1.1; Code 2020, § 10-103; Ord. No. 2749)

Sec. 6-204. Livestock; sale yards or stockyards.

Pens, cages, hutches, sheds, yards or any other area or enclosure used for confinement of animals or fowl within the city maintained by any livestock sale yard or railroad stockyard, or not specifically banned from the city by section 6-202, shall be kept in a clean and orderly manner so as not to become a menace or a nuisance to the neighborhood in which it is located.
(Code 1973, § 5-2; Code 2020, § 10-104; Ord. No. 1759)

Sec. 6-205. Running at large.

No person having the charge, custody or control of any animal not specifically banned from the city, as provided by section 6-202, or having charge, custody and control of any fowl of any kind, other than chickens which are subject to the provisions of section 6-202, shall permit such animal or fowl to run at large in any of the public ways or upon the property of another within the city, or shall permit the same to be tethered or staked out in such a manner as to allow the animal to reach or pass into any public way or to reach or pass upon the property of another. The mayor and council hereby find and determine that animals or fowl so running at large upon the public ways or upon the property of another is a public nuisance and is hereby declared to be such.
(Code 1973, § 5-3; Code 2020, § 10-105; Ord. No. 1759; Ord. No. 4415-11/2014)

State law reference—Authority to prohibit animals running at large, Nebraska Revised Statutes, § 16-235.

Sec. 6-206. Impounding of animals other than dogs—Authorized.

Every police officer or other duly authorized humane officer or animal officer is authorized to apprehend any animal found running at large, and to impound such animal in an animal shelter designated by the mayor and council for such purpose, provided that, if the owner is known, the officer may at the officer's discretion return the animal to its owner and shall cite the owner for violation of the provisions of this Code.
(Code 1973, § 5-4; Code 2020, § 10-106; Ord. No. 2395)

Sec. 6-207. Impounding of animals other than dogs—Notification of owners; redemption.

(a) Not later than five days after the impounding of any animal, the owner shall be notified or, if the owner of the animal is unknown, written notice shall be posted for five days at three or more conspicuous places in the city describing the animal and the place and time of apprehension. The owner of any animal so impounded may reclaim such animal upon payment of all costs and charges incurred by the city for impounding and maintenance of the animal. The charges therefor, as set forth in the most recent council fee resolution, shall be paid to the city clerk or the clerk's representative.

(b) The owner of any animal so impounded shall be responsible for the payment of these charges, not to exceed the keeping charge of 14 days, whether the owner reclaims any such animal or not.
(Code 1973, § 5-5; Code 2020, § 10-107; Ord. No. 2395)

Sec. 6-208. Impounding of animals other than dogs—Disposition of unclaimed or infected animals.

It shall be the duty of the animal officer to keep all animals impounded for a period of six days. If at the expiration of six days from the date of notice such animal shall not have been redeemed, it may be disposed of as determined by the director of environmental health. Any animal which appears to be suffering from rabies, mange or other infectious or dangerous disease shall not be released, but shall be destroyed.
(Code 1973, § 5-6; Code 2020, § 10-108; Ord. No. 2395)

Sec. 6-209. Vicious animals.

(a) It shall hereby be the right of the animal officer to kill any animal of vicious or rabid characteristics when capture is deemed impossible because of the danger involved. In no instance shall such an animal be destroyed by damage to the head. Such instances shall be reported immediately to the health department of the city, and the head of the animal shall be shipped to the state health department laboratories or other reliable laboratory for examination.

(b) Subject to subsection (c) of this section, any animal that bites or scratches a human so as to break the skin shall be immediately impounded in the animal shelter or with a veterinarian and placed under observation for a period of ten days, and the owner shall pay all required fees before the animal can be released. The owner shall pay all such required fees, whether or not the owner claims the animal, or whether or not the animal is released. If the animal is diagnosed as being positively rabid during this period, it shall be destroyed. If any animal so under observation should die for any reason, the head shall be shipped to the state health department laboratories or other reliable laboratory for examination. The director of environmental health shall institute appropriate action in the county court to recover all costs and fees as provided for in this section and in section 6-308.

(c) All or any part of the ten-day observation period described in subsection (b) of this section may be waived at the discretion of the animal officer if the animal is properly licensed and the owner of the animal presents satisfactory evidence that the animal has been vaccinated against rabies.
(Code 1973, § 5-7; Code 2020, § 10-109; Ord. No. 2395; Ord. No. 3436-10/94)

Sec. 6-210. Reserved.

Sec. 6-211. Collision of vehicle with cat, dog or domestic animal; reporting requirements.

Any person operating a vehicle upon any street, alley, or other public thoroughfare in the city whose vehicle collides with any cat, dog, or other domestic animal so as to kill or temporarily or permanently incapacitate such animal shall immediately notify the city police department of such incident. Failure to notify said authorities within one hour after such incident shall constitute a misdemeanor.
(Code 2020, § 10-111)

Sec. 6-212. Destroying, injuring, etc., animals prohibited; exceptions.

No person shall kill or injure any animal or attempt to kill or injure any animal by the use of firearms, stones, clubs, poison or in any other manner within the city unless the animal is deemed vicious or dangerous and cannot be captured without danger to the persons attempting to affect such capture. This section shall not apply to the operation of the animal shelter where animals are destroyed according to the provisions set forth in this article; nor shall this section apply to the destruction of rodents or other animals or birds considered pests or a menace, or slaughterhouses where animals or fowl are slaughtered humanely for food.
(Code 1973, § 5-10; Code 2020, § 10-112; Ord. No. 1759)

Sec. 6-213. Treatment of crated poultry.

No person shall permit any poultry to be crated for longer than eight hours unless the poultry has been supplied with water and feed; nor shall such person permit any crated poultry to be exposed to the sun, extreme heat or cold, except that which is being transported within the city.
(Code 1973, § 5-11; Code 2020, § 10-113; Ord. No. 1759)

Sec. 6-214. Sale, etc., of baby poultry.

No person shall display, give away, distribute or sell natural colored or artificially colored baby poultry as pets or novelties. This section shall not be construed to prohibit the display or sale of baby poultry when such poultry is provided with proper brooder facilities by hatcheries or businesses engaged in the business of selling the same to be raised for food.
(Code 1973, § 5-12; Code 2020, § 10-114; Ord. No. 1759)

Sec. 6-215. Stallions, jacks or bulls.

No person who is the owner or keeper of any stallion, bull or jack shall permit any such stallion, bull or jack, except in an enclosed building or stockade where the same is not exposed to public view, to be bred to any mare, cow or jenny.
(Code 1973, § 5-13; Code 2020, § 10-115; Ord. No. 1759)

Sec. 6-216. Keeping in proximity to dwellings.

(a) No person, whether as owner, bailee, keeper or custodian, shall keep or maintain any animal, fowl or bird not specifically banned from the city by the terms of this article closer than 150 feet from any part of any building used by another as a residence or place of dwelling.

(b) The prohibitions of this section shall not operate to prevent the keeping of animals by primary, secondary and post-secondary educational institutions for educational purposes or organizations, entities, or persons otherwise duly licensed and regulated by the federal government or the state.
(Code 1973, § 5-14; Code 2020, § 10-116; Ord. No. 1759; Ord. No. 4238-11/2009)

Sec. 6-217. Wild animals and reptiles.

(a) No wild animals or venomous reptiles may be kept within the city, except that wild animals or reptiles of all types may be kept as otherwise excepted or set forth herein or for exhibition purposes by circuses, zoos and educational institutions.

(b) All other animals, except cats and dogs, kept or maintained within the corporate limits of the city shall be vaccinated against rabies in the manner and at time intervals in accordance with the recommendation of a veterinarian duly licensed in the state.
(Code 1973, § 5-15; Code 2020, § 10-117; Ord. No. 1759; Ord. No. 2395; Ord. No. 3381-3/94; Ord. No. 4238-11/2009)

Sec. 6-218. Report of rabies suspects.

It shall be the duty of every licensed veterinarian to report to the health department the diagnosis of any animal observed by the veterinarian as a rabies suspect.
(Code 1973, § 5-16; Code 2020, § 10-118; Ord. No. 1759)

Sec. 6-219. Methods of fishing.

It shall be unlawful to take or to attempt to take any fish from any public lake or stream within the city in any manner other than by use of hook and line. Snagging and spearing of fish is hereby expressly prohibited. No person shall discharge into any such public lake or stream any dangerous or deadly weapon, including, but not by way of limitation, any slingshot, bow and arrow or air rifle.
(Code 1973, § 5-17; Code 2020, § 10-119; Ord. No. 1813)

Sec. 6-220. Keeping of bees.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection:

Apiary means a place where bee colonies are kept.

Bee means any stage of the common domestic honey bee, *Apis mellifera* species.

Colony means a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

Hive means a structure intended for the housing of a bee colony.

Tract means a contiguous parcel of land under common ownership.

(b) *Hives.* All bee colonies shall be kept in a hive that is capable of being inspected and with removable combs, which shall be kept in sound and usable condition.

(c) *Setback.* All hives shall be located at least five feet from any adjoining property with the back of the hive facing the nearest adjoining property.

(d) *Fencing of flyways.* In each instance in which any colony is situated within 25 feet of a developed public or private property line of the tract upon which the apiary is situated, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least six feet in height consisting of a solid wall or fence parallel to the property line and extending ten feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over the property lines in the vicinity of the apiary.

(e) *Water.* Each beekeeper shall ensure that a convenient source of water is available at all times to the bees so that the bees will not congregate at swimming pools, bibcocks, pet water bowls, birdbaths or other water sources where they may cause human, bird or domestic pet contact. The water shall be maintained so as not to become stagnant.

(f) *Maintenance.* Each beekeeper shall ensure that no bee comb or other materials that might encourage robbing are left upon the grounds of the apiary site. Upon their removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

(g) *Queens.* In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation, or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to re-queen the colony. Queens shall be selected from stock bred for gentleness and non-swarming characteristics.

(h) *Colony densities.* It shall be unlawful to keep more than the following number of colonies on any tract within the city, based upon the size or configuration of the tract on which the apiary is situated:

(1) One-quarter acre or less tract size: two colonies;

(2) More than one-quarter acre but less than one-half acre tract size: four colonies;

(3) One-half acre or more but less than one acre tract size: six colonies;

(4) One acre or larger tract size: eight colonies;

(5) Regardless of tract size, where all hives are situated at least 200 feet in any direction from all property lines of the tract on which the apiary is situated, there shall be no limit to the number of colonies.

(i) *Nucleus colony.* For each two colonies authorized under subsection (h)(1) of this section, there may be maintained upon the same tract one nucleus colony in a hive structure not exceeding one standard 9 ⅝-inch depth ten frame hive body with no supers attached as required from time to time for management of swarms. Each such nucleus colony shall be disposed of or combined with an authorized colony within 30 days after the date it is acquired.
(Code 2020, § 10-120; Ord. No. 2580; Ord. No. 4257-5/2010)

Sec. 6-221. Beehives; nuisance.

The keeping by any person of bee colonies in the city not in strict compliance with this section is prohibited. Any bee colony not residing in a hive structure intended for beekeeping, or any swarm of bees, or any colony residing in a standard or homemade hive which, by virtue of its condition, has obviously been abandoned by the beekeeper, is deemed a hazard to the health and welfare of the community, is unlawful, and may be removed from the city or turned over to a beekeeper by the development services department or designee.
(Code 2020, § 10-121; Ord. No. 2580; Ord. No. 4257-5/2010)

Sec. 6-222. Animal waste.

(a) Any person having the custody or control of any dog or domestic animal, when walking the dog or domestic animal on property not owned by the individual, shall have the responsibility for cleaning up any feces of the animal and disposing of such feces in a garbage receptacle. It shall furthermore be the duty of any person having custody or control of any dog or domestic animal on or

about any public place to have in such person's possession suitable equipment or materials for the picking up, removal and sanitary disposal of animal feces. The provisions of this subsection shall not apply to a guide dog or to a service dog accompanying a disabled person, or to a dog when used in police or rescue activities.

(b) The owner of any dog or domestic animal shall have the responsibility of cleaning up the feces of the animal on the owner's property on a frequent enough basis so as not to cause odor beyond the lot line of the owner's property.
(Code 2020, § 10-226; Ord. No. 3860-7/2002)

Sec. 6-223. Cruelty to animals prohibited.

(a) It shall be unlawful for any person to willfully or maliciously inflict unnecessary or needless cruelty, torture, abuse or cruelly beat, strike or abuse any animal, or by an act, omission or neglect cause or inflict any unnecessary or unjustifiable pain, suffering, injury or death to any animal whether such animal belongs to such person or to another, except that reasonable force may be employed to drive away vicious or trespassing animals. Any unwanted animals should be delivered to an animal control officer for proper disposal.

(b) It shall be unlawful for any person in the custody or control of any animal to fail, refuse or neglect to provide such animal with food, potable water, shade or shelter, or to cruelly or unnecessarily expose any such animal in hot, stormy, cold or inclement weather, or to carry any such animal in or upon any vehicle in a cruel or inhumane manner.

(c) As used in this section:

(1) The term "shade" means protection from the direct rays of the sun during the months of June through September.

(2) The term "shelter," as it applies to dogs, means a moisture-proof structure of suitable size to accommodate the dog and allow retention of body heat, made of durable material with a solid floor raised at least two inches from the ground and with the entrance covered by a flexible, wind-proof material. Such structure shall be provided with a sufficient quantity of suitable bedding to provide insulation and protection against cold and dampness.

(d) Whenever conditions exist that violate subsections (a) and (b) of this section, an animal control officer or police officer may take immediate custody of the animal, and either impound the animal or take the animal to a veterinarian for treatment. If the veterinarian determines that the condition of the animal is such that the animal should be destroyed, the animal shall be destroyed. The individual who had the custody or control of the animal shall be responsible for the costs of the impound, treatment and destruction of the animal. The animal shall not be returned to the custody or control of the individual from whom the animal was confiscated, unless the animal control officer determines that the return of the animal is in the best interests of the animal.
(Code 2020, § 10-227; Ord. No. 3860-7/2002)

ARTICLE III. DOGS AND CATS*

Sec. 6-302. Licensing and registration.

(a) No person shall own, keep, harbor or maintain any dog or cat within the city unless such animal is licensed and registered as hereinafter provided. All dogs and cats shall be licensed and registered on or before April 1 of each year, provided that no such license shall be issued unless and until the applicant shall have furnished proof that the animal to be licensed has been vaccinated against rabies as required by section 6-311. Such license shall be for the period of April 1 to March 31 of the following year. Licenses for each dog and cat shall be issued by the city clerk upon payment of the fees therefor as set forth in the most recent council fee resolution.

(b) The fees provided in the most recent council fee resolution shall be applicable to owners purchasing dogs or cats, or owners of such animals becoming residents of the city after April 1 of any year. Such license shall not be transferable and no refund will be allowed in case of death, sale or other disposition of the animal. The owner shall state, at the time application is made for such license and upon printed forms provided for such purpose, the owner's name and address and the name, breed, color and sex of each dog or cat owned and kept by the owner. The provisions of this section shall not be intended to apply to dogs or cats whose owners reside temporarily, not to exceed 30 days, within the city, provided that the animals are kept under the control of the owner, nor guide dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place, nor to dogs certified to assist the disabled, nor dogs or cats for a period of four months after they are born.

(c) All unlicensed or untagged dogs or cats are hereby declared to be a public nuisance and shall be apprehended and removed to the animal shelter as provided by this article.

(d) Any violation of this section shall be punishable by a minimum fine of $25.00 and a maximum fine of $100.00.

(Code 1973, § 5-19; Code 2020, § 10-201; Ord. No. 1759; Ord. No. 2132; Ord. No. 2493; Ord. No. 2953; Ord. No. 2969-4/86; Ord. No. 3039-10/87; Ord. No. 3680-4/99; Ord. No. 3680-4/99)

Sec. 6-303. Issuance, wearing, etc., of tags.

Upon payment of the license fee, the Hastings police department shall issue to the owner a license certificate and a metallic tag for each dog or cat so licensed. The shape of the tag shall be changed each year and shall have stamped thereon the year for which it was issued, the number of the tag, and the wording "Hastings dog tag" or "Hastings cat tag." Every owner shall be required to provide each dog or cat with a collar or harness to which the license tag must be affixed and shall see that the collar or harness and tag are constantly worn. In case a tag is lost or destroyed, a duplicate will be issued by the city clerk or an authorized representative upon presentation of a receipt showing the payment of the license fee for the current year and the payment of a fee in the amount established by resolution for such duplicate.

(Code 1973, § 5-20; Code 2020, § 10-202; Ord. No. 1759; Ord. No. 2953)

***State law reference**—Authority relative to dogs, Nebraska Revised Statutes, § 16-206.

Sec. 6-304. Removal of collar, harness or tag.

No person shall remove, or cause to be removed, the collar, harness or license tag from any dog or cat without the consent of the owner, keeper or harborer thereof.
(Code 1973, § 5-21; Code 2020, § 10-203; Ord. No. 1759; Ord. No. 2953)

Sec. 6-305. Animal officer; powers and duties.

(a) For the purposes of this chapter, the term "animal officer" shall be deemed to include any person who is employed by the city, and who holds the position of animal officer or animal control officer. Additionally, all police officers of the city shall have all of the authority which is hereby conferred upon animal officers, and any authority conferred in this chapter upon any animal officer shall be deemed to also be conferred upon every police officer of the city.

(b) It shall be the duty of the animal officer to enforce the provisions of this article and any other article pertaining to the control of animals, birds, or fowl. For the purpose of discharging the duties imposed by this article and to enforce its provisions, the animal officer is empowered to enter upon any premises upon which a dog or cat is kept or harbored and to demand the exhibition by the owner of such dog or cat of the license for such dog or cat. It is further provided that the animal officer may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and confiscate such animal when, in the officer's opinion, it is being cruelly or inhumanely treated. No such officer shall enter upon any premises, for the purposes described in this chapter, in violation of the statutory and constitutional rights of the owner or occupant thereof.

(c) Upon receiving any dog or cat, the animal officer shall make a complete registry, entering the breed, color, and sex of each dog or cat and whether licensed. If licensed, the animal officer shall enter the name and address of the owner and the number of the licensed dog or cat. It shall further be the duty of the animal officer to assist the city clerk in dog and cat tax collections by taking a dog and cat census effected by personal visitation to dog and cat owners, harborers, or keepers. The animal officer shall also enforce the provisions of any other article pertaining to the control of animals, birds, or fowl. The animal officer shall inform the chief of police or a representative immediately upon receipt of an animal suspected of having rabies and shall not release any such animal without permission from the chief of police.
(Code 1973, § 5-24; Code 2020, § 10-206; Ord. No. 1759; Ord. No. 2953; Ord. No. 2969-4/86; Ord. No. 3680-4/99)

Sec. 6-306. Failure to restrain an animal.

Any person who owns a dog or cat and fails to restrain the dog or cat by leash, cord, chain, fence, or other physical means of restraint shall be found to have failed to restrain the animal if the animal is found unrestrained on public property or the private premises of others or upon the streets or highways. A dog or cat shall be deemed to be unrestrained when off the owner's premises, unless a leash, cord, chain or other physical restraint is securely fastened to the collar or harness of the

animal and in the hands of the person in control of such animal. In the case of a carrier or enclosure, the device shall be designed and used so the dog or cat cannot be released without the aid of the individual in control of such animal.
(Code 1973, § 5-25; Code 2020, § 10-208; Ord. No. 1759; Ord. No. 2532; Ord. No. 2540; Ord. No. 2953; Ord. No. 2969-4/86; Ord. No. 3593-7/97; Ord. No. 3680-4/99)

State law reference—Authority to prohibit animals from running at large, Nebraska Revised Statutes, § 16-235.

Sec. 6-307. Confiscation, impoundment and notice to owners; when authorized.

(a) It shall be the duty of every animal officer to apprehend any unrestrained dog or cat found contrary to the provisions of section 6-306, or any dangerous or vicious animal or potentially dangerous animal as described in section 6-314, and to impound such dog or cat in an animal shelter designated by the mayor and council for such purpose, provided that, if such dog or cat is licensed and the owner is known, the officer may, at the officer's discretion, return the animal to its owner, and shall cite the owner for violation of the provision of this article.

(b) Not later than five days after the impounding of any dog or cat, the owner shall be notified of that fact in writing by first class mail sent to the owner's last known address or by notice of impoundment placed on the owner's door to their home, if the owner is known. If the owner of the dog or cat is unknown, written notice shall be posted for five days at three or more conspicuous places in the city describing the dog or cat and the place and time of apprehension. The owner of any dog or cat so impounded may reclaim such dog or cat upon the payment of license fee, if unpaid, and all costs and charges incurred by the city for impounding or maintaining the dog or cat, unless the dog or cat has bitten a human being or killed livestock or other domestic animal, or has been determined to be a dangerous or vicious animal or potentially dangerous animal by an animal officer or court of law.
(Code 1973, § 5-26; Code 2020, § 10-209; Ord. No. 1759; Ord. No. 2953; Ord. No. 3680-4/99; Ord. No. 3860-7/2002)

Sec. 6-308. Releasing animals to animal shelter.

All persons bringing animals to the city animal shelter for release shall, after signing a release form relinquishing all claim to the animal therein described and conveying complete ownership to the city animal shelter, pay a fee as set forth in the most recent council fee resolution.
(Code 2020, § 10-211)

Sec. 6-309. Releasing animals to animal shelter—Disposition of unclaimed or infected dogs and cats generally.

It shall be the duty of the animal officer to keep all dogs or cats impounded for a period of six days, after notice is mailed or first posted, as provided in section 6-307. If at the expiration of six days from the date of notice such dog or cat shall not have been redeemed, it may be destroyed. Any licensed dog or cat or any animal which appears to be suffering from rabies, mange, or other infectious or dangerous disease shall not be released but shall be destroyed.
(Code 1973, § 5-28; Code 2020, § 10-212; Ord. No. 1759; Ord. No. 2953; Ord. No. 2969-4/86)

Sec. 6-310. Releasing animals to animal shelter—Use of unclaimed animals for scientific purposes.

Whenever any hospital or reputable institution of learning shall apply to the animal shelter for permission to use, for research purposes in the study of prevention of disease or the betterment of mankind, any impounded animal or animals remaining unclaimed after six days, the animal officer is authorized to surrender to the hospital or institution such unclaimed animals as it has requested, only upon and after proper investigation by the animal officer that the hospital or institution will not subject the animals to any inhumane treatment which would inflict pain or suffering on the animals.
(Code 1973, § 5-29; Code 2020, § 10-213; Ord. No. 1759; Ord. No. 2953)

Sec. 6-311. Vaccination.

All dogs and cats kept or maintained within the corporate limits of the city shall be vaccinated against rabies by a veterinarian duly licensed in the state once every three years; provided, however, that dogs under four months of age are not required to be vaccinated.
(Code 2020, § 10-214)

Sec. 6-312. Confinement during period of rabies emergency.

Whenever it becomes necessary to safeguard the public from the dangers of rabies, the mayor shall issue a proclamation ordering all owners, harborers or keepers of dogs and cats to closely confine and/or muzzle the animals for the period necessary to adequately safeguard the public and all danger is past. Close confinement shall mean that the animals shall be caged, penned or kept within the home of the owner, keeper or harborer. All animals apprehended and impounded during this period shall be retained for a period of ten days before being released to the owner upon payment of required fees.
(Code 1973, § 5- 30; Code 2020, § 10-215; Ord. No. 1759; Ord. No. 2953)

Sec. 6-313. Destruction of vicious or rabid dogs and cats.

It shall hereby be the right of the animal officer to kill any dog or cat of vicious or rabid characteristics when capture is deemed impossible because of the danger involved. In no instance shall a dog or cat, which it has been necessary to destroy because of suspected rabies or viciousness, be destroyed by damage to the head. Such instances shall be reported immediately to the health department of the city, and the head of the animal shall be shipped to the state health department laboratories or other reliable laboratory for examination.
(Code 1973, § 5-31; Code 2020, § 10-216; Ord. No. 1759; Ord. No. 1935; Ord. No. 2395; Ord. No. 2953)

Sec. 6-314. Dangerous or vicious animals and potentially dangerous animals.

(a) No person shall own, keep or harbor, or have under their control any dangerous or vicious animal.

(b) For the purposes of this section, a dangerous or vicious animal is any animal which has, according to the records of an animal control authority:

(1) Killed or severely injured a human being;

(2) Killed or wounded a domestic animal or livestock without provocation while the offending animal was off the owner's property; or

(3) Been previously determined to be a potentially dangerous animal by a court of law, a police officer, or animal control officer and the owner has received notice of such determination, and such animal bites, attacks, or endangers the safety of a human, domestic animal or livestock or is found to be unrestrained.

(c) For the purposes of this section, a potentially dangerous animal is any animal which has, according to the records of an animal control authority:

(1) When unprovoked, chased or approached a person in a menacing fashion or apparent attitude of attack;

(2) A known propensity, tendency, or disposition to attack when unprovoked, and which attack has caused injury or threatened the safety of humans, domestic animals or livestock; or

(3) Bitten a human being in a manner not covered under subsection (b)(1) of this section.

(d) Any person who has received notice that a court of law, animal control officer or police officer has determined that an animal owned by them or under their control is a potentially dangerous animal shall, within 20 days of such notice, construct a secure enclosure in which to confine the animal. Said enclosure shall be a metal or wooden structure of no less than four feet in height from the ground and shall have a roof or a cap over it to ensure that the animal cannot leap over the structure. The roof or cap of the structure shall be constructed of the same material as the walls of the structure. The walls of the structure shall be imbedded into the ground at least 12 inches, unless the entire floor of the structure is concrete. The owner or keeper of the animal shall not allow the animal outside of said structure unless it is restricted by a leash, cord, or chain, and the leash, cord or chain shall be securely fastened to the collar or harness of the animal and in the hands of the person in control of such animal.

(1) The dangerous animal may be impounded, at the owner's cost, by city animal control until said enclosure is completed.

(2) If the enclosure is not completed within 20 days of the determination that the animal is a potentially dangerous animal, the owner's possessory interest in the animal is terminated, and the animal may be destroyed or turned over to an appropriate new owner that does not reside within a 50-mile radius of the city.

(e) For purposes of this section, a severe injury shall be any injury that results in disfiguring lacerations requiring multiple sutures or cosmetic surgery, or one or more broken bones, or that creates a potential danger to the life or health of the victim.

(f) For purposes of this section, a domestic animal shall include cats or dogs or rabbits.

(g) For purposes of this section, livestock shall include horses, cattle, sheep, ducks or chickens, llamas, mules, swine and goats.

(h) Subsequent remedial measures, such as constructing a secure enclosure or moving the animal outside of the city limits, shall not be considered in determining the guilt of the accused, but may be considered when determining the penalty if the accused is adjudged to be guilty of the offense.

(i) An animal shall not be deemed as a dangerous or vicious animal if the threat, bite or damage was sustained by a person who at the time was:

(1) Committing a willful trespass or any other tort upon the property of the owner of the animal;

(2) Who was tormenting, abusing, or assaulting the animal;

(3) Who has, in the past, been observed or reported to have tormented, abused, or assaulted the animal;

(4) Who is committing or attempting to commit a crime.

(j) Any person adjudged guilty of this provision shall be fined as follows

	Minimum	*Maximum*
First offense	$25.00	$100.00
Second and subsequent offenses	$100.00	$500.00

(k) In addition to a fine, the court shall have the authority to order that any dangerous or vicious animal be destroyed.
(Code 1973, § 5-32; Code 2020, § 10-217; Ord. No. 1759; Ord. No. 2953; Ord. No. 3019-7/87; Ord. No. 3680-4/99; Ord. No. 3860-7/2002; Ord. No. 4137-7/2007)

Sec. 6-315. Procedure when animal bites person.

Any animal that bites a human shall be immediately impounded in the animal shelter or with a veterinarian and placed under observation for a period of ten days, and the owner shall pay all required fees before the animal can be released. The owner shall pay all such required fees, whether or not the owner claims the animal or whether or not the animal is released. If the animal is diagnosed as being positively rabid during this period, it shall be destroyed. If any animal so under observation should die for any reason, the head shall be shipped to the state health department laboratories or other reliable laboratory for examination. The director of environmental health shall institute appropriate action in the county court to recover all costs and fees as provided for in this section and in section 6-102.
(Code 1973, § 5-33; Code 2020, § 10-218; Ord. No. 1759; Ord. No. 1935; Ord. No. 2395; Ord. No. 2953)

Sec. 6-316. When person deemed owner.

Every person who shall harbor about their premises a dog or cat for a period of seven days, or has licensed the animal under their name, shall be presumed to be the owner of such animal. Such person shall be liable for all damages which such animal shall commit. Such person shall be answerable for any violation of city ordinances related to the ownership of said animal.
(Code 1973, § 5-34; Code 2020, § 10-219; Ord. No. 1759; Ord. No. 2953; Ord. No. 3680-4/99)

Sec. 6-317. Limit on number of dogs and cats.

No owner or keeper of any dogs or cats shall keep, harbor, or maintain in, about, or upon the premises occupied by such owner as their residence more than four dogs or cats at any one time; provided, however, the offspring of any dog or cat shall not count toward the maximum number of dogs or cats allowed, for a period of four months after the birth of said offspring. For the purposes of this chapter, the term "owner or keeper" includes the head of any family and all family members and guests, it being the intention of this section to limit the number of dogs or cats to four per household.
(Code 2020, § 10-220; Ord. No. 2953)

Sec. 6-318. Exceptions to limits of dogs.

No person shall own, keep, harbor or maintain any dog in, about or upon premises not occupied by such owner as a residence, unless such premises is a clinic operated by a licensed veterinarian, or a pet shop or kennel licensed by the city; provided, however, any person may have no more than two dogs upon the person's business for protection purposes during evening hours, so long as said animals are secured for the safety of the public.
(Code 2020, § 10-221; Ord. No. 2953; Ord. No. 2969-4/86)

Sec. 6-319. Barking, howling, etc., dogs and cats.

No person shall own, keep or harbor any dog which, by loud, continued or frequent barking, howling or yelping, shall annoy or disturb any reasonable person of ordinary sensibilities, or which habitually barks or chases pedestrians, nor shall any person own, keep, or harbor any cat which, by loud, continued or frequent screeching, howling or hissing, shall annoy or disturb any reasonable person of ordinary sensibilities.
(Code 1973, § 5-35; Code 2020, § 10-222; Ord. No. 1759; Ord. No. 2953; Ord. No. 2969-4/86)

Sec. 6-320. Interference with enforcement of article.

It shall be unlawful for any person to hinder, delay, interfere with or obstruct any officer while engaged in the enforcement of this article; and it shall be unlawful for any person not an officer carrying out the provisions of this chapter to enter or break open or to directly or indirectly aid, counsel or advise the entry or breaking open of any animal shelter, or any vehicle used in the collecting or conveying of animals to the shelter.
(Code 1973, § 5-36; Code 2020, § 10-223; Ord. No. 1759; Ord. No. 2969-4/86)

Sec. 6-321. Penalties.

(a) Any person who violates the provisions of section 6-306 or 6-314 shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined in accordance with the following schedule:

	Minimum	*Maximum*
First offense	$25.00	$100.00
Second and subsequent offenses	$50.00	$500.00

(b) Any person who violates the provisions of section 10-104 or 10-222 shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined in accordance with the following schedule:

	Minimum	*Maximum*
First offense	$10.00	$100.00
Second offense	$20.00	$100.00
Third offense	$25.00	$100.00
Fourth offense	$30.00	$100.00

(c) Any person who violates any other provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, fined in any sum not exceeding $100.00.

(d) In addition to a fine, the court shall have the authority to order that any dangerous or vicious animal be destroyed.

(e) Every day on which such violation shall continue shall be deemed as a separate and distinct offense.

(Code 2020, § 10-224; Ord. No. 2588; Ord. No. 2953; Ord. No. 2969-4/86; Ord. No. 3680-4/99)

Sec. 6-322. Dogs; killing permitted.

Any police officer shall have the right to kill any dog found in the act of attacking any person, domestic animal, or livestock.

(Code 2020, § 10-225; Ord. No. 3680-4/99)

Chapter 7

RESERVED

Chapter 8

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ARTICLE I. IN GENERAL

ARTICLE II. BOARD OF APPEALS

Sec. 8-201. Purpose and intent.

It is the intent of the mayor and city council that all provisions pertaining to the creation and the powers of the city's board of appeals shall be set forth in this article. Therefore, to the extent that any other provision of the Code or any standard building and construction code adopted by the city, including, but not limited to, the International Building Code, International Fire Code, International Residential Code, International Mechanical Code, International Energy Conservation Code, International Existing Building Code, Property Maintenance Code, and International Urban-Wildland Interface Code (all of which shall be collectively referred to in this article as the "city building and construction codes"), which in any way limit the powers of the board of appeals as set forth in this article, are hereby expressly repealed. It is the intent of the mayor and city council that future provisions in the city building and construction codes which limit the powers of the board of appeals as set forth in this article shall not apply, unless specifically set forth in this article.
(Code 1973, § 8-27; Code 2020, § 28-601; Ord. No. 2631; Ord. No. 3255-3/92; Ord. No. 4440-6/2015)

Sec. 8-202. Created.

The board of appeals is hereby established, consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the city. The members of the board of appeals shall be appointed by the mayor and confirmed by a majority of all councilmembers. Members of the board of appeals shall serve a term of five years. The board of appeals shall elect one of its members as chairperson and another as vice-chairperson, with the building official and fire chief to be ex officio members of the board. The building official shall act as secretary of the board. At least three members must be present at any meeting at which business is conducted. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing. Matters may be brought to the board only by appeal from a decision of the building official or fire chief. Any reference in this article to the building official or fire chief shall also apply to any person designated to act in place of either or both of them.
(Code 2020, § 28-602; Ord. No. 3255-3/92; Ord. No. 4440-6/2015)

Sec. 8-203. Powers.

(a) The board of appeals shall have the following powers with respect to new and existing structures:

(1) The board shall hear and decide appeals of orders, decisions or determinations made by the building official or the fire chief relative to the application and interpretation of the city's building and construction codes.

(2) The board may approve and authorize the use of alternate materials and methods of construction, provided it finds that the proposed design is satisfactory and complies with the provisions of the applicable code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the applicable code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation. The board shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.

(3) The board may provide reasonable interpretation of the city's building and construction codes.

(4) Whenever there are practical difficulties involved in carrying out the provisions of the city's building and construction codes, the board may grant modifications for individual cases, provided it shall first find that a special individual reason makes the strict letter of the codes impractical, and that the modification is in conformity with the intent and purpose of the codes.

(5) The board may recommend to the city council such new legislation as is consistent with the city's building and construction codes.

(b) The decision of the board of appeals shall supersede any action of the building official or fire chief.

(Code 2020, § 28-603; Ord. No. 3255-3/92; Ord. No. 4440-6/2015)

ARTICLE III. BUILDING INSPECTOR

Sec. 8-301. Duties generally.

The duties of the building inspector shall be, generally, the inspection of the erection or alteration of buildings within the city and the area two miles beyond and adjacent to the corporate limits. All building permits, alteration permits and moving permits shall be inspected and approved by the building inspector. The building inspector shall have such further duties as may, from time to time, be assigned by the development services director and the other sections of this Code.

(Code 1973, § 8-5; Code 2020, § 28-201; Ord. No. 1873; Ord. No. 4440-6/2015)

Sec. 8-302. Enforcement of building code.

The building inspector shall be charged with the enforcement of all provisions of the building code or other ordinances in connection with the building of buildings, alteration of buildings or the moving of buildings. The building inspector shall file complaints against any person who violates any such provisions and shall request the city attorney to prosecute such complaints.

(Code 1973, § 8-6; Code 2020, § 28-202; Ord. No. 1873; Ord. No. 4440-6/2015)

ARTICLE IV. PERMITS GENERALLY

Sec. 8-401. Building permits.

(a) The building inspector or a duly authorized representative shall have the power to enforce the provisions of this article. No building or other structure shall be erected, constructed, reconstructed, moved, nor shall it be altered without first obtaining a building permit from the building inspector, to be issued in accordance with the terms of this article.

(b) No such permit shall be issued for any building, structure or construction unless the same be in conformity in every respect with all the provisions of the Code.

(c) There shall be a separate permit for each building or structure to be constructed, erected or altered.

(d) A building permit shall be required for awnings on buildings, except that awnings utilized for signage shall not require a building permit, but shall be subject to the sign permit requirements. Awnings extending more than six feet from the face of the building shall be designed by a state-licensed engineer or architect.

(e) A permit may be revoked or suspended, or work order stopped by the building inspector at any time prior to the completion of the building or structure for which the same was issued, when it shall appear that there is departure from the plans, specifications, or conditions as required under terms of the permit, or for any other reason set forth in the International Building Code, and thereafter no such construction shall proceed.

(f) A permit shall be required for the installation of any mobile home or any manufactured home in a mobile home park. Installation of manufactured homes or mobile homes shall comply with the provisions of appendix E to the 2012 International Residential Code and the manufacturer's installation instructions. Where there are conflicts between the manufacturer's installation instructions and appendix E, the more restrictive requirements shall govern.

(g) The minimum building permit fee established in the most recent fee schedule shall be charged at the time of application for a permit to install a mobile home or manufactured home. The applicant shall provide the following information at the time of application:

(1) A site plan indicating the size of the home, the location of utility services, and the location of accessory buildings.

(2) The name and address of the mobile home park, and the lot number where the home will be located.

(3) Foundation and anchorage plans and details, along with the manufacturer's installation instructions.

(h) The mobile home or manufactured home shall not be occupied until a final inspection has been conducted and a certificate of occupancy is issued for the home.
(Code 1973, § 40-18; Code 2020, § 28-301; Ord. No. 2255; Ord. No. 4249-3/2010; Ord. No. 4440-6/2015)

Sec. 8-402. Application.

Any person intending to construct, improve or repair a building or other structure in the city, and in the area two miles beyond and adjacent to the corporate limits, when the zoning jurisdiction of the city is being exercised therein, shall, before proceeding with such work or commencing any excavation in connection therewith, file in the office of the building inspector a written application designating the kind of building, or character, or extent of repairs which the person intends to erect or make, the materials of which the same is to be composed and the legal description and location

of the real estate and the part of the real estate to be occupied by the building or improvement, the probable cost thereof, and a detailed description of the type of construction and material to be used therein, including each chimney, smoke stack, flue and fireplace to be erected or constructed therewith, together with any other plans and specifications as may be required by the building inspector, and shall obtain a permit therefor as provided in this article.
(Code 1973, § 8-11; Code 2020, § 28-302; Ord. No. 1873; Ord. No. 3440-12/94; Ord. No. 4249-3/2010; Ord. No. 4440-6/2015)

Sec. 8-403. Approval; issuance.

Upon the filing of an application for a permit under this article, the building inspector shall make an investigation, and if the inspector finds that the proposed work will conform to the statutes of the state and this Code, and other ordinances and regulations of the city, and that no good cause exists why such work should not be done, the inspector shall approve the same and issue a permit for such construction, improvement, or repair.
(Code 1973, § 8-12; Code 2020, § 28-303; Ord. No. 1873; Ord. No. 2874; Ord. No. 3440-12/94; Ord. No. 4440-6/2015)

Sec. 8-404. Fees, initial permit, reinspection and refunds.

(a) *Generally.* Before issuing any permit for the building of any new building or any alteration or remodeling of any building, the building inspector shall charge and collect a fee according to the schedule set forth in the most recent council fee resolution. A permit must be obtained before work is started; a triple fee will be charged for any permit issued after work is started.

(b) *Reinspection.* A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

(1) This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

(2) Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date and time for which inspection is requested, or for deviating from plans requiring the approval of the building inspector.

(3) In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

(c) *Refunds.* Refunds of permit application fees and building permit fees shall be as follows:

(1) Plan review fees shall not be refunded if the plans have been reviewed and the permit is ready to be issued.

(2) Building permit fees shall be refunded upon written request from the applicant at a rate of 80 percent of the permit fee paid, less the plan review fee and less one hour of the rate of pay for the permit technician and one hour of the rate of pay of the building inspector or plans examiner.

(d) *Nonresident contractor.*

(1) In addition to charging and collecting the fees provided for in subsection (a) of this section, the building inspector shall require from any nonresident person performing a contract or completing a job within the jurisdiction of the city satisfactory evidence that the applicant is qualified. Such evidence may include, but is not limited to:

a. A letter of reference from another municipal or state jurisdiction that adopts and enforces a similar building code.

b. A building contractor's license from another municipal or state jurisdiction that adopts and enforces a similar building code.

c. Certification as a building contractor by an approved certification agency.

(2) Any contractor whose business address is other than the city will be considered a nonresident applicant.

(e) *Payment and disposition of fees.* All fees shall be collected before a permit is issued. All fees shall be paid over to the city treasurer for the use and purpose of the general fund of the city.
(Code 1973, § 8-13; Code 2020, § 28-304; Ord. No. 1873; Ord. No. 2096; Ord. No. 2271; Ord. No. 2369; Ord. No. 2463; Ord. No. 2775; Ord. No. 4106-10/2006; Ord. No. 4249-3/2010; Ord. No. 4440-6/2015; Ord. No. 4767, § 1, 7-22-2024)

Sec. 8-405. Certificate of occupancy.

No change in the character of use or in the occupancy classification of land or of a building shall be made, nor shall any new building be occupied, until a certificate of occupancy has been issued by the building inspector, and signed by both the building inspector and the fire chief.
(Code 2020, § 28-305; Ord. No. 4440-6/2015)

Sec. 8-406. Demolition permits.

No building shall be demolished until the owner or the owner's agent has applied for and obtained a demolition permit. The demolition shall be completed on or before the date designated in the permit by the building inspector, which date shall be no more than 180 days after the date the permit is issued. In the event demolition is not completed within the time designated by the building inspector in the permit, the city may then, on ten days' written notice by certified mail to the applicant and the owner, proceed to complete demolition and utilize all, or such part of the bond described hereinafter, as is necessary to complete demolition. Prior to issuance of a demolition permit, the building inspector shall require the applicant to post a cash bond with the city clerk in the amount of $5,000.00, except that residential accessory buildings shall require the posting of a $500.00 cash bond. Said bond shall be returned to the applicant upon completion of demolition unless demolition is not completed, in which event the bond may be used as described hereinabove to reimburse the

city for its costs incurred in connection with completing the demolition. Any unused portion of the bond shall be returned to the applicant. If the amount of the bond is inadequate to cover the costs of demolition, then the owner shall reimburse the city for such costs. In the event the owner fails or refuses to reimburse the city, then the city may proceed to impose a lien upon the subject real estate and collect all sums due in the manner set forth in the Nebraska Construction Lien Act, Nebraska Revised Statutes, § 52-125 et seq. (reissue 1984). For the purposes of this article, demolition shall be deemed to be completed only when the building to be demolished is demolished or removed from the site and all building materials, footings, foundations, and the like are removed from the site so that it is free of debris, all depressions are filled, and the site is leveled to the approximate grade of the area.
(Code 2020, § 28-306; Ord. No. 4249-3/2010; Ord. No. 4440-6/2015)

Sec. 8-407. Demolition contract.

The building inspector is hereby authorized to enter into an agreement with the owner of the real estate upon which a building is to be demolished. The contract shall be signed by both parties prior to the issuance of the permit. The contract shall be in a form approved by the city attorney.
(Code 2020, § 28-307; Ord. No. 4440-6/2015)

ARTICLE V. MOVING OF BUILDINGS

Sec. 8-501. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building means a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes.

Building inspector means the building inspector of the city.
(Code 1973, § 8-14; Code 2020, § 28-401; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-502. Permit—Required.

No person shall move any building over, along or across any highway, street or alley in the city without first obtaining a permit from the building inspector. No such permit shall be issued until a fee has been paid as set forth in section 8-504, or until the owner of the real estate to which the building is to be moved has executed a written agreement to bring the building into compliance with the provisions of this Code for new buildings or structures. Said agreement shall be in a form approved by the city attorney. The city building inspector is hereby authorized to execute such agreement on behalf of the city without prior approval of the mayor and council.
(Code 1973, § 8-15; Code 2020, § 28-402; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-503. Permit—Application; fee.

(a) A person seeking issuance of a permit under this article shall file an application for such permit with the building inspector.

(1) *Form.* The application shall be made in writing, upon forms provided by the building inspector, and shall be filed in the office of the building inspector.

(2) *Contents.* The application shall set forth:

a. A description of the building proposed to be moved.

b. A legal description of the lot from which the building is to be moved, giving the lot, block and tract number, if located in the city.

c. A legal description of the lot to which it is proposed such building be removed, giving lot, block and tract number, if located in the city.

d. The highways, streets and alleys over, along or across which the building is proposed to be moved.

e. Proposed moving date and hours.

f. Any additional information which the building inspector shall find necessary to a fair determination of whether a permit should be issued.

(b) The application shall be accompanied by a permit fee in the amount set out in section 8-504. (Code 1973, § 8-16; Code 2020, § 28-403; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-504. Permit—Fees.

The fee for moving any building shall be as set forth in the most recent council fee resolution. (Code 1973, § 8-17; Code 2020, § 28-404; Ord. No. 2551; Ord. No. 4440-6/2015)

Sec. 8-505. Permit—Grounds for denial.

The building inspector shall refuse to issue a permit if the inspector finds:

(1) That any application requirements or any fee or deposit requirement has not been complied with.

(2) That the building is too large to move without endangering persons or property in the city.

(3) That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the city.

(4) That the building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the city.

(5) That the applicant's equipment is unsafe, and that persons and property would be endangered by its use.

(6) That zoning or other ordinances would be violated by the building in its new location.

(7) That, for any other reason, persons or property in the city would be endangered by the moving of the building.

(Code 1973, § 8-18; Code 2020, § 28-405; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-506. Permit—Disposition of fees, bonds, etc.

(a) The building inspector shall deposit all fees and deposits, and all bonds or insurance policies, with the city treasurer.

(b) Upon refusal to issue a permit, the building inspector shall return to the applicant all deposits, bonds and insurance policies. Permit fees filed with the application shall not be returned.

(Code 1973, § 8-19; Code 2020, § 28-406; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-507. Bond or insurance.

Every person applying for a permit to move a building shall file in the office of the city clerk a certificate of insurance in favor of the city providing bodily injury and property damage liability insurance coverage with limits of at least $500,000.00. In cases of small buildings or garages or buildings not longer than 12 feet by 20 feet, and not exceeding 17 feet in height when loaded, the person may post a good and sufficient bond in the sum of $2,000.00 cash or cashier's check as an indemnity for any damage which the city may sustain.

(Code 1973, § 8-20; Code 2020, § 28-407; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-508. Approval of routing and time of moving.

It shall be the duty of the person desiring to move a building to obtain a written approval from the electrical superintendent of the city utilities department, the chief of police and the chief of the fire department as to the routing and time of moving.

(Code 1973, § 8-21; Code 2020, § 28-408; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-509. Inspection of building and moving equipment.

The building inspector shall inspect the building and the applicant's equipment to determine whether the standards for issuance for a permit are met.

(Code 1973, § 8-22; Code 2020, § 28-409; Ord. No. 2096; Ord. No. 4440-6/2015)

Sec. 8-510. Duties of permittee.

Every permittee under this article shall:

(1) Move a building only over streets designated for such use in the written permit.

(2) Notify the building inspector in writing of a desired change in moving date and hours as proposed in the application.

(3) Notify the building inspector in writing of any and all damage done to any property within 24 hours after the damage or injury has occurred.

(4) Remove the building from the city streets after sunset, unless an extension is granted by the building inspector and chief of police.

(5) Comply with the building code, the zoning ordinance and all other applicable ordinances and laws.

(6) Pay the expense of a traffic officer ordered by the building inspector to accompany the movement of the building to protect the public from injury.

(Code 1973, § 8-23; Code 2020, § 28-410; Ord. No. 2096; Ord. No. 4440-6/2015)

ARTICLE VI. TECHNICAL STANDARDS GENERALLY

Sec. 8-601. International Building Code adopted.

The International Building Code, 2018 Edition, including appendix chapters C, F, G, I and J, as published by the International Code Council, Inc., is hereby adopted as the building code of the city for establishing the minimum regulations governing the conditions and maintenance of all property, buildings, and structures; providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and for the demolition of such buildings and structures. Each and all of the regulations, provisions, penalties, conditions, and terms of the 2018 International Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed herein. The 2018 International Building Code, printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein, insofar as such code does not conflict with the statutes of the state or other specific model codes adopted by the city. One copy of the 2018 International Building Code is on file at the office of the city clerk and is available for public inspection at any reasonable time. The provisions of the 2018 International Building Code shall be controlled throughout the city and throughout its extraterritorial zoning jurisdiction. The following sections of the 2018 International Building Code are hereby revised:

Section 101.1. Insert: "City of Hastings, Nebraska."

Section 101.2. Amend first paragraph to read: "Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition, of every building or structure or any appurtenances connected or attached to such buildings or structures inside the corporate limits of the city and within two miles thereof, whenever said city is exercising its extraterritorial zoning jurisdiction within said two-mile area, except where otherwise specifically provided."

Section 101.2.1. Amend to read: "Provisions in the appendices shall not apply unless specifically adopted. Appendix chapters C, F, G, I and J are hereby specifically adopted."

Section 101.4.1. Delete.

Section 101.4.6. Amend to read: "Energy. The provisions of the 2009 International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency."

Section 103. Delete entirely.

Section 105.2. Delete building items 1 and 2. Delete all electrical, gas, mechanical and plumbing items.

Section 113.1. Amend to read: "General. In order to hear and decide appeals of orders or determinations made by the building official relative to the application and interpretation of this code, all appeals and requests for interpretation shall be directed to the board of appeals in accordance with chapter 8, article VI, of the Hastings City Code."

Section 310.4.1. Amend to read: "Care facilities within a dwelling. Care facilities for 12 or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code."

Section 419.5. Amend to read: "Fire protection. The live/work unit shall be provided with a monitored fire alarm system where required by section 907.2.9, and an automatic sprinkler system in accordance with section 903.2.8, when the fire area of the live/work area is less than 1,500 square feet."

Section 903.2.8. Amend to read: "An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a Group R fire area. Exception 1: Group R-3 occupancies shall not be required to be provided with an automatic sprinkler system. Exception 2: Care facilities located in a single-family dwelling shall not be required to be provided with an automatic fire sprinkler system, where the number of persons receiving care is fewer than 13."

Section 1301.1.1. Amend to read: "Criteria. Buildings shall be designed and constructed in accordance with the 2009 International Energy Conservation Code."

Section 1612.3. Insert: "City of Hastings, Nebraska."

Section 1612.3. Insert: "July 25, 2018."

Section J104.1. Amend to read: "Submittal requirements. In addition to the provisions of section 105.3, the applicant shall state the estimated quantities of excavation and fill. A fee shall be paid pursuant to section 109."

(Code 2020, § 28-101; Ord. No. 3945-7/2004; Ord. No. 4126-6/2007; Ord. No. 4249-3/2010; Ord. No. 4440-6/2015; Ord. No. 4583-3/2019)

Sec. 8-602. International Residential Code adopted.

The International Residential Code, 2018 Edition, including appendix chapters E, F, G, H, J, and K, as published by the International Code Council, Inc., is hereby adopted as the residential building code of the city for regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use, or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the city and providing for the issuance of permits and collection of fees therefor. Each and all of the regulations, provisions, penalties, conditions, and terms of the 2018 International Residential Code are hereby referred to, adopted, and made a part hereof as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed herein. The 2018 International Residential Code, printed in book or pamphlet form, is hereby incorporated by reference in addition to all

amended editions as though printed in full herein insofar as such code does not conflict with the statutes of the state or other specific model codes adopted by the city. One copy of the 2018 International Residential Code is on file at the office of the city clerk and is available for public inspection at any reasonable time. The provisions of the 2018 International Residential Code shall be controlling throughout the city and throughout its extraterritorial zoning jurisdiction.

(1) The following sections of the 2018 International Residential Code are hereby revised:

Section R101.1. Insert: "City of Hastings, Nebraska."

Section R101.2. Amend to read: "Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade in height with a separate means of egress and their accessory structures inside the corporate limits of the city, and within two miles thereof, whenever said city is exercising its extraterritorial zoning jurisdiction within said two-mile area, except where otherwise specifically provided.

Exception: The following shall be permitted to be constructed in accordance with this code:

a. Live/work units located in townhouses and complying with the requirements of section 419 of the International Building Code.

b. Owner-occupied lodginghouses with five or fewer guest rooms.

c. A care facility with five or fewer persons receiving custodial care within a dwelling unit.

d. A care facility with five or fewer persons receiving medical care within a dwelling unit.

e. A care facility for 12 or fewer persons receiving care that are within a single-family dwelling."

Section R102.5. Amend to read: "Provisions in the appendices shall not apply unless specifically adopted. Appendix chapters E, F, G, H, J and K are hereby specifically adopted."

Section R103. Delete entirely.

Section R105.2. Delete 1 and 2. Delete all electrical, mechanical, plumbing and gas items.

Section R112.1. Amend to read: "General. In order to hear and decide appeals of orders or determinations made by the building official relative to the application and interpretation of this code, all appeals and requests for interpretation shall be directed to the board of appeals in accordance with chapter 8, article VI, of the Hastings City Code."

Table R301.2(1) is hereby amended to read as follows, with no changes to the footnotes:

Table R301.2(1). Climatic and Geographic Design Criteria													
	Wind Design					Subject to Damage From							
Ground Snow Load	Speed	Topographic Effects	Special Wind Region	Windborne Debris Zone	Seismic Design Category	Weathering	Frost Line Depth	Termite	Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
25 psf	115 mph	No	No	No	A	Severe	44 inches	Yes	-3 F	Yes	FBFM FIRM 7/25/ 2018	1362 deg. F days	51.2 F

Manual J. Design Criteria							
Elevation	Latitude	Winter Heating	Summer Cooling	Altitude Correction Factor	Indoor Design Temperature	Design Temperature Cooling	Heating Temperature Difference
1,954 ft	41 deg N	-3	94	35	68	75	71

Manual J. Design Criteria						
Cooling Temperature Difference	Wind Velocity Heating	Wind Velocity Cooling	Coincident Wet Bulb	Daily Range	Winter Humidity	Summer Humidity
19	25.2	25.2	73	H	69	65

Section R322. Delete entirely.

Part IV-Energy Efficiency. Delete entirely. Insert chapter 11 of the 2009 International Residential Code.

Part V-Mechanical. Delete entirely.

Part VI-Fuel Gas. Delete entirely.

Part VII-Plumbing. Delete entirely.

Part VIII-Electrical. Delete entirely.

Section R302.1. Amend to read: "Construction, projections, opening and penetrations of exterior walls of dwellings and accessory structures greater than 864 square feet shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with section P2904 shall comply with Table R302.1(2). Construction, projections, opening and penetrations of exterior walls of accessory structures 864 square feet or less in area shall comply with Table R302.1(3)." The remainder of the section is unchanged, except insert Table R302.1(3):

Table R302.1(3). Exterior Walls-Accessory Structures

Exterior Wall Element		Minimum Fire Resistance Rating	Minimum Fire Separation Distance
Walls	Fire-resistance rated	1 hour-tested in accordance with ASTM E119, UL 263 or section 703.3 of the IBC with exposure from both sides	3 feet
	Not fire-resistance rated	0 hours	3 feet

Exterior Wall Element		*Minimum Fire Resistance Rating*	*Minimum Fire Separation Distance*
Projections	Not allowed	NA	1 foot
	Fire-resistance rated	1 hour underside or fire-treated wood underside	1 foot to 2 feet
	Not fire-resistance rated	0 hours	2 feet
Openings in Walls	Not allowed	NA	1 foot
	25% of wall area	0 hours	1 foot to 3 feet
	Unlimited	0 hours	3 feet
Penetrations	All	Comply with section R302.4	3 feet
		None required	3 feet

Section R313. Shall not be mandatory. Where installed, the design and installation of fire sprinkler systems in one- and two-family dwellings and townhouses shall comply with section R313.

(2) The following sections of the appendix F of the 2018 International Residential Code are hereby revised:

Section AF102.1. Add definition: "Licensed mitigation business: A business licensed by the state department of health and human services to mitigate homes and other properties in the state in order to lower high radon levels."

Section AF103.1. Amend to read: "General. The following construction techniques are intended to resist radon entry and prepare the building for post-construction radon mitigation, if necessary (see Figure AF103). These techniques are required in this city. It is recommended that a licensed radon mitigation business be involved in the design and construction of the residence's radon mitigation system."

Section AF103.5. Add: "Exception 2: Along with the requirements below, a fan may be added to the submembrane depressurization system, making it active."

Section AF103.7. Amend to read: "Vent pipe drainage. All components of the vent pipe system shall be installed to provide positive drainage to the ground beneath the slab or soil-gas retarder. Vent pipes shall be installed as nearly vertical as possible. Horizontal runs in excess of six feet are not permitted unless technically infeasible. Where possible, lateral runs shall be at a 45-degree angle from the vertical."

Section AF103.6. Add: "Exception: Along with the requirements below, a fan may be added to the subslab depressurization system, making it active."

Section AF103.13. Add: "Pre-occupancy test. Before the residence is occupied, a short-term radon test shall be completed. If radon levels are greater than 4.0 pCi/L, the system shall have an approved fan installed to make the system an active sub-slab or sub-membrane depressurization system. Where an active system is installed during the construction of the dwelling, the pre-occupancy test shall be performed prior to occupancy."

(Code 2020, § 28-102; Ord. No. 3945-7/2004; Ord. No. 4126-6/2007; Ord. No. 4292-3/2011; Ord. No. 4440-6/2015; Ord. No. 4583-3/2019)

Sec. 8-603. International Mechanical Code adopted.

The International Mechanical Code, 2018 Edition, as published by the International Code Council, Inc., is hereby adopted as the mechanical code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said mechanical code on file in the office of the city clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this section, insofar as such code does not conflict with the statutes of the state or other specific model codes adopted by the city, with the additions, insertions, deletions and changes, if any, prescribed herein. The provisions of the mechanical code shall be controlled throughout the city and throughout its extraterritorial zoning jurisdiction. The following sections are hereby revised:

Section 101.1. Insert: "City of Hastings, Nebraska."

Section 103. Delete entirely.

Section 106.5.2. Amend to read: "The fees for mechanical work shall be as set forth in the most recently adopted city fee resolution."

Section 106.5.3. Insert: "100, 100."

Section 108.4. Insert: "Misdemeanor; $500.00; zero."

Section 108.5. Insert: "$100.00, $100.00."

Section 109.1. Amend to read: "General. In order to hear and decide appeals of orders or determinations made by the code official relative to the application and interpretation of this code, all appeals and requests for interpretation shall be directed to the board of appeals in accordance with chapter 8, article VI, of the Hastings City Code."

Section 109.2 through 109.2.7. Delete entirely.

(Code 2020, § 28-103; Ord. No. 3945-7/2004; Ord. No. 4126-6/2007; Ord. No. 4249-3/2010; Ord. No. 4440-6/2015; Ord. No. 4583-3/2019; Ord. No. 4583-3/2019; Ord. No. 4605-9/2019)

Sec. 8-604. International Energy Conservation Code adopted.

The International Energy Conservation Code, 2018 Edition, as published by the International Code Council, Inc., is hereby adopted as the energy code of the city for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said energy conservation code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out herein, insofar as such code does not conflict with the statutes of the state or other specific model codes adopted by the city with the additions, insertions, deletions and

changes, if any, prescribed herein. The provisions of the energy conservation code shall be controlled throughout the city and throughout its extraterritorial zoning jurisdiction. The following sections of the energy code are hereby revised:

Section C101.1. Insert: "City of Hastings, Nebraska."

Section R101.1. Insert: "City of Hastings, Nebraska."

Section R402.4.1.2 is hereby deleted.

Section R403.3.3 is hereby is amended to read as follows:

"*Section R403.3.3. Duct testing (mandatory).* Ducts shall be pressure tested to determine air leakage by one of the following methods:

1. *Rough-in test:* Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure if installed at the time of the test. Registers shall be taped or otherwise sealed during the test.
2. *Post-construction test:* Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. Registers shall be taped or otherwise sealed during the test.

Exceptions:

1. A duct air-leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.
2. A duct air-leakage test shall not be required for ducts servicing heat or energy recovery ventilators that are not integrated with ducts serving heating or cooling systems.
3. A duct air-leakage test shall not be required for ducts that are sprayed with closed cell foam. A written report of the results of the test shall be signed by the party conducting the test and provided to the code office."

Section R403.6 is hereby deleted.

Table R402.1.2 is amended to read as follows:

Table R402.1.2. Insulation and Fenestration Requirements By Component[a]

Climate Zone	*Fenestration U-Factor*[b]	*Skylight U-Factor*	*Glazed Fenestration SHGC*[b, c]	*Ceiling R-Factor*	*Wood Frame Wall R-Value*	*Mass Wall R-Value*[i]	*Floor R-Value*	*Basement*[c] *Wall R-Value*	*Slab*[d] *R-Value & Depth*	*Space*[c] *Wall R-Value*
1	NR	0.75	0.25	30	13	¾	13	0	0	0
2	0.40	0.65	0.25	38	13	4/6	13	0	0	0
3	0.32	0.55	0.25	38	20 or 13+5[h]	8/13	19	5/13[f]	0	5/13
4 except marine	0.32	0.55	0.25	38	20 or 13+5[h]	8/13	19	10/13	10, 2 ft.	10/13
5 and marine 4	0.30	0.55	NR	49	20 or 13+5[h]	13/17	30[g]	13	10, 2 ft.	15/19

Table R402.1.2. Insulation and Fenestration Requirements By Component[a]										
Climate Zone	Fenestration U-Factor[b]	Skylight U-Factor	Glazed Fenestration SHGC[b, c]	Ceiling R-Factor	Wood Frame Wall R-Value	Mass Wall R-Value[i]	Floor R-Value	Basement[c] Wall R-Value	Slab[d] R-Value & Depth	Space[c] Wall R-Value
6	0.30	0.55	NR	49	20+5[h] or 13+5[h]	15/20	30[g]	15/19	10, 4 ft.	15/19
7 and 8	0.30	0.55	NR	49	20+5[h] or 13+5[h]	19/21	38[g]	15/19	10, 4 ft.	15/19

NR = Not required.

For SI: one foot = 304.8 mm.

[a]R-values are minimums. U-factors and SHGC are maximums. Where insulation is installed in a cavity that is less than the label or design thickness of the insulation, the installed R-value of the insulation shall be not less than the R-value specified in the table.

[b]The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration. Exception: In climate zones 1 through 3, skylights shall be permitted to be excluded from glazed fenestration SHGC requirements, provided that the SHGC for such skylights does not exceed 0.30.

[c]The term "10/13" means R-10 continuous insulation on the interior or exterior of the home, or R-13 cavity insulation on the interior of the basement wall. The term "15/19" means R-15 continuous insulation on the interior or exterior of the home, or R-19 cavity insulation at the interior of the basement wall. Alternatively, compliance with 15/19 shall be R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home. The term "13" means furred two-by-four walls with R-13 cavity insulation throughout on the interior of the basement wall.

[d]R-5 insulation shall be provided under the full slab area of a heated slab in addition to the required slab edge insulation R-value for slabs, as indicated in the table. The slab edge insulation for heated slabs shall not be required to extend below the slab.

[e]There are no SHGC requirements in the marine zone.

[f]Basement wall insulation is not required in warm-humid locations as defined by Figure R301.1 and Table R301.1.

[g]Alternatively, insulation sufficient to fill the framing cavity and providing not less than an R-value of R-19.

[h]The first value is cavity insulation, the second value is continuous insulation. Therefore, as an example, the term "13+5" means R-13 cavity insulation plus R-5 continuous insulation.

[i]Mass walls shall be in accordance with section R402.2.5. The second R-value applies where more than half of the insulation is on the interior of the mass wall.

(Code 2020, § 28-104; Ord. No. 4440-6/2015; Ord. No. 4661, § 1, 4-12-2021)

Sec. 8-605. International Existing Building Code adopted.

The International Existing Building Code, 2018 Edition, as published by the International Code Council, Inc., is hereby adopted as the existing building code for the city for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including

historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said existing building code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed herein. The provisions of the existing building code shall be controlling throughout the city and throughout its exterritorial zoning jurisdiction. The following sections are hereby revised:

Section 101.1. Insert: "City of Hastings, Nebraska."

Section 101.2. Amend to read: "Scope. The provisions of the International Existing Building Code shall apply to the repair, alteration, change of occupancy, addition and relocation of existing buildings, inside the corporate limits of the city, and within two miles thereof, whenever said city is exercising its extraterritorial zoning jurisdiction within said two-mile area, except where otherwise specifically provided.

Section 103. Delete entirely.

Section 112.1. Amend to read: "General. In order to hear and decide appeals of orders or determinations made by the building official relative to the application and interpretation of this code, all appeals and requests for interpretation shall be directed to the board of appeals in accordance with chapter 8, article VI, of the Hastings City Code."

(Code 2020, § 28-105; Ord. No. 3945-7/2004; Ord. No. 4126-6/2007; Ord. No. 4249-3/2010; Ord. No. 4440-6/2015; Ord. No. 4583-3/2019)

Sec. 8-606. Prefabricated buildings.

All prefabricated buildings, building components, or assemblies shall be designed by a licensed engineer or architect. Manufactured housing as described in Nebraska Revised Statutes, § 71-1555 et seq., shall not be subject to this requirement. A prefabricated building is any building structure or part thereof which is totally or substantially constructed away from the building site, and which is portable until placed on a permanent foundation and connected to utilities; steel buildings sold by a manufacturer, plant cast concrete buildings or components (such as hollow core plank, or double tee), wood frame buildings or assemblies, masonry buildings or assemblies, or other similar prefabrications shall all be considered prefabricated construction.

(Code 1973, § 8-2; Code 2020, § 28-106; Ord. No. 1930; Ord. No. 2874; Ord. No. 4440-6/2015)

Sec. 8-607. Foundation systems for Type A manufactured dwellings.

The foundation system for any Type A manufactured dwelling installed after the date of the ordinance from which this section is derived must meet the requirements set forth in the edition of the International Residential Code which is then in effect in the city, as shown by the seal on the plans for said foundation system by an architect or structural engineer currently licensed by the state.

(Code 2020, § 28-107; Ord. No. 3428-10/94; Ord. No. 3440-12/94; Ord. No. 4440-6/2015)

Sec. 8-608. Compliance with chapter.

It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, remove, demolish, equip, use or occupy or maintain any building or structure, or any portion thereof in the city, contrary to or in violation of any of the provisions of this chapter, or to cause, permit or suffer the same to be violated.

(Code 1973, § 8-3; Code 2020, § 28-108; Ord. No. 1956; Ord. No. 3428-10/94; Ord. No. 4440-6/2015)

Sec. 8-609. Civil proceedings.

Whenever the building inspector is satisfied that any provision of this article has been violated or is about to be violated, or that any order or direction made in pursuance of this article has not been carried out or is being disregarded, the building inspector shall apply to the city attorney for the purpose of instituting civil proceedings. The city attorney shall thereupon institute an action for injunction or any other appropriate civil proceedings. Such civil proceedings shall be brought in the name of the city. Nothing in this section shall be held to exclude criminal proceedings as may be authorized by this article or any other law or ordinance in force, or to exempt any person violating this article or any of the laws from any penalty which may be incurred.

(Code 1973, § 8-4; Code 2020, § 28-109; Ord. No. 1956; Ord. No. 3428-10/94; Ord. No. 3945-7/2004; Ord. No. 4440-6/2015)

ARTICLE VII. ELECTRICAL CODE

DIVISION 1. GENERALLY

Sec. 8-701. Adoption of the National Electrical Code.

The National Electrical Code, 2023 Edition, is hereby adopted, except the minimum standards set forth in the 2017 edition of the National Electrical Code shall apply for sections 210.8(a), 210.8(A)(3), 210.8(A)(5), 230.67(A), and 230.85; as the city's electric code for establishing the minimum regulations governing the conditions and maintenance of all electrical service and appliances regarding all property, buildings, and structures, and providing the standards for electrical service and appliances and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use. Each and all of the regulations, provisions, penalties, conditions, and terms of the National Electrical Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed herein. The National Electrical Code, printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein, insofar as such code does not conflict with the state statutes or other specific model codes adopted by the city. One copy of the National Electrical Code is on file at the office of the city clerk and is available for public inspection at any reasonable time. The provisions of the National Electrical Code shall be controlled throughout the city and throughout its extraterritorial zoning jurisdiction.

(Code 1973, § 12-1; Code 2020, § 29-101; Ord. No. 2636; Ord. No. 2975-5/86; Ord. No. 3020-5/87; Ord. No. 3170-5/90; Ord. No. 3336-8/93; Ord. No. 3545-8/96; Ord. No. 3671-3/99; Ord. No. 4021-6/2005; Ord. No. 4183-7/2008; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017; Ord. No. 4768, § 1, 7-22-2024)

Sec. 8-702. Duties of electrical inspector; assistant electrical inspector.

(a) The electrical inspector shall act under the direction of the development services director, and shall have supervision of all electrical installation work in the city, and shall perform such duties as are prescribed in this article. The electrical inspector shall have the right, during reasonable hours, to enter any building in the city for the performance of the inspector's duties.

(b) The electrical inspector shall inspect all electrical installations and the installation and construction of the electric system to ensure compliance with the requirements of this article and with any additional conditions set forth in any permit.

(c) The electrical inspector shall inspect all electrical distribution systems from the weather head, or point of attachment to the supplying utility, in the city, and investigate all cases reported to or referred to the inspector, of the use of unsuitable material or workmanship on any job of electrical work, or the violation of the provisions of this article, and report such fault or violation to the development services director for further action.

(d) Assistants to the electrical inspector shall be appointed by the development services director after examination and recommendation by the merit service commission. Any assistant to the electrical inspector shall have such powers and duties as are assigned to them by the electrical inspector.

(e) The electrical inspector shall have the authority to cause the turning off of all electric current and to cut or disconnect in cases of emergency any wire where such electric current is dangerous to life and property or may interfere with the work of the fire department. The chief of the fire department or person in charge at times of fire, as well as the electrical inspector, or either of them, shall have the power to at once cause the removal of all wires or the turning off of all electric current where the circuits interfere with the work of the fire department during the progress of a fire.
(Code 1973, § 12-2; Code 2020, § 29-102; Ord. No. 1896; Ord. No. 2240; Ord. No. 2562; Ord. No. 4441-6/2015)

Sec. 8-703. Inspections generally; correction of defective installations.

(a) The electrical inspector shall make inspections of any electrical wiring, appliance installations or connections upon request in order to ascertain whether the electrical wiring or appliance installation requirements have been or are being violated. Should the electrical inspector, upon making such an inspection as requested, find an unsafe or unsatisfactory installation, the inspector shall have the authority to shut off the appliance or service at the meter. The inspector shall tag the unsafe or unsatisfactory installation and shall notify:

(1) The installer immediately, if the job is a new installation; or

(2) The owner, agent, tenant or one in charge of the property to cause said unsafe or unsatisfactory installation to be remedied, within a specified time and not exceeding ten days, if it is not a new installation.

(b) Failure to make such corrections, changes or repairs, or failure to notify the inspector to make reinspections, within the specified time after receiving such notification to comply therewith, shall be considered as maintaining an unsafe electrical installation and violating the requirements of this section. In such case, the inspector shall make such reinspections of the premises as the inspector deems reasonable and necessary, and report the findings to the development services director who shall, in turn, cause action to be taken in the proper court to secure compliance with this section. It shall be the duty and the responsibility of the installer or one making the corrections, changes or repairs to notify the inspector within 48 hours after completion of the correction, changes or repairs and request a reinspection. Request for inspection shall be made by the installer at the office of the electrical inspector not less than eight working hours in advance of inspection.
(Code 1973, § 12-3; Code 2020, § 29-103; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-704. Installation of new apparatus; compliance with article.

All electric apparatus shall be installed strictly in accordance with the provisions of this article. Upon completion of the installation of any electric apparatus, the installer installing the same shall notify the electrical inspector, who shall inspect such electric apparatus and the installation thereof, and, if all of the provisions of this article have been complied with, then the electrical inspector shall issue a certificate of approval, which certificate shall certify that such apparatus has been installed in accordance with the provisions of this article. No electric apparatus shall be used until inspected by the electrical inspector and a certificate issued by the electrical inspector approving same and permitting its use.
(Code 1973, § 12-4; Code 2020, § 29-104; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-705. Disconnecting means, circuit breakers, etc.

(a) *Required.* A single means of disconnecting all ungrounded conductors in the building from the service entrance conductors shall be provided.

(b) *Location.* The disconnecting means shall be located at a readily accessible point nearest to the entrance of the conductors, either inside or outside the building wall.

(c) *Approval.* The disconnecting means shall be of a type approved for service equipment and for prevailing conditions.

(d) *Types permitted.* The disconnecting means for ungrounded conductors shall be a manually operable switch or circuit breaker of the air-break or oil-immersed type, equipped with a handle or other suitable operating means, positively identified and marked, for mechanical operation by hand. A push-button type of electrical remote control may be used in addition to the manual handle.

(e) *Externally operable.* All enclosed service switches or circuit breakers shall be externally operable. It is recommended that where the current of a single circuit, or group of circuits, is separately metered, as in apartment house installations, devices be installed in a convenient location to control each separately metered installation, such devices being enclosed and the switch or circuit breaker being externally operable.

(f) *Indication of type.* The disconnecting means shall plainly indicate whether it is in the open or closed position.

(g) *Equipment.* Service equipment installations up to and including 200 amperes may be installed anywhere in the city without a main disconnecting means prior to the meter equipment. A disconnecting means shall be supplied on central air conditioning units. Manufactured or harness-type wiring systems not bearing the Underwriters Laboratories label for the entire system shall not be installed in residential or commercial installations.

(h) *Rating.* Residential service disconnecting means shall have a rating not less than the load to be carried determined in accordance with article 220 of the National Electrical Code. In general, the service disconnecting means shall have a rating of not less than 100 amperes where a switch or a circuit breaker is used. All existing 60 ampere residence electrical services shall have no more than eight connecting branch circuits.

(i) *Conductors serving additional buildings.* In a property comprising more than one building under single management, the conductors supplying each building served shall be provided with a readily accessible means, within or adjacent to the building, of disconnecting all ungrounded conductors from the source of supply. In garages and outbuildings on residential property, the disconnecting means may consist of a snap switch, suitable for use on branch circuits, including switch controls at more than one point.

(j) *Disposal units and dishwashers; residential use.* Disposal units and dishwashers shall be installed with a disconnecting means within access of the unit, and both units will be installed with GFCI/AFCI protection. The disconnecting means may be with a cord and plug connection under the sink inside of the cabinet. The disposal unit and dishwasher may be installed on the same 20 amperes circuit, and wired with a single duplex receptacle that is split wired for switching the disposal. Disposal units shall be installed with a fused disconnect means within access of the unit.
(Code 1973, § 12-5; Code 2020, § 29-105; Ord. No. 1896; Ord. No. 2013; Ord. No. 2240; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017)

Sec. 8-706. Installation of electric meters.

Electric meters shall be installed as near as practicable to the point where the service enters the building and should be so located as to be readily accessible for examination, reading and replacement. An electric meter shall not be placed where it will be subject to damage. It shall be located at a minimum of 54 inches to a maximum of 75 inches above grade. The measurements are to be made to the center of the meter. Meters for single-family homes shall be located outside of the building. Meters for other buildings shall be located outside of the building, or in an approved meter room to which the utility and emergency first responders have 24/7 access.
(Code 1973, § 12-6; Code 2020, § 29-106; Ord. No. 1896; Ord. No. 4441-6/2015; Ord. No. 4527-11/2017)

Sec. 8-707. Wiring methods.

Approved metallic conduit shall be used in new construction or extension wiring in the installation of all electric apparatus in all commercial and industrial buildings and structures.

(1) *Non-mixed-use buildings and structures (residential only).*

a. Approved non-metallic cable may be used in all multifamily dwellings and related accessory buildings or garages. Conduit or approved metallic cable shall be used where subject to physical damage.

b. Approved non-metallic cable may be used in other residential structures with private garages where the floor area of the same will permit the storage of not more than four vehicles. Conduit or approved metallic cable shall be used where subject to physical damage.

(2) *Mixed-use buildings and structures (buildings with a commercial or retail space on the main floor and apartments above).*

a. Approved non-metallic cable may be used in multifamily units located on floors above a mixed-use (or commercial) building or structure where all of the following conditions are met:

1. The building is not more than three stories in height. For the purposes of this subsection, a basement shall be considered a story.

2. Dwelling units shall be separated from other dwelling units, and the commercial or mixed-uses below, by fire barriers as prescribed by the city's building code.

3. Lighting, emergency lighting, exit signs and any other required corridor life-safety equipment or devices shall be on a separate branch circuit in an approved metallic cable or conduit.

4. Any and all wiring for any common areas that are accessible to the public shall be done in an approved metallic cable or conduit.

5. Conduit or approved metallic cable shall be used where subject to physical damage.

b. Buildings with a commercial or retail space and residential space on the same floor shall be completely wired in approved metallic cable or conduit, unless the commercial space takes up less than ten percent of the space on the floor, and a two-hour fire separation is provided between the residential space and the commercial or retail space.

c. Approved non-metallic cable may be used in other residential structures with private garages where the floor area of the same will permit the storage of not more than four vehicles. Conduit or approved metallic cable shall be used where subject to physical damage.

(Code 1973, § 12-8; Code 2020, § 29-107; Ord. No. 1896; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017)

Sec. 8-708. Enclosing of service wires.

Service wires for all electrical installations shall be enclosed in approved metallic conduit from service entrance head to main disconnect device or meter; provided, however, when the service mast is used to support the service drop to the building or structure, the mast shall be a minimum of two-inch rigid metallic conduit (RMC) or two-inch intermediate metallic conduit (IMC).
(Code 1973, § 12-9; Code 2020, § 29-108; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-709. Light in stairways.

All stairways in apartment houses and apartments over business sections shall have a light. This light shall not be on a pull chain or a switch.
(Code 1973, § 12-11; Code 2020, § 29-109; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-710. Support of objects on conduit wires or fixtures prohibited.

In commercial or residential installations, it shall be a violation of this Code to support any foreign object or installation on conduit, wires or fixtures.
(Code 1973, § 12-12; Code 2020, § 29-110; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-711. Extension cords, heating devices, etc.

All extension cords, portable cords for lamps, heating devices and electrical appliances shall be reinforced portable cords for their respective uses, and shall not exceed six feet in length.
(Code 1973, § 12-13; Code 2020, § 29-111; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-712. Starting motors across the line.

Motors up to 30 horsepower in one motor may be started across the line. Up to 50 horsepower motor with a fluid drive or pressure relief device may be started across the line also.
(Code 1973, § 12-15; Code 2020, § 29-112; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-713. Placement of sheet metal, insulation, etc., near wiring.

Any person and any contractor desiring to place any sheet metal, insulation or other material, in construction, repairing or improving any building or structure, within six inches of any electric wire not installed in approved conduit for use in connection with electric light, heat or power, shall, before proceeding with the execution of such work, notify the electrical inspector, who shall inspect the same and cause all wires to be placed in a safe and secure condition.
(Code 1973, § 12-16; Code 2020, § 29-113; Ord. No. 1896; Ord. No. 2275; Ord. No. 4441-6/2015)

Sec. 8-714. Gasoline stations.

Wiring of service stations or petroleum dispensing stations shall be in accordance with the National Electrical Code as adopted by the city.
(Code 1973, § 12-17; Code 2020, § 29-114; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-715. Mobile home courts and camps.

Every mobile home court or camp shall be equipped with electric power. All mobile home courts and camps shall comply with this article, and shall be inspected by the electrical inspector.
(Code 1973, § 12-18; Code 2020, § 29-115; Ord. No. 1896; Ord. No. 4441-6/2015)

Sec. 8-716. Grounding.

(a) Every new building when constructed, and whether or not electrical power will be installed in said building, shall be provided with a concrete-encased grounding electrode, hereinafter referred to as an Ufer ground. Ufer grounds shall be any one of the following:

(1) Twenty feet of #4 rebar (one-half-inch diameter) placed in the concrete foundation of the building. Lap splices shall not be less than eight inches and shall have a minimum of two wire ties. A minimum of four inches of the rebar shall be exposed above the sole plate, slab or foundation, accessible for bonding. The stub shall be painted green to identify it as the Ufer ground.

(2) A bare #4 AWG copper wire 20 feet long placed in the concrete foundation of the building. A minimum of four inches of such wire shall be exposed above the sole plate, slab or foundation, accessible for bonding.

(3) Twenty feet of #4 rebar as described in subsection (a)(1) of this section, attached to a #4 AWG with an approved bonding clamp, may also extend from the rebar and be exposed a minimum of four inches above the sole plate, slab or foundation and be accessible for bonding.

(b) If wall coverings, including, but not limited to, wood sheeting, paneling, gypsum board, oriented strand board, FRP, plywood or other finishes will be installed, the Ufer ground bonding point shall be made accessible by installation of an access panel, two-gang plaster ring or the like.

(c) When using the incoming water service as the ground point in any new installation, remodel or service change, the attachment to the metal water service must be made within five feet of the entrance of the water service to the building, and the water meter must be jumped with approved clamps.
(Code 2020, § 29-116; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017)

Sec. 8-717. Spring-loaded devices; limitations.

Electrical devices provided with spring-loaded connections (backstab connections) shall not be used unless such devices are also provided with screws and follow plates. Wire connections to such devices shall not utilize the spring-loaded connections.
(Code 2020, § 29-117; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017)

Sec. 8-718. Bonding of metallic raceways.

Any new or reworked metallic raceway shall have a correctly sized equipment grounding conductor installed in that raceway.
(Code 2020, § 29-118; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017)

Sec. 8-719. Disposition of fees collected under article.

All fees collected under the provisions of this article shall be credited to the general fund of the city. (Code 1973, § 12-20; Code 2020, § 29-119; Ord. No. 1896; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017)

Sec. 8-720. Penalties.

Any person upon whom a duty is placed by the provisions of this article who shall fail, neglect or refuse to perform such duty, or who shall violate any of the provisions of this article, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished as provided by section 1-107. If the defendant is a licensed electrician, the judgment of the conviction may also include a provision for the revocation of the defendant's license for such time as the court shall determine. If the license of any defendant is thus revoked, the court shall furnish, or cause to be furnished, the electrical inspector, office of development services and the city clerk certified copies of the judgment of conviction.
(Code 1973, § 12-21; Code 2020, § 29-120; Ord. No. 1896; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017; Ord. No. 4688, § 1, 12-13-2021)

Secs. 8-721—8-740. Reserved.

DIVISION 2. PERMITS

Sec. 8-741. Installation permit—Required.

(a) No wiring or electrical apparatus shall be installed until a permit has been obtained.

(b) A permit shall be obtained whenever more than three electrical devices are replaced or added, including devices that are being changed for the purposes of increasing energy efficiency. This is to include receptacles, switches, lighting outlets and equipment that is hard-wired, and is all-inclusive of any residential, commercial or industrial facility. Replacement of three or fewer such devices shall be considered normal repair and maintenance and shall not require a permit.

(c) A permit shall be obtained whenever a roof top unit, furnace or air conditioner, or any combination of these, are being replaced or added to any home, retail, commercial or industrial facility.

(d) Any electrical conduit that is ran in any commercial facility for more than three devices will require an electrical permit and subsequent inspection, including conduit ran for the purpose of housing low voltage system conductors.

(e) A permit shall be obtained whenever a new fire alarm system is being installed in a facility or modifications are made to an existing fire alarm system that consists of more than three devices.

(f) A permit shall be required for any repair or upgrade to an electrical service from the utility service supply drop to the service panel, including the utility supplied meter socket.

(g) A permit shall be required for any installation of any electric car charging units. A permit shall be required for all new installations of electric signage.
(Code 1973, § 12-22; Code 2020, § 29-201; Ord. No. 1896; Ord. No. 2275; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017; Ord. No. 4768, § 2, 7-22-2024)

Sec. 8-742. Installation permit—Filing of plans; inspection fees.

No permit shall be issued until an applicant has filed a plan with the electrical inspector and paid an inspection fee as set forth in the most recent council fee resolution.
(Code 1973, § 12-23; Code 2020, § 29-202; Ord. No. 1896; Ord. No. 2273; Ord. No. 2559; Ord. No. 2775; Ord. No. 4441-6/2015)

Sec. 8-743. Installation permit—Issuance; inspection fee for work completed prior to obtaining permit.

If the plan submitted complies with this article in all respects, upon payment of the inspection fee, the electrical inspector shall issue a permit for the installation thereof. Any installation commenced for which a permit has not been issued will be inspected and an inspection fee triple the rate shown in the fee resolution will be assessed against the installer. The installer shall be required to remove any materials or construction that the electrical inspector determines is unreasonably obstructing the inspection process.
(Code 1973, § 12-24; Code 2020, § 29-203; Ord. No. 1896; Ord. No. 2275; Ord. No. 4441-6/2015; Ord. No. 4767, § 2, 7-22-2024)

Sec. 8-744. Reinspection fees.

(a) A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

(b) This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

(c) Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date and time for which inspection is requested, or for deviating from plans requiring the approval of the building inspector.

(d) In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.
(Code 2020, § 29-204; Ord. No. 4106-10/2006; Ord. No. 4441-6/2015)

Secs. 8-745—8-764. Reserved.

DIVISION 3. ELECTRICIANS

Sec. 8-765. Registration—Required.

No person shall engage in or work at the business, trade or calling of an electrician in the city until they have been registered as an electrician within the city, qualified with the state for such work, and paid all applicable fees and occupation taxes to the state and the city.
(Code 1973, § 12-27; Code 2020, § 29-302; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 3, 12-13-2021)

Sec. 8-766. Registration—Application.

Application for registration shall be made in writing to the electrical inspector at the office of the development services department upon blanks furnished by that office, which shall show the name, residence and business location of the applicant, and such other information as may be required, including copies of any current licenses that the applicant may hold.
(Code 1973, § 12-28; Code 2020, § 29-303; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4523-10/2017; Ord. No. 4688, § 4, 12-13-2021)

Sec. 8-767. Apprentices.

(a) It shall be unlawful for any person to work as an electrician's apprentice without first obtaining an electrician's apprentice registration. Upon payment of the registration fee, as set forth in the most recent council fee resolution, to the development services department, and the filing of a written application, the electrical inspector, or a deputy, shall issue to any person over 18 years of age and engaged in learning the trade of electrician an annual apprentice's registration, which shall expire on April 30 after its issuance. Such apprentice's registration shall not be transferable and shall entitle the holder thereof to act as an electrician's apprentice to a registered electrician. It shall be unlawful for an apprentice electrician to do or perform any act of electrical installation, repair or maintenance without the personal supervision of a registered journeyperson or master electrician in actual physical attendance at all times the work is being done or performed; and it shall further be unlawful for any registered journeyperson or master electrician employing any apprentice electrician to assign work to be done and performed by the apprentice in violation of the foregoing provisions.

(b) No corporation, firm or partnership shall be allowed more than three apprentice electricians to each master or journeyperson electrician employed by the corporation, firm or partnership on any one given job or project.
(Code 1973, § 12-29 and 12-37; Code 2020, § 29-304; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 4, 12-13-2021)

Sec. 8-768. Journeyperson or master electrician; issuance of registration.

(a) An applicant for a journeyperson or master electrician registration must show proof of a current state license.

(b) Before the applicant shall be registered as a journeyperson or master electrician, as the case may be, the applicant shall have a certificate or a license granted by the state electrical division. Upon the payment of the required registration fee, such applicant shall be registered by the electrical inspector, who shall deliver to the applicant a registration signed by the electrical inspector.

(c) It shall be unlawful for any apprentice, journeyperson or master electrician to work in the jurisdiction of the city without first obtaining from the office of the electrical inspector a registration by providing credentials as provided in this section and paying the applicable fee as set forth in the most recent fee resolution approved by the city council.
(Code 1973, § 12-29; Code 2020, § 29-305; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 5, 12-13-2021)

Sec. 8-769. Registration fees.

The fees to be charged for registration under this article shall be as set forth in the most recent council fee resolution.
(Code 1973, § 12-30; Code 2020, § 29-306; Ord. No. 1896; Ord. No. 2775; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 6, 12-13-2021)

Sec. 8-770. Partnerships and corporations.

A partnership or corporation shall be eligible for a master electrician's registration upon payment of the registration fee and filing with the electrical inspector an application upon forms prescribed by the electrical inspector showing that a registered master electrician is a member of the firm or an officer of the corporation and will at all times be in actual charge of, and responsible for, the installation, removal or repair of all electrical work done by the firm or corporation. The registration of a firm or corporation shall terminate automatically upon the withdrawal from the firm or corporation of the master electrician listed upon the application.
(Code 1973, § 12-31; Code 2020, § 29-307; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 7, 12-13-2021)

Sec. 8-771. Expiration of registrations; nonassignable.

All registrations required by this article shall expire on December 31 following the date thereof and shall not be assignable. If registration fees are not paid within 30 days of expiration, the registration shall be automatically revoked.
(Code 1973, § 12-32; Code 2020, § 29-308; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 8, 12-13-2021; Ord. No. 4754, § 2, 3-11-2024)

Sec. 8-772. Renewal of registrations.

Registrations, at the time of their expiration, may be renewed upon recommendation of the electrical inspector upon presentation of proof of state licensing and payment of the required fee.
(Code 1973, § 12-33; Code 2020, § 29-309; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 9, 12-13-2021)

Sec. 8-773. Revocation of registrations.

The city council, by a majority vote, shall have the power to revoke any journeyperson electrician's or master electrician's registration upon the recommendation of the city electrical inspector or the state electrical division, if the same was obtained through error or fraud, or if the recipient thereof is shown to be grossly incompetent or has a second time willfully violated any of the provisions of this article, including the National Electrical Code adopted by the city. This penalty shall be cumulative and in addition to the penalties prescribed for the violation of the provisions of this article. If a registration is revoked, the holder of the same may not apply for registration until one year from the date of such revocation.
(Code 1973, § 12-34; Code 2020, § 29-310; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 10, 12-13-2021)

Sec. 8-774. Material or supply dealers not required to be registered.

Any person engaged in dealing in materials or supplies, but not engaged in the installation, alteration, repair or removal of appliances, shall not be required to be registered under this article.
(Code 1973, § 12-35; Code 2020, § 29-311; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 11, 12-13-2021)

Sec. 8-775. Permitting name to be used by another.

No registered electrician shall allow the electrician's name to be used by another person, directly or indirectly, to obtain a permit for the installation of any electrical work. If any registered electrician violates this provision, the city council shall forthwith revoke the registration issued to such electrician and, in addition to having their registration revoked, such electrician may be prosecuted under this Code for such violation, and the state electrical division will be notified of the infraction.
(Code 1973, § 12-36; Code 2020, § 29-312; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 12, 12-13-2021)

Sec. 8-776. Insurance.

(a) The holder of any registration under this article shall secure and maintain, during all times that the registration is in effect, bodily injury and property damage liability insurance coverage with limits of at least $300,000.00. The registered electrician shall furnish the department of development services with a certificate of such insurance coverage, which certificate shall note that the insurance coverage shall not be terminated except upon ten days' written notice to the city.

(b) The policy of insurance required by this section shall be purchased at the expense of the applicant, shall be in effect for at least one year from May 1 of the current year, and shall provide coverage of products, hazards and completed operations. Cancellation of a policy shall automatically suspend the registration of the applicant until a substitute policy has been obtained and a certificate of that fact has been filed in the office of the department of development services.
(Code 1973, § 12-38; Code 2020, § 29-313; Ord. No. 1896; Ord. No. 1915; Ord. No. 2162; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 13, 12-13-2021)

Sec. 8-777. Installation by unregistered electricians.

It shall be unlawful for any person to cause or permit any job of electrical connections incident to any property owned, managed or controlled by such person, unless the electrician performing such work has been registered as required by this article and has received a permit from the city electrical inspector for the particular work.
(Code 1973, § 12-39; Code 2020, § 29-314; Ord. No. 1896; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 14, 12-13-2021)

Sec. 8-778. Nonresident contractors.

(a) In addition to charging and collecting the fees provided for in the most recent council fee resolution, the electrical inspector shall require from any nonresident person performing a contract or completing a job within the jurisdiction of the city:

(1) Satisfactory evidence that the applicant is qualified; and

(2) A set of plans and specifications for the work to be performed.

(b) Any nonresident contractor shall provide to the electrical inspector a list of employees who will work on that job site, and a copy of the state license for each employee. All non-resident electricians will be required to be registered by the department of development services.
(Code 1973, § 12-40; Code 2020, § 29-315; Ord. No. 1898; Ord. No. 2273; Ord. No. 2369; Ord. No. 3644-5/98; Ord. No. 4441-6/2015; Ord. No. 4688, § 15, 12-13-2021)

ARTICLE VIII. PLUMBING

DIVISION 1. GENERALLY

Sec. 8-801. International Plumbing Code adopted; effect of conflicting provisions.

The regulations contained in the International Plumbing Code, 2018 Edition, a copy of which is on file in the office of the city clerk, are hereby incorporated in and made a part of this article the same as though it were spread at large herein. In the event conflict arises between the International Plumbing Code and other provisions of this Code, this Code shall govern. The following sections are hereby revised:

Section 101.1. Insert: "City of Hastings."

Section 106.6.2. Amend to read: "The fees for plumbing work shall be as set forth in the most recently adopted city fee resolution."

Section 106.6.3. Insert: "100, 100."

Section 108.4. Insert: "Misdemeanor, $500.00, 0."

Section 108.5. Insert: "$100.00, $100.00."

Section 109.1. Amend to read: "General. In order to hear and decide appeals of orders or determinations made by the code official relative to the application and interpretation of this code, all appeals and requests for interpretation shall be directed to the board of appeals in accordance with chapter 8, article VI, of the Hastings City Code."

Sections 109.2 through 109.7. Delete entirely.

(Code 1973, § 27-1; Code 2020, § 30-101; Ord. No. 1910; Ord. No. 2990-8/86; Ord. No. 3415-8/94; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014; Ord. No. 4583-3/2019; Ord. No. 4605-9/2019)

Sec. 8-802. Permits and penalties.

(a) No plumbing or fixtures shall be installed within the two-mile zoning jurisdiction of the city until a permit to do so has been obtained from the plumbing inspector. The permit shall be obtained by submitting a plan of the work to be performed and paying a permit fee. The permit fee shall be as set forth in the most recent council fee resolution. If the plan submitted complies with this article in all respects and the permit fee has been paid, then the plumbing inspector shall issue the permit. The obligation to obtain the necessary permit is hereby imposed upon the installer.

(b) No water conditioning system or fixtures, or underground lawn sprinkling system or fixtures, shall be installed within the two-mile zoning jurisdiction of the city until a permit to do so has been obtained from the plumbing inspector. The permit shall be obtained by submitting a plan of the work to be performed and paying a permit fee. The permit fee shall be as set forth in the most recent council fee resolution. If the plan submitted complies with this article in all respects and the permit fee has been paid, then the plumbing inspector shall issue the permit. The obligation to obtain the necessary permit is hereby imposed upon the installer.

(c) Any person who fails to comply with any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, fined in an amount not to exceed $100.00, and ordered to pay triple permit fees to the city.

(d) In lieu of having a person prosecuted for violation of subsection (a) of this section, the plumbing inspector may dispose of the matter by accepting from the offender a permit fee which is triple the rate which should have been paid initially; provided, however, this alternative disposition may not be employed by the plumbing inspector for any person for whom that disposition has been utilized twice within the previous 12 months, it being the intention of the city council to have such individual prosecuted as contemplated in subsection (c) of this section.

(e) A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

(1) This subsection (e) is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

(2) Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date and time for which inspection is requested, or for deviating from plans requiring the approval of the building inspector.

(3) In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

(Code 1973, § 27-2; Code 2020, § 30-102; Ord. No. 1910; Ord. No. 2274; Ord. No. 2775; Ord. No. 2990-8/86; Ord. No. 3690-8/99; Ord. No. 4106-10/2006; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014; Ord. No. 4767, § 3, 7-22-2024)

Sec. 8-803. Excavations—On city property.

(a) The opening and refilling of all trenches on city property shall be done under the direction of the city engineer and plumbing inspector.

(b) Trenches in public streets or alleys shall be excavated so as to impede public travel as little as possible. The crossings of gutters and all other ways shall be left in such condition as to admit the ready escape of water during storms. Planks shall be provided where sidewalks or crossings are opened so as to facilitate easy crossing over trenches.

(c) All excavations in streets or alleys shall be filled by the city street department and the cost charged to the plumbing contractor.

(Code 1973, § 27-3; Code 2020, § 30-103; Ord. No. 1910; Ord. No. 2159; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-804. Excavations—Safety requirements.

(a) Yellow lights shall be kept around all unfinished work at night, and barricades shall be placed around excavations at all times.

(b) Trenches in treacherous soil or near large buildings shall be properly braced, and the party excavating, and the party's bondsperson, shall be liable for all damages arising by reason of any neglect in this respect.

(Code 1973, § 27-3; Code 2020, § 30-104; Ord. No. 1910; Ord. No. 2159; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-805. Non-potable water piping.

In cases where it is impractical to correct individual cross connections on the domestic water line, the line supplying such outlets shall be considered a non-potable water line. No drinking or domestic water outlets shall be connected to the non-potable water line. Backflow or back-siphonage from the non-potable water line into the domestic water line shall be prevented by the installation of a gravity tank or by a tank having a pump for desired non-potable water. The domestic water inlets to the non-potable water tank shall have an approved air-gap as required elsewhere in this article. Where it is impractical to install tanks as set forth, an approved pressure type backflow or back-siphonage prevention device shall be installed. Where reverse flow due only to gravity or a vacuum within the

line can occur, an approved pressure type vacuum breaker unit or other approved backflow prevention device shall be installed in the supply line. Each pressure type vacuum breaker unit shall be installed at a height of at least 12 inches above the highest tank, equipment or point of usage of the non-potable water. Other approved backflow prevention devices shall be installed in a manner satisfactory to the administrative authority, but in no case less than 12 inches above the surrounding ground or floor. Where backflow can occur due to a steam boiler, pumps, etc., creating a higher pressure in the non-potable water line, an approved backflow prevention device shall be installed in the supply line. Such backflow prevention devices shall be installed at least 12 inches above the surrounding ground or floor. Whenever possible, all portions of the non-potable water line shall be exposed, and all exposed portions shall be properly identified in a manner satisfactory to the administrative authority. Each outlet on the non-potable water line which may be used for drinking or domestic purposes shall be posted: "Danger — unsafe water."
(Code 2020, § 30-105; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-806. Separate water service line required for each building; exception.

The water service line for each new building, or for new work installed in an existing building, shall be separate from and independent of that of any other building. Every building shall have an independent connection with a water main; provided, however, that where two buildings are erected, one in the rear of another on a single lot, the water service line may be extended from one building to the other and, further provided that, in zoning districts permitting the construction of two or more principal dwelling structures per lot, the water service line servicing the lot may be extended from one principal dwelling structure to another principal dwelling structure on the same lot, but no lot upon which two or more principal dwelling structures share a water service line shall be subdivided until additional water service lines are installed, so that each lot of the proposed subdivision upon which a principal dwelling structure is located is served by at least one water service line directly from the main. The owner of any lot upon which one service line is to be installed for two or more principal dwelling structures shall, prior to connection, covenant in writing that the lot shall not be subdivided until additional service lines are installed so that each lot of the proposed subdivision upon which a principal dwelling structure is located is served by at least one service line, and shall pay the cost of recording the covenant with the county register of deeds.
(Code 1973, § 27-6; Code 2020, § 30-106; Ord. No. 3205-2/91; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-807. Connection to water main to be by licensed plumber.

No person other than a licensed plumber shall install, alter or repair any pipes, plumbing or fixtures connected to or tapped from any water mains in the city; and a licensed plumber shall do such work only after obtaining a permit from the plumbing inspector.
(Code 1973, § 27-7; Code 2020, § 30-107; Ord. No. 1910; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-808. Connection to private water supply prohibits.

(a) A private water supply shall not be connected to the public water system.

(b) No water piping supplied by any private supply system shall be connected to any other source of supply without the approval of the plumbing inspector.
(Code 2020, § 30-108; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-809. Protection of water distribution and service pipes from freezing; curbstops.

Water distribution pipes and water service pipes shall be protected from freezing. Water service pipes shall be laid at a depth of not less than five feet below finish grade. An all-brass, plug-type, round-way curbstop with T handle shall be placed in the water service at the property line. A stop box shall be installed at the curbstop, with the top of the box level with the finish grade.
(Code 2020, § 30-109; Ord No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-810. Outdoor swimming pools.

Outdoor swimming pools shall have the bottom and inner sides constructed of smooth nonabsorbent materials and be so constructed as to be properly drained through one or more metal grated openings. All such drains shall have a gate valve installed therein located in an accessible place or masonry pit outside the walls of the pool. Wastewater from any filter, scum gutter, overflow, pool emptying line or similar apparatus or appurtenance shall discharge into an approved type of receptor. The floor rim of each such receptor shall be at least six inches above the floor level of the adjacent ground. The discharge outlet terminal from any pool or filter shall be protected from backflow by an air-gap at least six inches above the flood rim of the receptor; except that the scum gutter drain, overflow drain, backwash discharge drain or pool-emptying line may enter the receptor below the rim of the pool piping if, at its deepest point, the bottom of the filters and the bottom of the scum gutter drain trough or overflow outlets are at least six inches above the overflow rim of the receptor.
(Code 2020, § 30-110; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-811. Indoor swimming pools.

Plans and specifications for all indoor swimming pools shall be submitted to the plumbing inspector for approval prior to commencement of any work, and all piping, equipment and construction shall be equal to the types prescribed for indoor work.
(Code 2020, § 30-111; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-812. Water meter installation.

(a) Water meters shall be installed in a horizontal (not vertical) position as near as practical to the point where the service enters the building, and shall be so located as to be readily accessible for examination, reading and replacement. A water meter shall not be placed where it will be subjected to excessive corrosion. There shall be a hand shutoff valve installed immediately upstream and downstream on all water meters.

(b) Except for a water service only providing water for yard irrigation, water meters 1 ½-inches and larger shall also have a bypass line and a hand-operated bypass valve. The hand-operated bypass valve must be the same size as the water service and must be lockable.
(Code 2020, § 30-112; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014; Ord. No. 4701, § 1, 5-23-2022)

Sec. 8-813. Water heaters.

(a) *Shutoff valve.* Water heaters shall have a shutoff valve on the cold-water inlet pipe.

(b) *Connections.* Pex tubing shall not be installed within the first 12 inches of piping connected to a water heater.
(Code 2020, § 30-113; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-814. Materials.

All materials used in plumbing work in the city shall conform to the following specifications and requirements:

(1) *Solder, flux and pipe.* Solder and flux used in water supply systems must contain not more than two-tenths of a percent lead. Pipe and pipe fittings used in water supply systems must contain not more than eight percent lead.

(2) *Quality.* All materials used in any drainage or plumbing system, or part thereof, shall be free from defects. No used pipe or fittings on new or remodel jobs will be permitted.

(3) *Cast iron pipe.* Cast iron pipe and fittings shall be what is commercially known as standard or as extra heavy, and shall be coated with asphaltum or coal tar pitch.

(4) *Wrought iron pipe.* All wrought iron pipe and steel pipe shall not be lighter than standard weight and shall be galvanized.

(5) *Copper tubing.* Copper tube for underground piping and water services shall have a weight of not less than Type K. Copper tube for above-ground draining and vent piping shall have a weight of not less than that of copper drainage tube Type DWV. Copper tube for water piping above ground shall have a weight of not less than that of copper water tube Type L. When three-inch copper or three-inch plastic is used for waste, four-inch cast iron or four-inch plastic must be used for all underground rough-ins up to and including the cleanout. Ferrule shall be used on all copper-to-iron and plastic-to-iron connections.

(6) *Plastic water pipe.* The underground plastic water service lines shall meet the following specifications:

a. *The underground plastic water service.*

1. One inch through two inches in diameter may be used in lieu of copper tube lines, subject to meeting the following:

(i) AWWA C 901 requirements;

(ii) ASTM D 2737 standards; and

(iii) Requirements and standards listed by NSF International for potable water.

2. With the exception being the pressure class, and it shall not be less than that of 200 psi; it shall be OD based on one inch through two inches conforming to the outside diameter of copper tubing.

b. *Fittings for underground plastic water services.* One-inch through two-inch fittings shall only be of brass pack joints and shall conform to AWWA Standard ASTM B62-Index 115-85-5-5. No plastic fittings or brass flared will be allowed.

c. *PVC required for plastic underground water service.* Plastic underground water service of four-inch, six-inch and eight-inch diameter shall be polyvinyl chloride pipe (PVC). The PVC pipe shall conform to the latest revision of AWWA C900A-92 and be subject to the following conditions:

1. All PVC water service pipe shall conform to the latest revision of C900A-92 and shall have a minimum DR 14 (200 psi class). All pipe connections shall be bell and socket or by mechanical joint when connecting PVC to cast iron ductile iron pipe fittings.

2. All fittings and transitions shall conform to all applicable ordinances. Fittings for four-inch, six-inch and eight-inch shall be 250# mechanical joint; and all joint sockets, socket flanges, packing glands, gaskets and bolts shall conform to AWWA specification C111-72 (ANSI A21.11-1972), American National Standards for rubber gaskets, joints for cast iron, pressure pipe and fittings and subsequent revisions.

3. All taps to PVC pipe of auxiliary service lines of two inches and smaller shall be Ford brass S90 style or Ford iron F202 style tapping saddles or approved equal.

4. Installation of underground plastic water services. Installation of all underground plastic water services shall have a number 14 gauge insulated copper wire attached to the corporation cock and run to the curbstop and up to the top of the stop box, and from the stop box to the shutoff valve inside of the building. The wire shall be taped to the service prior to the backfilling.

d. *Thrust blocks.* All thrust blocks shall be installed in accordance with the drawings on file in city hall. The class of concrete to be used for thrust blocks around fittings shall be the state's department of roads Class 47B or Type ABXF. All thrust blocks shall be cast in place.

e. *Cross-link polyethylene tubing.* Cross-link polyethylene tubing, three-eighths inch through two inches in diameter, may be used if it meets ASTM standards F876 and/or F877, and is certified to NSF standards 14 and 61. Only fittings designed and manufactured for this tubing shall be used with this tubing. This tubing may be installed and repaired only by installers who can demonstrate to the plumbing inspector that they have been trained and certified by the manufacturer of the tubing.

f. *Installation of plastic water services.* Installation of plastic water service shall have a number 14 gauge insulated copper wire attached to the corporation cock and run to the curbstop and up to the top of the stop box, and from the stop box to the shutoff valve inside of the building. The wire shall be taped to the service prior to backfilling.

g. *Grounding.* Grounding of electrical services when plastic water services are installed shall be as follows:

1. *New installations.* If a metal underground water pipe in direct contact with the earth for ten feet or more is not available on the premises, supplemental electrodes shall be provided. One shall be a rod or pipe electrode as specified in NEC 250-83, and the others shall be as mandated in NEC 250-81. The interior metal water system shall be bonded to the service equipment enclosure.

2. *Replacement services.* The interior metal piping system will remain bonded to the service equipment. If there is not a ground rod already in use, an eight-foot rod shall be driven and connected to the service equipment. The grounding electrode system shall comply with NEC 250-81 and 250-84.

3. *General.* If the interior piping system is changed to plastic, any remaining metal piping shall be connected to the electrical service. If there are no metal piping systems, then the ground rod shall be the connection to the service.

4. *Inspection.* The city electrical inspector shall approve the installation after being satisfied that there is appropriate grounding.

h. *Fee.* The owner will pay an additional fee in accordance with the prevailing council fee resolution for having the plumbing and electrical inspectors make the foregoing inspections.

i. *Threaded fittings.* Plain screwed fittings shall be cast iron, malleable iron or brass of standard weight and dimensions. Drainage fittings shall be of cast iron, malleable iron or brass with smooth interior waterway, with threads tapped out of solid metal. All cast iron fittings used for water supply distributions shall be galvanized. All malleable iron fittings shall be galvanized.

j. *Grade of horizontal piping.* All horizontal piping shall be run in practical alignment and at a uniform grade of not less than one-eighth of an inch per foot, and shall be supported or anchored at intervals not to exceed ten feet. All stacks shall be supported at their base, and all pipes shall be rigidly secured. Soil pipe shall be supported or anchored at intervals, not to exceed five feet.

k. *Soil, waste and vent piping.* All main or branch soil, waste and vent piping within the building shall be of cast iron, galvanized steel, wrought iron brass, copper, or plastic, except that no galvanized steel, wrought iron or copper pipe shall be used for underground soil or waste pipes. Any fittings used below the water line and trap are to be recessed cast iron drainage fittings, or ABS or PVC DWV Schedule 40 plastic drainage fittings. See also section 52-708.

l. *Traps, vents, revents.*

1. Traps for bathtubs, lavatories, sinks and other similar fixtures shall be brass, cast iron, galvanized malleable iron or ABS or PVC Schedule 40 or higher.

2. No form of trap which depends for its seal upon the action of moveable parts or concealed interior partitions shall be used for fixtures. A cast iron, wrought iron or brass trap will be permitted, provided it has a three-inch seal.

m. *Mobile home drainage and vent systems.* Pipe and fittings for the drainage and vent systems shall be as follows:

1. Copper tube with sweated joints, drainage type.
2. Galvanized steel, galvanized wrought iron or galvanized ferrous alloy.
3. ABS or PVS Schedule 40 or higher plastic.
4. Fittings for galvanized drainage systems shall have American National Standard taper threads, recessed type.
5. Fittings for galvanized vents may be galvanized, malleable or cast iron.

n. *Mobile home water piping.* Water piping shall be brass, copper, wrought iron, open-hearth iron, steel or copper tubing, Type L, with appropriate approved fittings. All ferrous pipes and fittings shall be galvanized.

o. *Solder, flux and pipe.* Solder and flux used in water supply systems must contain not more than two-tenths of a percent lead. Pipe and pipe fittings used in water supply systems must contain not more than eight percent lead.

(Code 2020, § 30-114; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-815. Workmanship.

Workmanship shall be of such character as to fully secure the results sought to be obtained in all of the sections of this article.

(Code 2020, § 30-115; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-816. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Lawn sprinkler installer means any individual, firm, partnership, or corporation engaged in the act of installing or connecting any apparatus or equipment intended to serve as an irrigation system or water supply other than by hose connections to existing faucets.

Water conditioning installation means only work incidental to the repair, replacement, relocation, removal, or complete installation of water conditioning appliances, including piping to hot- and cold-water lines for such purposes.

Water conditioning installer or contractor means any individual, firm, partnership or corporation engaged in the act of installing or connecting any apparatus or equipment designed to soften, filter, or change the mineral content of water to a water supply other than by hose connections to existing faucets.

(Code 2020, § 30-116; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-817. Union or disconnect required on water supply and waste lines.

(a) All fixtures and appliances installed shall have a union or means of disconnect on all water supply and waste lines, so that replacement of the fixture can be accomplished without alteration to the waste and supply system.

(b) All bathtubs and showers installed in buildings which contain more than one dwelling unit shall be equipped with either a pressure balancing or thermostatically-mixing scald prevention device which is designed and installed to prevent:

(1) Sudden unanticipated changes in the temperature of the water delivered; and

(2) The temperature of the water delivered from exceeding 115 degrees Fahrenheit.

(Code 2020, § 30-401; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-818. Location of water closet or urinal.

No water closet or urinal shall be located in any sleeping compartment or room where food is prepared, or in any room or apartment which does not contain a window placed in an external wall, or is not otherwise provided with proper mechanical ventilation carried through to the exterior of the building.

(Code 2020, § 30-402; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Secs. 8-819—8-838. Reserved.

DIVISION 2. PLUMBING INSPECTOR

Sec. 8-839. Qualifications; supervision; assistants; right of entry.

The plumbing inspector shall be a master plumber and shall act under the direction of the development services director, and shall have supervision of all plumbing installation work in the city, and shall perform such duties as are prescribed herein. Assistants to the plumbing inspector shall be appointed by the development services director after examination and recommendation by the civil service commission. Any assistant to the plumbing inspector shall have the same powers and duties as the plumbing inspector. The plumbing inspector shall have the authority to enter and inspect any buildings or any premises, at all reasonable hours, to ascertain if the provisions of this article or any ordinance relating to plumbing or appliance installations have been, or are being, violated or being complied with.

(Code 2020, § 30-201; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-840. Duties; records.

It shall be the duty of the plumbing inspector to inspect all plumbing installations in the city, including sewer services, all installations of new water services from mains to premises, and all repaired or replaced water services from the point of entry of the water service from the boundary of the public right-of-way downstream to the premises of the customer. It shall be the duty of the plumbing inspector to investigate all cases reported to or referred to the plumbing inspector

concerning imperfect material or workmanship on any job of plumbing work, of any violation of the provisions of this article by a plumber, builder or gasfitter, and to report such fault of violation to the development services director for further action. It shall be the duty of the plumbing inspector to make inspections or any piping, installations or connections of any building or premises in order to ascertain whether or not plumbing appliances are properly installed. The plumbing inspector shall keep a complete record of all inspections and tests made by the plumbing inspector, except tests made on old work.
(Code 2020, § 30-202; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-841. Defective installations.

Whenever the plumbing inspector shall find an unsafe or unsatisfactory installation, the inspector shall tag the same and notify the installer immediately, if the job is a new installation. The installer shall notify the plumbing inspector within 48 hours after completion of the corrected changes or repairs and request a reinspection. If the same is not a new installation, the inspector shall notify the owner, agent, tenant or the one in charge of the premises to cause the same to be remedied within not more than ten days. Should the installer, owner, agent, tenant or one in charge of the premises fail to make such corrections, changes or repairs, or fail to notify the inspector to make a reinspection within ten days after receiving notification to comply therewith, they shall be considered maintaining an unsafe installation and violating this article. The inspector shall thereupon make a reinspection of the premises and report the findings to the development services director, who shall, in turn, cause action to be taken to secure compliance with this article.
(Code 2020, § 30-203; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-842. Prohibited acts.

It shall be unlawful for the plumbing inspector to engage in the business of plumbing or to perform any work as a plumber in the city during the term of office as plumbing inspector. The plumbing inspector shall not show discrimination between organized or unorganized union firms or corporations, and the inspector shall not solicit for union activity during normal working hours.
(Code 2020, § 30-204; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Secs. 8-843—8-862. Reserved.

DIVISION 3. INSPECTIONS

Sec. 8-863. Required generally; notice of approval of work.

All plumbing and fixtures shall be inspected by the plumbing inspector to determine that all of the requirements of this article have been met, and that the installation and construction of the system is in accordance with the plans, building and plumbing permits. An inspection shall be made after the roughing-in has been completed, and again on completion of the job. No person shall cover or conceal from view any plumbing work in the city so as to prevent a proper inspection thereof until after the work has been inspected by the plumbing inspector, and the plumbing inspector has placed a notice on the work stating that the plumbing work has been inspected and approved. The inspector

shall, after inspecting and approving the roughing-in or any plumbing work, place therein a notice stating that the plumbing work has been inspected and approved. Whenever any plumbing work has been covered or concealed by lathing, plastering, flooring or otherwise, before the plumbing inspector has inspected it, the contractor shall, upon request of the plumbing inspector, remove any construction necessary in order to make a proper inspection.
(Code 2020, § 30-301; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-864. Tests of roughing-in plumbing.

All tests of roughing-in plumbing shall be made to finish floor and wall lines, and shall be made with water or with air. If the test is to be made with water, the entire system of plumbing shall be filled with water to the top of the highest vent pipe on the roof. If the test is to be made with air, it shall be made under a pressure of not less than ten pounds to the square inch. All tests shall be made by the plumber in charge of work, in the presence of the plumbing inspector, and maintained for a sufficient length of time to allow the inspector to make a thorough and complete examination of the work. Any defective material or workmanship found on the job shall be removed at the expense of the plumber having charge of the work and shall be replaced with the proper kind of material and workmanship and retested. When it is necessary to cover over ground before all of the roughing-in is ready for inspection, the plumbing inspector shall be notified and a test made by filling the plumbing with water under a pressure that will be equal to a ten-foot stand pipe filled to the top. Where ground work is to be connected to the sewer, a suitable fitting shall be left in the main soil pipe not more than one foot from where the main soil pipe enters the building, so that a testing plug can be inserted.
(Code 2020, § 30-302; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-865. Final inspection.

The final inspection shall be made within ten days after the setting of fixtures and the completion of any plumbing work and before the city water is permanently turned on.
(Code 2020, § 30-303; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-866. Request for inspection.

Each request for inspection shall be made at the office of the plumbing inspector by the plumber in charge of the work not less than eight working hours in advance of the inspection. The plumber in charge of the work shall make sure that the work will stand the test prescribed before requesting inspection.
(Code 2020, § 30-304; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

ARTICLE IX. FUEL GAS

DIVISION 1. GENERALLY

Sec. 8-901. Applicability of article.

(a) The provisions of this division through division 3 of this article, and chapter 20, shall apply only to low-pressure (not in excess of one-half pound per square inch) gas piping systems in buildings, extending from the gas meter outlet to the inlet connections of appliances, and the installation and

operation of residential and commercial gas appliances supplied through such systems by public utilities. They are intended to cover the design, fabrication, installation, tests and operation of such systems for fuel gases such as natural gas, manufactured gas, liquefied petroleum gas-air, or mixtures thereof. They are not intended to cover systems distributing undiluted liquefied petroleum gas. They are also not intended to cover systems or portions of systems supplying equipment engineered, designed and installed for specific manufacturing, production processing and power generating applications, such as large and high-pressure boilers, melting and treating furnaces, production ovens, etc. For piping in gas distribution systems, in gas manufacturing plants, in compressing stations and in gas processing plants, refer to the latest edition of Code of Pressure Piping, A.S.A. B31.1.

(b) In applying these regulations, reference should also be made to the manufacturer's instructions, gas department regulations and the city building code, plumbing code and other codes in effect in the area in which the installation is made.
(Code 1973, § 16-1; Code 2020, § 30-901; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-902. Standards for gas appliances and gas piping.

The publication entitled National Fuel Gas Code, 2018 edition, published by the National Fire Protection Association, identified as NFPA No. 54, a copy of which is on file in the office of the city clerk, is hereby adopted and incorporated into this article as though set out herein in full. In the event of any conflict between such publication and the provisions of this Code, the provisions of this Code shall govern.
(Code 1973, § 16-2; Code 2020, § 30-902; Ord. No. 3691-7/99; Ord. No. 3896-5/2003; Ord. No. 4147-10/2007; Ord. No. 4217-5/2009; Ord. No. 4417-12/2014; Ord. No. 4583-3/2019)

Sec. 8-903. Work on gas piping containing unmeasured gas.

(a) *Permission required.* No person, unless in the employ of the gas department or having permission from the gas department, shall open or make connections with a gas main.

(b) *Service pipe.* No person, unless in the employ of the gas department or having permission from the gas department, shall repair, alter, open or make connection to the service pipe, or do any other work on the parts of the gas supply system, up to and including the meter.

(c) *Gas department's meter.* Meters shall be located on the outside in all districts, unless such requirement is waived by the gas inspector and utilities department. Where possible, they shall also be located outside in the fire zone. No person, unless in the employ of the gas department or having permission from the gas department, shall disconnect the inlet of the gas meter, nor move the meter. A gasfitter may disconnect the outlet of a meter from the house piping only when necessary. The gasfitter shall remake the joint at the meter outlet and shall leave the meter turned off unless permission is obtained from the gas department to do otherwise.

(d) *Notification of gas department of any repairs needed.* In case any work done by a gasfitter discloses the need for repairs or alterations on any part of the supply system containing unmeasured gas, the gas department shall be notified promptly of this fact.

(e) *Notification of gas department of any leaks.* If gas is leaking from any part of the gas supply system containing unmeasured gas, a gasfitter or plumber not in the employ of the gas department may make necessary temporary repairs and shall promptly notify the gas department.
(Code 1973, § 16-3; Code 2020, § 30-903; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-904. Qualified installing agency.

Installation and replacement of gas piping or gas appliances and repair of gas appliances shall be performed only by a qualified installing agency. The term "qualified installing agency" means any individual, firm, corporation or company which, either in person or through a representative, is engaged in and is responsible for the installation or replacement of gas piping on the outlet side of the gas meter, or the connection, installation or repair of gas appliances within a building, and who is experienced in such work, familiar with all precautions required and who has complied with all the requirements as to qualification, registration, licensing, etc., of the city.
(Code 1973, § 16-4; Code 2020, § 30-904; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-905. General rules governing installations.

(a) *Turn gas off.* All gas piping or gas appliance installation shall be performed with the gas turned off to eliminate hazards from leakage of gas.

(b) *Notification of interrupted service.* It shall be the duty of the installing agency, when the gas supply is to be turned off, to notify all affected consumers.

(c) *Checking pilots, burners, etc.* Before turning off the gas at the meter for the purpose of installation, repair, replacement, or maintenance of piping or appliances, all burner and pilot valves on the premises supplied with gas through the meter shall be turned off, and the meter test hand observed for a sufficient length of time to ascertain that there is no gas passing through the meter. Where there is more than one meter on the premises, precautions shall be exercised to ensure that the proper meter is turned off.

(d) *Checking for gas leaks.* No matches, candles, flames, or other sources of ignition shall be employed to check for gas leakage from meters, piping, or appliances. Checking for gas leakage with a soap and water solution by a contractor is recommended, but the city's MSA gas port gas tester or equivalent shall mandate the repair or replacement for all leaks found.

(e) *Use of lights.* Artificial illumination used in connection with a search for gas leakage shall be restricted to electric hand flashlights (preferably of the safety type) or approved safety lamps. In searching for leaks, electric switches should not be operated. If electric lights are already turned on, they should not be turned off.

(f) *Working alone.* An individual shall not work alone in any situation where accepted practice dictates that two or more people are necessary to perform the work safely.

(g) *Handling of liquid from drips.* Liquid which is removed from a drip in existing gas piping shall be handled with proper precautions and shall not be left on the consumer's premises.

(h) *No smoking.* When working on piping which contains or has contained gas, smoking shall not be permitted.

(i) *Handling flammable liquids.* Flammable liquids used by the installer shall be handled with proper precautions and shall not be left within the premises from the end of one working day to the beginning of the next.

(j) *Work interruptions.* When interruptions in work occur, the system shall be left in a safe and satisfactory condition.
(Code 1973, § 16-5; Code 2020, § 30-905; Ord. No. 1837; Ord. No. 2101; Ord. No. 3691-7/99; Ord. No. 4417-12/2014)

Sec. 8-906. Gas meter installation.

The following provisions covering the gas meter installation are included for the guidance of architects and building contractors when plans for the building piping are prepared. For further information, consult the gas department.

(1) Gas meters should be installed as near as practicable to the point where the service enters the building, and should be so located as to be readily accessible for examination, reading and replacement.

(2) The gas meter should not be installed in a small, unventilated or confined space.

(3) A gas meter should not be placed where it will be subjected to damage, such as in driveways, public passages, halls, coal bins, etc., or where it will be subjected to excessive corrosion.

(4) Gas meters should be located at a safe distance from equipment where there is an unguarded flame or the possibility of electric sparks. It is desirable to avoid extreme temperatures and sudden extreme changes in temperature.

(5) All piping from the point where the service enters the building to the meter should be exposed and accessible.
(Code 1973, § 16-6; Code 2020, § 30-906; Ord. No. 1837; Ord. No. 4417-12/2014)

Sec. 8-907. Liquid petroleum gas.

(a) Subject to the penalty prescribed by this Code, no installation for the handling and use of liquid petroleum gas will be permitted within the city unless:

(1) Installed by a plumber or gasfitter duly registered under this article; and

(2) Such installation is found to conform in all respects to the standards of the National Fire Protection Association Pamphlet 58, LP Gas Code, 2017 edition.

(b) Liquid petroleum cylinders and tanks used in the city shall comply with the following:

(1) No more than two cylinders, not exceeding 20 pounds each, shall be allowed per residence, except that campers, RVs or camper trailers that are permitted to be stored on the premises shall be permitted to have up to two 40-pound cylinders, provided they are mounted on and attached to the camper, RV, etc. by approved means.

(2) Cylinders and tanks shall be filled, handled and stored in accordance with NFPA 58, LP Gas Code, 2017 edition.

(3) Campers, camper trailers and mobile homes located in RV parks and mobile home parks shall be permitted to have not more than two 40-pound cylinders, provided they are mounted on and attached to the camper, RV, etc. by approved means.

(Code 1973, § 16-7; Code 2020, § 30-907; Ord. No. 1837; Ord. No. 4417-12/2014; Ord. No. 4583-3/2019)

Sec. 8-908. Interference with automatic safety equipment prohibited.

Any owner of a gas installation who has an installation which has been provided with automatic safety equipment, or any employee or agent of such owner, or any other person, who shall block open by manual means or in any manner whatsoever interfere with, or defeat the purpose of, such devices to function automatically in the interest of safety, shall be guilty of a misdemeanor within the terms of this Code and subject to its penalties, as in the case of a violation of any other of its terms or provisions.

(Code 1973, § 16-9; Code 2020, § 30-909; Ord. No. 1837; Ord. No. 4417-12/2014)

Sec. 8-909. Approved gas appliances required.

No person engaged in the business of handling gas appliances, nor the employees or representatives of such person, may install or connect for use any gas-designed furnace or boiler; any conversion burner, floor furnace, circulating forced air unit heater or any other space heater; any gas range, water heater, refrigerator, incinerator or any other gas-consuming appliance which has not been approved by the laboratories of the American Gas Association or affiliated testing laboratories.

(Code 1973, § 16-10; Code 2020, § 30-910; Ord. No. 1837; Ord. No. 4417-12/2014)

Sec. 8-910. Installation permit—Required.

It shall be unlawful for any person to engage in the handling of any gas-consuming appliance, either new or used, or in the installation of any gas piping connections, without first having applied at the office of the city gas inspector for a special permit. If the applicant is qualified, such permit will be issued upon payment of the appropriate fees.

(Code 1973, § 16-11; Code 2020, § 30-911; Ord. No. 1837; Ord. No. 4417-12/2014)

Sec. 8-911. Installation permit—Nonresident.

(a) The gas inspector shall require from any nonresident person performing a contract or completing a job within the jurisdiction of the city:

(1) Satisfactory evidence that the applicant is qualified; and

(2) A set of plans and specifications for the work to be performed.

(b) Any contractor whose business address is in other than the city will be considered a nonresident applicant.
(Code 1973, § 16-12; Code 2020, § 30-912; Ord. No. 1837; Ord. No. 2272; Ord. No. 2369; Ord. No. 3644-5/98; Ord. No. 4417-12/2014)

Sec. 8-912. Liability for installations by uncertified fitters.

It shall be unlawful for any person to cause or permit any job of gasfitting, or making any gas connection incident, to any property owned, managed or controlled by such person, unless the fitter performing such work has been certified as required by this Code, has received a permit from the city gas inspector for the particular work, and paid all applicable fees and occupation taxes. Any such person causing or permitting any work to be done in violation of the provisions hereof shall be guilty of a violation of this Code, and subject to the penalties provided for such violation.
(Code 1973, § 16-13; Code 2020, § 30-913; Ord. No. 1837; Ord. No. 3644-5/98; Ord. No. 4417-12/2014)

Secs. 8-913—8-932. Reserved.

DIVISION 2. GAS PIPING INSTALLATIONS

Sec. 8-933. Procedure prior to installation.

(a) It is recommended that before proceeding with the installation of a gas piping system, a sketch or plan be prepared showing the proposed location of the piping as well as the size of different branches. Adequate consideration should be given to future demands, and provisions made for added gas service. Before any final plans or specifications are completed, the gas inspector should be consulted.

(b) When an additional appliance is to be served through an extension of present piping, the capacity of the existing line shall be verified.
(Code 1973, § 16-14; Code 2020, § 30-1001; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-934. Piping to provide for proper meter location.

(a) A meter location shall be provided for the building or premises to be served and the location shall be such that the meter connections are easily accessible in order that the meter may be read or changed. Location, space requirements, dimensions and type of installation shall be acceptable to the gas department.

(b) Piping at multiple meter installations shall be plainly marked by a metal tag or other permanent means installed by the gasfitter or plumber, designating the part of the building being supplied.
(Code 1973, § 16-15; Code 2020, § 30-1002; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-935. Interconnections.

Where two or more meters are installed on the same premises but supply separate consumers, the piping systems shall not be interconnected on the outlet side of the meter.
(Code 1973, § 16-16; Code 2020, § 30-1003; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-936. Size of piping to gas appliances.

(a) *Generally.* Piping shall be of such size and so installed as to provide a supply of gas sufficient to meet the maximum demand without undue loss of pressure between the meter and the appliance or appliances. The size of gas pipe depends upon the following factors:

(1) Allowable loss in pressure from meter to appliance.

(2) Maximum gas consumption to be provided for.

(3) Length of pipe and number of fittings.

(4) Specific gravity of the gas.

(5) Diversity factor.

(6) In all cases, the line from the meter to the first major appliance shall have an inside diameter of at least one inch.

(b) *Pressure loss.* It is recommended that the pressure loss in any piping system from the gas meter to any appliance at the maximum probable gas demand not exceed 0.3 inch water column.

(c) *Gas consumption.* The volume of gas to be provided for, in cubic feet per hour, shall be determined, whenever possible, directly from the manufacturer's BTU ratings of the appliances which will be installed and the heating value of the gas to be used. In case the ratings of the appliances to be installed are not known, Table 8-936-1 is given to show the approximate consumption of average appliances of certain types in BTU per hour. To obtain the cubic feet per hour of gas required, divide the total BTU input of all appliances by the average BTU heating value per cubic foot of the gas. The average BTU per cubic foot of the gas in the area of the installation may be obtained from the local gas department.

Table 8-936-1. Approximate Maximum Gas Consumption for Some Common Appliances

Appliance	*Input BTU per Hour (Approx.)*
Range, domestic, 4 top burners and 1 oven burner	62,500
Range, domestic, 4 top burners and 2 oven burners	82,500
Range, domestic, 6 top burners and 2 oven burners	107,500
Hot plate or laundry stove, domestic, per burner	9,000
Room heater, domestic, radiant type, per single radiant	2,000
Room heater, domestic, radiant type, per double radiant	4,000
Water heater, automatic instantaneous	
Capacity	
4 gal. per minute	150,000
6 gal. per minute	225,000

Appliance	*Input BTU per Hour (Approx.)*
8 gal. per minute	300,000
Water heater, domestic, circulating or side arm	25,000
Refrigerator	2,500

For automatic storage water heaters and other appliances, the input should be determined from the manufacturer's rating.

(d) *Capacity of pipe.* Capacities of different sizes and lengths of pipe in cubic feet per hour, with a pressure drop of 0.3 inch of water column for gas of 0.60 specific gravity., are shown in Table 8-936-2. In using this table, no allowance for an ordinary number of fittings is necessary.

(e) *Diversity factor.* The diversity factor is the percentage of the total connected load in use at any one time, and is an important factor in determining the correct pipe size to be used in multifamily dwellings. It is dependent upon the number and kinds of gas appliances being installed. The local gas department or the gas inspector shall be consulted for the diversity factor to be used.

(f) *Extensions.* Extensions to existing piping shall conform to Table 8-936-2. Existing piping shall be converted to the proper size of pipe where necessary. On all new construction, a minimum of one-inch service pipe shall be run from the meter to the branch opening to the first major heating unit. Any replacement of a central heating plant will require an increase in the service line to a minimum of one inch.

Table 8-936-2. Capacity of Pipe of Different Diameters and Lengths in Cubic Feet per Hour with Pressure Drop of 0.3 Inches and Specific Gravity of 0.60

Length of Pipe (Ft.)	*Iron Pipe Size (IPS) Inches*									
	½	*¾*	*1*	*1 ¼*	*1 ½*	*2*	*3*	*4*	*6*	*8*
15	76	172	345	750	1,220	2,480	6,500	13,880	38,700	79,000
30	52	120	241	535	850	1,780	4,700	9,700	27,370	55,850
45	43	99	199	435	700	1,475	3,900	7,900	23,350	45,600
60	38	86	173	380	610	1,290	3,450	6,800	19,300	39,500
75		77	155	345	545	1,120	3,000	6,000	17,310	35,300
90		70	141	310	490	1,000	2,700	5,500	15,800	32,250
105		65	131	285	450	920	2,450	5,100	14,620	29,850
120			120	270	420	860	2,300	4,800	13,680	27,920
150			109	242	380	780	2,090	4,350	12,240	25,000
180			100	225	350	720	1,950	4,000	11,160	22,800
210			92	205	320	660	1,780	3,700	10,330	21,100
240				190	300	620	1,680	3,490	9,600	19,740
270				178	285	580	1,580	3,250	9,000	18,610
300				170	270	545	1,490	3,000	8,500	17,660
450				140	226	450	1,230	2,500	7,000	14,420
600				119	192	390	1,030	2,130	6,000	12,480

To convert the figures in Table 8-936-2 to capacities of another gas of different specific gravity, multiply the tabular values by the multipliers shown in Table 8-936-3.

Table 8-936-3. Multipliers to be Used with Table 2 when the Specific Gravity of the Gas is Other than 0.60

Specific Gravity	*Multiplier*
0.35	1.31
0.40	1.23
0.45	1.16
0.50	1.10
0.55	1.04
0.60	1.00
0.65	0.962
0.70	0.926
0.75	0.895
0.80	0.867
0.85	0.841
0.90	0.817
1.00	0.775
1.10	0.740
1.20	0.707
1.30	0.680
1.40	0.655
1.50	0.633
1.60	0.612
1.70	0.594
1.80	0.577
1.90	0.565
2.00	0.547
2.10	0.535

(Code 1973, § 16-17; Code 2020, § 30-1004; Ord. No. 1837; Ord. No. 2101; Ord. No. 2224)

Sec. 8-937. Gas pipe and material.

(a) Above-ground gas pipe and fittings shall meet all of the following specifications, unless otherwise approved by the gas inspector:

(1) Wrought iron or steel pipe and fittings shall comply with the American National Standards for wrought steel and wrought iron pipe, A.S.A. B36-10-1950. The connecting of pipe by welding is permissible. Cast iron and sweat fittings will not be permitted. Rubber hose connections, or fittings arranged for rubber hose connections, or flexible plastic connectors for gas heaters or similar appliances will not be allowed. Any variation from rule requires specific approval from the gas inspector.

(2) Gastite flexible gas piping and fitting or equivalent. Three-eighths inch through two inch may be used for interior use only if it meets ASTM Standards A240 Type 304, 321 stainless steel (TMH 1042). Jacket: tenite polyethylene with flame retardant ASTM E84 index flame 25, smoke 20 fittings three-eighths inch through two inch shall be (⅜) XRFTG-6 (½) XRFTG-8

(¾) XRFTG-11(1) XRFTG-16 (11/4) XRFTG-20 (11/2) XRFTG-24 (2) XRFTG-32. Material specifications: CA360 brass: protection devices striker plates 16-gauge AISI 1050 carbon steel hardened to Rc 45. Steel conduit 12-inch lengths floppy conduit: steel strip wound UL listed. Termination bracket ⅜-inch through two-inch L Brace-1 16-gauge galvanized steel. Tee and step-down tee fittings size ⅜-inch through two-inch CA360 brass manifold bracket Mbrace-1 16-gauge galvanized steel. Multi-port manifolds coated steel 4 port: welded IPS Schedule 40 Cast 4 port; ASTM A47 32510 malleable iron. Gastite flexible gas piping, or equivalent, shall be permitted for use with elevated pressure systems (one-half psi to five psi), except in single-family dwellings, two-family dwellings and townhouses. This tubing may be installed and repaired only by installers who can demonstrate to the gas inspector that they have been trained and certified by the manufacturer of the tubing.

(3) Heat fusion. Plastic pipe specifications are CTS high-density, SDR7, PE3408 polyethylene (PE) pipe per ASTM D2513.

(4) Corrosion protection tapes.

a. 3M Scotchrap 50 and 51 meet requirements of L-T-1512A.

b. Tapecoat heat tape, Tapecoat 20 meets ASTM-E-28, ASTM-0-5, ASTM-G-8.

(5) Viega MegaPressG Natural Fuel Gas Systems shall be approved for above-ground use only, in accordance with the following: Fittings: Cold press mechanical joint fitting shall conform to material requirements of ASTM A420 or ASME B16.3, and performance criteria ANSI/CSA LC4. Sealing elements for press fittings shall be HNBR. Sealing elements shall be factory-installed or an alternative supplied by the fitting manufacturer. Press ends shall have SC (Smart Connect™) feature design (leakage path). MegaPress fittings with the Smart Connect feature ensure leakage of liquids and/or gases from inside the system past the sealing element of an un-pressed connection. The function of this feature is to provide the installer quick and easy identification of connections which have not been pressed prior to putting the system into operation. Piping and fittings shall comply with CSA LC-4 and the latest edition of NFPA-54.

(b) Gas piping and fittings shall be clear and free from cutting burrs and defects in structure or threading and shall be thoroughly brushed and scale blown.

(c) Defects in pipe or fittings shall not be repaired. When defective pipes or fittings are located in a system, the defective pipe or fittings shall be replaced.

(d) When using piping materials and attaching any new pipe to any existing pipe, the utilities guidelines should be followed at all times. The utilities guidelines are attached as appendix A to the ordinance from which this section is derived.

(Code 1973, § 16-18; Code 2020, § 30-1005; Ord. No. 1837; Ord. No. 2101; Ord. No. 2230; Ord. No. 3691-7/99; Ord. No. 3952-6/2004; Ord. No. 4019-4/2005; Ord. No. 4417-12/2014)

Sec. 8-938. Pipe coating.

When in contact with material exerting a corrosive action, piping and fittings coated with a corrosion-resisting material shall be used.

(Code 1973, § 16-19; Code 2020, § 30-1006; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-939. Use of old pipe.

Pipe, fittings, valves, etc., removed from any existing installation shall not be again used until they have been thoroughly cleaned, inspected and ascertained to be equivalent to new material.
(Code 1973, § 16-20; Code 2020, § 30-1007; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-940. Joint compounds.

Joint compounds (pipe dope) shall be applied sparingly and only to the male threads of the joints. Such compounds shall be resistant to the action of LP gas-air mixtures.
(Code 1973, § 16-21; Code 2020, § 30-1008; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-941. Turning on gas.

(a) *Close all gas outlets.* Before turning gas under pressure into any piping, all openings from which gas can escape shall be closed.

(b) *Checking for leakage with meter.* Immediately after turning gas into the piping, the system shall be checked to ascertain that no gas is escaping. This can be done by carefully watching the test dial of the meter to determine whether gas is passing through the meter. To assist in observing any improvement of the test hand, wet a small piece of paper and paste its edge directly over the centerline of the hand as soon as the gas is turned on. Allow five minutes for a one-half foot dial and proportionately longer for a larger dial in checking for gas flow. This observation should be made with the test hand on the upstroke. In no case should a leakage test be made using a gas meter unless immediately prior to the test it has been determined that the meter is in operating condition.

(c) *Procedure in case test hand does not move.* In case careful observation of the test hand for a sufficient length of time reveals no movement, the pipe shall be purged and a small gas burner turned on and lighted and the hand of the test dial again observed. If this dial hand now moves (as it should) it will show that the meter is operating properly. If the test hand does not move or register the flow of gas through the meter to the small burner, it is certain that the meter is defective, and the gas should be turned off and the gas department notified.

(d) *Procedure in case meter test hand moves.* In case the test hand shows movement, all appliances or outlets supplied through the meter shall be examined to see if they are turned off and do not leak. If they are found tight, movement of the test hand will indicate that there is a leak in the piping system. The meter valve shall be turned off until the necessary repairs have been made, after which the test specified in subsection (b) of this section shall be repeated.
(Code 1973, § 16-22; Code 2020, § 30-1009; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-942. Purging.

(a) *Purge all gas lines.* After the piping has been checked, all piping receiving gas through the meter shall be fully purged. A suggested method for purging the gas line to an appliance is to disconnect the pilot line at the outlet of the pilot valve. Under no circumstances shall a line be purged into the combustion chamber of an appliance.

(b) *Light pilots.* After the piping has been sufficiently purged, all appliances shall be purged and the pilots lighted. The installer shall ensure that all piping and appliances are fully purged before leaving the premises.

(c) *Purging large lines with inert gas.* Lines of four-inch iron pipe or larger should be purged with carbon dioxide, nitrogen, or a mixture of the two.
(Code 1973, § 16-23; Code 2020, § 30-1010; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 8-943. Hydronic piping systems.

(a) *Scope.* The provisions of this division shall govern the construction, installation, alteration and repair of hydronic piping systems. This division shall apply to hydronic piping systems that are part of heating, ventilation, and air-conditioning systems. Such systems shall include hot water and ground source heat pump loop systems. Potable cold and hot water distributions systems shall be installed in accordance with the city plumbing code.

(b) *Certified installer.* All hydronic systems shall be installed by a certified installer, or a plumber or heating contractor.

(c) *Installation permit; required.* It shall be unlawful for any person to install a hydronic system without having first received a permit from the city gas inspector.

(d) *Pipe sizing.* Piping for hydronic systems shall be sized for the demand of the system.
(Code 2020, § 30-1011; Ord. No. 3877-10/2002; Ord. No. 4417-12/2014)

Sec. 8-944. Material.

(a) *Piping.* Piping material shall conform to the standards cited in this section.

(b) *Used materials.* Reused pipe, fitting, valves or other materials shall be clean and free of foreign materials and shall be approved by the code official for use.

(c) *Material rating.* Materials shall be rated for the operating temperature and pressure of the hydronic system. Materials shall be suitable for the type of fluid in the hydronic system.

(d) *Piping materials standards.* Hydronic pipe shall conform to the standards listed in Table 8-944-1. The exterior of the pipe shall be protected from corrosion and degradation.

(e) *Pipe fittings.* Hydronic pipe fittings shall be approved for installation with the piping materials to be installed and conform to the respective pipe standards, or to the standards listed in Table 8-944-2.

(f) *Valves.* Valves shall be constructed of materials that are compatible with the type of piping material and fluids in the system. Valves shall be rated for the temperatures and pressures of the systems in which the valves are installed.

(g) *Flexible connectors, expansion and vibration compensators.* Flexible connectors, expansion and vibration control devices and fittings shall be of an approved type.

(h) *Backflow device.* A reduced pressure principle type backflow device shall be installed by a certified backflow installer.

Table 8-944-1. Hydronic Pipe

Material	*Standard*
Brass pipe	ASTM B 43
Brass tubing	ASTM B 135
Copper or copper-alloy pipe (Type K)	ASTM B 42; ASTM B 302
Copper or copper-alloy tube (Type K)	ASTM B 75
Cross-linked polyethylene/aluminum/cross-linked polyethylene (PEX-AL-PEX) pressure pipe	ASTM F 128 CSA CAN/CSA-B-137.10
Cross-linked polyethylene (PEX) tubing	ASTM F 876; ASTM F 877
Steel pipe	ASTM A 53; ASTM A 106
Steel tubing	ASTM A 254

Table 8-944-2. Hydronic Pipe Fittings

Material	*Standard*
Bronze	ASME B 16.24
Gray iron	ASTM A 126
Malleable iron	ASME B 16.3
Steel	ASME B 16.5; ASME B 16.9; ASME B 16.11; ASME B 16.28; ASTM A 420

(Code 2020, § 30-1012; Ord. No. 3877-10/2002; Ord. No. 4417-12/2014; Ord. No. 4417-12/2014)

Sec. 8-945. Valves.

(a) *Heat exchangers.* Shutoff valves shall be installed on the supply and return side of a heat exchanger. Exception: Shutoff valves shall not be required when heat exchangers are integral with a boiler; or are a component of a manufacturer's boiler and heat exchanger packaged unit and are capable of being isolated from the hydronic system by the supply and return valves required.

(b) *Central systems.* Shutoff valves shall be installed on the building supply and return of a central utility system.

(c) *Pressure vessels.* Shutoff valves shall be installed on the connection to any pressure vessel.

(d) *Equipment and appliances.* Shutoff valves shall be installed on connections to mechanical equipment and appliances. This requirement does not apply to components of a hydronic system such as pumps, air separators, metering devices and similar equipment.

(e) *Relief valves.* Safety or relief valves shall be installed on the connection to any pressure vessel.

(1) *Pressure relief valves.* Pressure relief valves shall meet the ANSI standards and the ASME standards when required by the International Plumbing Code. The valves shall have a relief rating adequate to meet the pressure conditions in the equipment served and shall be installed in tank tapping. There shall be no shutoff valve between the pressure relief valve and the tank. The pressure relief valve shall be set to open at not less than 25 psi above the setting of any house water pressure regulating valve. The setting shall not exceed the tank-rated working pressure.

(2) *Temperature relief valves.* Temperature relief valves shall be of adequate relief rating, expressed in BTU/HR, for the equipment served, and shall be installed so that the temperature sensing element is immersed in the hottest water within the top six inches of the tank. The valve shall be set to open when the stored water temperature reaches a maximum of 210 degrees Fahrenheit. These valves shall conform to an approved standard and shall be sized so that when the valve opens, the water temperature cannot exceed 210 degrees Fahrenheit with the water heating equipment operating at maximum input.

(3) *Installation of relief valves.*

a. No check valve or shutoff valve shall be installed between any safety device and the hot water equipment protected, nor shall there be any shutoff valve, traps or dips in the discharge from a relief valve.

b. Relief valves shall be provided with copper or galvanized discharge pipe no smaller than the relief valve outlet tapping.

c. The outlet pipe shall discharge indirectly into a plumbing fixture approved for this purpose, floor drain approved for this purpose, sump pit, standpipe receptor or other approved point of discharge.

d. The discharge end of a discharge pipe shall not be threaded.

e. The discharge pipe shall terminate within six inches above, and turn down into, the approved point of discharge.

f. In addition to all other requirements, if the relief outlet discharge piping is installed so that it leaves the room or enclosure in which the water heater and relief valve are located, there shall be an air-gap installed before or at this point of leaving the room or enclosure.

(4) *Relief valve replacement.* When water heaters are replaced, the temperature relief valve and the pressure relief valve, or the combination temperature and pressure relief valve, shall also be replaced. The safety device shall not be reused.

(Code 2020, § 30-1013; Ord. No. 3877-10/2002; Ord. No. 3902-6/2003; Ord. No. 4417-12/2014)

Sec. 8-946. Pipe installation.

(a) *General.* Piping, valves, fittings and connections shall be installed in accordance with the conditions of approval.

(b) *Prohibited tee applications.* Fluid in the supply side of a hydronic system shall not enter a tee fitting through the branch opening.

(c) *System drain down.* Hydronic piping systems shall be designed and installed to permit the system to be drained. When the system drains to the plumbing drainage, the installation shall conform to the requirements of the city plumbing code.

(d) *Protection of potable water.* The potable water system shall be protected from backflow.

(e) *Pipe penetrations.* Openings for pipe penetrations in walls, floors or ceilings shall be larger than the penetrating pipe. Openings through concrete or masonry building elements shall be sleeved. The annular space surrounding pipe penetration shall be protected.

(f) *Contact with building material.* A hydronic piping system shall not be in direct contact with building materials that cause the piping material to degrade or corrode, or that interfere with the operation of the system.

(g) *Strains and stresses.* Piping shall be installed so as to prevent detrimental strains and stresses in the pipe. Provisions shall be made to protect piping from damage resulting from expansion, contraction, and structural settlement. Piping shall be installed so as to avoid structural stresses or strains within building components.

(h) *Flood hazard.* Piping located in a flood hazard zone or high hazard zone shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy during the occurrence of flooding to the base flood elevation.

(i) *Condensation.* Provisions shall be made to prevent the formation of condensation on the exterior of piping.
(Code 2020, § 30-1014; Ord. No. 3877-10/2002; Ord. No. 4417-12/2014)

Sec. 8-947. Transfer fluid flash point.

The flash point of transfer fluid in a hydronic piping system shall be a minimum of 50 degrees Fahrenheit (28 degrees Celsius) above the maximum system operating temperature.
(Code 2020, § 30-1015; Ord. No. 3877-10/2002; Ord. No. 4417-12/2014)

Sec. 8-948. Tests.

(a) *General.* Hydronic piping systems, other than ground source heat pump loop systems, shall be tested hydrostatically at 1 ½ times the maximum system design pressure, but not less than 100 pounds per square inch (psi) (689 kPa).

(b) *Ground source heat pump loop systems.* Before connection (header) trenches are backfilled, the assembled loop system shall be pressure tested with water at 100 psi (689 kPa) for 30 minutes with no observed leaks. Flow and pressure loss testing shall be performed, and the actual flow rates and pressure drops shall be compared to the calculated design values. If actual flow rate or pressure drop differs from calculated design values by more than ten percent, the problem shall be identified and corrected.
(Code 2020, § 30-1016; Ord. No. 3877-10/2002; Ord. No. 4417-12/2014)

Sec. 8-949. Embedded piping.

(a) *Materials.* Piping for heating panels shall be standard-weight steel pipe, Type K copper tubing, polybutylene or other approved plastic pipe or tubing rated at 100 psi (689 kPa) at 180 degrees Fahrenheit (82 degrees Celsius). See Tables 8-924-1 and 8-924-2.

(b) *Pressurizing during installation.* Piping to be embedded in concrete shall be pressure tested prior to pouring concrete. During pouring, the pipe shall be maintained at the proposed operating pressure.
(Code 2020, § 30-1017; Ord. No. 3877-10/2002; Ord. No. 4417-12/2014)

Sec. 8-950. Electrical bonding and grounding.

All natural gas piping systems shall be bonded and grounded in accordance with Figures 8-950-1, 8-950-2, 8-950-3 and the following:

(1) Gas piping shall be in compliance with the National Electrical Code (NEC) provisions for bonding and grounding systems.

(2) Gas piping on the customer side of the meter shall be permanently and directly connected to a ground rod, footing ground or foundation ground.

(3) A footing or foundation ground shall be provided on new construction.

(4) Up to five services may be hooked to one ground rod, footing ground or foundation ground.

(5) No electrical service equipment may be connected to the gas piping grounding system.

(6) All components of a bonding system shall be UL listed.

(7) Ground rods shall be eight foot long by half-inch diameter.

(8) The bonding conductor shall be:

a. #6 AWG copper wire, for pipe up to and including two-inch diameter.

b. #4 AWG copper wire, for pipe larger than two-inch diameter.

c. #6 AWG copper wire, for ground rods.

d. #4 AWG copper wire, for footing or foundation grounds.

(9) No bonding system shall directly connect to any CSST tubing. For attachment to the CSST gas piping system, a single bonding clamp shall be attached to any one of the following:

a. The brass fitting.

b. A steel manifold.

c. Any rigid pipe component.

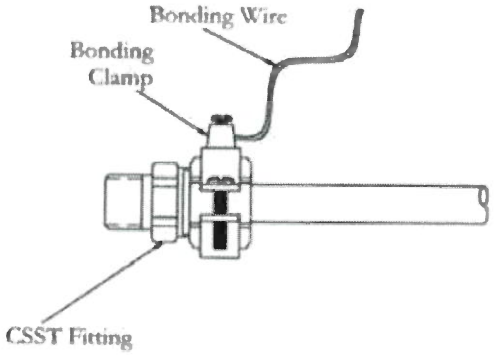

Figure 8-950-1

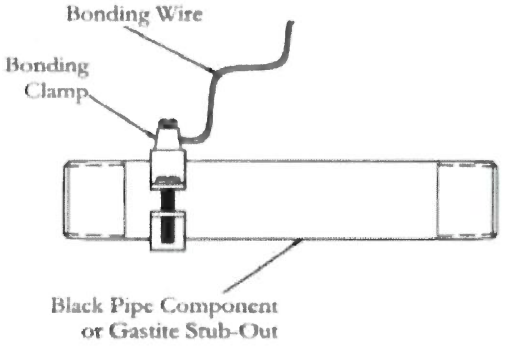

Figure 8-950-2

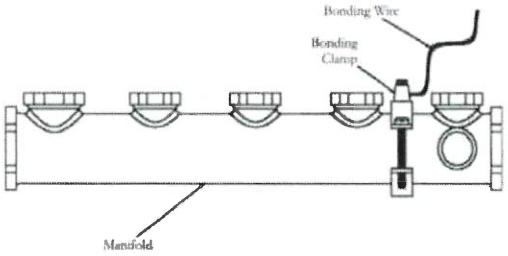

Figure 8-950-3

(Code 2020, § 30-1018; Ord. No. 4147-10/2007; Ord. No. 4417-12/2014)

Secs. 8-951—8-970. Reserved.

DIVISION 3. GAS INSPECTOR

Sec. 8-971. Office created; powers generally; assistants.

There is hereby created and established the office of the gas inspector. The gas inspector shall act under the direction of the city engineer and shall have supervision of all gas installation work in the city, and shall perform such duties as are hereinafter prescribed. The inspector shall have such assistants as may be necessary. The city engineer shall make the final decision on all applicants recommended for this office. Any such assistant shall have the same powers and duties as the gas inspector.
(Code 1973, § 16-78; Code 2020, § 30-1201; Ord. No. 1837; Ord. No. 4417-12/2014)

Sec. 8-972. Duties generally.

It shall be the duty of the gas inspector to inspect all gas distribution from the outlet side of the meter, excluding gas mains, and all gas installation in the city, and to investigate all cases reported to or referred to the inspector of the use of imperfect material or workmanship on any job of gas work, or the violation of the provisions of this article by a plumber, builder or gasfitter, and to report such fault or violation to the city engineer for further action.
(Code 1973, § 16-79; Code 2020, § 30-1202; Ord. No. 1837; Ord. No. 4417-12/2014)

Sec. 8-973. Inspections required generally; correction of defective installations.

(a) It shall be the duty of the gas inspector to make inspections of any gas piping, appliance installations or connections at the request of the installer, department head, owner, agent, tenant or occupant of any building or premises where the gas piping work is located, in order to ascertain whether or not the gas piping or appliances in the building or premises are in a safe condition. The gas inspector shall have the authority to enter any building or upon any premises at all reasonable hours to ascertain if the provisions of this article or any ordinance relating to gas piping or appliance installations has been, or are being, violated or being complied with. Should the gas inspector, upon making such an inspection as requested by an installer, owner, agent, tenant or department head, find an unsafe or unsatisfactory installation, the inspector shall have the authority to shut off the appliance or service at the meter, depending on the seriousness of the conditions, as determined by the inspector; tag the same; and shall notify the:

(1) Installer immediately, if the job is a new installation; and

(2) The owner, agent, tenant or one in charge of the property to cause the same to be remedied within a specified time and not exceeding ten days, if the same is not a new installation.

(b) Should the installer, owner, agent, tenant or one in charge of the premises fail to make such corrections, changes or repairs, or fail to notify the inspector to make a reinspection, within the specified time after receiving such notification to comply therewith, such person shall be considered maintaining an unsafe gas installation and violating the requirements of this article; and the inspector shall make a reinspection of the premises and report the findings to the city engineer, who shall, in turn, cause action to be taken in the proper court to secure compliance, and the penalties set forth

in this Code shall apply. It shall be the duty and the responsibility of the installer or one making the correction, changes or repairs to notify the inspector within 48 hours after completion of the correction, changes or repairs and request a reinspection.

(c) New work shall be designated as any piping or appliance installation that has been in operation one year or less.

(d) Old work shall be deemed to be any piping or appliance installation that has been operated more than one year.
(Code 1973, § 16-80; Code 2020, § 30-1203; Ord. No. 1837; Ord. No. 4417-12/2014)

Sec. 8-974. Inspection of new installations.

(a) All gas piping and fixtures of gas installation shall be inspected by the gas inspector to ensure compliance with all the requirements of this article, and the installation and construction of the system in accordance with the approved plans and the permits.

(b) Requests for inspection shall be made at the office of the gas inspector by the gasfitter or gas appliance installer not less than eight working hours in advance of inspection.

(c) An inspection fee will be charged for each gas appliance unit inspected, as set forth in the fee resolution.

(d) If the plan submitted complies with this article in all respects, upon payment of the inspection fee, the gas inspector shall issue a permit for the installation thereof. Any installation completed for which a permit has not been taken will be inspected, and a permit fee triple the rate shown will be assessed against the installer.

(e) A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete, or when corrections called for are not made.

(f) This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

(g) Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date and time for which inspection is requested, or for deviating from plans requiring the approval of the building inspector.

(h) In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.
(Code 1973, § 16-81; Code 2020, § 30-1204; Ord. No. 1837; Ord. No. 2775; Ord. No. 4106-10/2006; Ord. No. 4106-10/2006; Ord. No. 4417-12/2014; Ord. No. 4767, § 4, 7-22-2024)

Sec. 8-975. Records and reports of inspections and tests.

The gas inspector shall keep a complete record of all inspections and tests made by the gas inspector as such inspector and make such reports as may be required by superintendents of other departments; except that it shall not be necessary to report the tests made on old work.
(Code 1973, § 16-82; Code 2020, § 30-1205; Ord. No. 1837; Ord. No. 4417-12/2014)

ARTICLE X. PROPERTY MAINTENANCE

Sec. 8-1001. International Property Maintenance Code adopted.

The International Property Maintenance Code, 2018 edition, including appendix chapter A, as published by the International Code Council, Inc., is hereby adopted as the minimum property maintenance code of the city regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the city, providing for the issuance of permits and collection of fees therefor. Each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, insofar as such code does not conflict with the statutes of the state or other specific model codes adopted by the city with the additions, insertions, deletions and changes, if any, as prescribed herein. One copy of the International Property Maintenance Code is on file at the office of the city clerk and is available for public inspection at any reasonable time. The provisions of the International Property Maintenance Code shall be controlling throughout the city and throughout its extraterritorial zoning jurisdiction. The following sections of the International Property Maintenance Code are hereby revised:

Section 101.1. Insert: "City of Hastings."

Section 102.3. Amend to read: "Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy shall be done in accordance with the procedures and provisions of the currently adopted edition of the International Building Code, International Residential Code, International Mechanical Code, city electrical code, city plumbing code, city gas code, and the city zoning ordinance. Nothing in this code shall be construed to cancel, modify or set aside any provision of the city zoning ordinance or Hastings City Code."

Section 103.1. Amend to read: "General. The development services department shall oversee the administration of this code. The building inspector shall be the executive official in charge thereof and shall hereinafter be referred to as the code official."

Sections 103.2 through 103.3. Delete entirely.

Section 103.5. Amend to read: "Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be in accordance with the annual fee resolution adopted by the city council."

Section 111.2. Amend to read: "Board of appeals. In order to hear and decide appeals of orders or determinations made by the building official relative to the application and interpretation of this code, all appeals and requests for interpretation shall be directed to the board of appeals in accordance with chapter 8, article VI, of the Hastings City Code."

Sections 111.2.1. through 111.2.5. Delete entirely.

Sections 111.3. through 111.8. Delete entirely.

Section 112.4. Insert: "$0.00, $500.00."

Section 302.4. Insert: "6 inches."

Section 304.14. Amend to read: "Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swing door shall have a self-closing device in good working condition. Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed."

Section 602.3. Amend to read: "Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either express or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms. Exception: When the outdoor temperature is below the winter design temperature of -3 Fahrenheit (-19 Celsius), maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity."

Section 602.4. Amend to read: "Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat to maintain a temperature of 68 degrees Fahrenheit (20 degrees Celsius) during the period the spaces are occupied. Exceptions:

a. Processing, storage and operation areas that require cooling or special temperature conditions.

b. Areas in which persons are primarily engaged in vigorous physical activities."

(Code 2020, § 40-101; Ord. No. 3878-10/2002; Ord. No. 4126-6/2007; Ord. No. 4249-3/2010; Ord. No. 4442-6/15; Ord. No. 4583-3/2019; Ord. No. 4605-9/2019)

ARTICLE XI. TELEVISION ANTENNAS

Sec. 8-1101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Antenna means the outdoor portion of the receiving equipment used for receiving television or radio waves from space.

Building inspector means the building inspector of the city, or any authorized assistants.

Height means the overall vertical length of the antenna system above the ground or, if such system is located on a building, then above that part of the level of such building upon which the system rests.

Mast means the portion of the outside antenna system to which the antenna is attached, and the support or extension required to elevate the antenna to a height deemed necessary for adequate operation.
(Code 1973, § 36-1; Code 2020, § 33-101)

Sec. 8-1102. Application of article to existing antennas.

Any television antenna erected prior to the effective date of the ordinance from which this article is derived may be maintained and operated in its present location, unless any such antenna is so constructed and maintained as to be unsafe and dangerous, as determined by the building inspector, as provided in section 8-1103.
(Code 1973, § 36-2; Code 2020, § 33-102)

Sec. 8-1103. Inspections generally.

(a) It shall be the duty of the building inspector and authorized assistants to inspect all television and radio receiving antennas to ascertain if the work has been done in a professional manner, and to investigate all complaints from the general public pertaining to the antenna installations and interference caused thereby.

(b) The building inspector and assistants are hereby empowered to inspect or reinspect any wiring, equipment or apparatus conducting or using electric current for radio and television receiving service in the city, and if conductors, equipment or apparatus are found to be unsafe to life or property, or are not in conformity with the provisions of this article, the building inspector shall notify the person owning or operating the hazardous wiring or equipment to correct the condition within a 48-hour period, or within the time the building inspector specifies. Failure to correct violations within the specified time shall constitute a violation of this Code.
(Code 1973, § 36-4; Code 2020, § 33-103)

Sec. 8-1104. Specifications generally.

(a) Mast and antennas shall be designed and installed in such a manner as to withstand a load of one-half inch of radial ice and resist a wind pressure of 16 pounds per square foot on the ice-loaded antenna and appurtenances.

(b) When a mast or antenna is installed on a roof, it shall be mounted on an approved base, securely anchored to the roof. Chimney mounts on single flue chimneys may be made with a strap completely around the chimney, provided the chimney is of sufficient size and in suitable condition. A chimney with less than a two-foot cross section is not suitable for an anchor mounting. Anchor screws for guys shall be securely fastened to rafters, beams or other substantial framing members.

(c) Every roof-mounted mast or antenna, including base, guys, anchors, turnbuckles and all other appurtenances, shall be of noncombustible material, and either corrosion resistant or adequately treated or painted to resist corrosion.

(d) Turnbuckles shall be used and securely locked against turning loose from vibration. Guy wires shall be not less than 33 seconds inch, six-strand cable or equivalent, galvanized. The attachment of guys to anchors, mast, turnbuckles or other fastenings with sharp corners or rough edges shall be made with adequate guy thimbles or equivalent.
(Code 1973, § 36-5; Code 2020, § 33-104)

Sec. 8-1105. Ground-supported antennas.

In the case of ground-supported antennas, a wooden pole may be used when the portion in contact with the ground is adequately treated with a satisfactory wood preservative. Pole steps shall not be installed closer than 7 ½ feet from the ground or other readily accessible place.
(Code 1973, § 36-6; Code 2020, § 33-105)

Sec. 8-1106. Grounding.

(a) Every antenna or mast shall be solidly grounded for protection against lightning discharge, using a ground conductor not smaller than No. 10 AWG copper wire or its approved equivalent ground rod. The ground rod shall be located a minimum of one foot from any foundation or other underground structure, and shall be driven vertically downward until the top is from three to six inches below the ground surface. The ground conductor leading from the house or other supporting structure shall be buried to a depth of six inches.

(b) Where artificial ground described in subsection (a) of this section is impractical, the building inspector may authorize an alternate.
(Code 1973, § 36-7; Code 2020, § 33-106)

Sec. 8-1107. Transmission lead-in conductors; height restrictions; specifications for masts.

(a) Transmission lead-in conductors shall be kept at least 24 inches clear of existing telephone or electric power wire, and be properly supported to prevent their swinging into these conductors in case the transmission lead-in conductor should break. In no event shall the distance between supports exceed ten feet, except in the case of tower or pole-mounted antennas where the distance between the pole or tower and house exceeds ten feet. All lead-in conductors shall be adequately protected with approved type lightning arresters. When lead-in conductors of polytylene ribbon-type or any other type, except coaxial cable with grounded sheath, are used, lightning arresters shall be connected to each conductor.

(b) Antennas mounted on the roof or ground shall not exceed an overall height of 50 feet except by special permission of the building inspector.

(c) Antenna masts shall be a minimum of 16-gauge material, seamless, and 1 ¼-inch outside diameter. All antenna masts except those self-supporting 20 feet or less in height shall be supported by a minimum of one guy ring at each ten foot level.
(Code 1973, § 36-8; Code 2020, § 33-107)

ARTICLE XII. CONTRACTORS

Sec. 8-1201. Mechanical/plumbing advisory board.

(a) There is hereby created a mechanical/plumbing advisory board for plumbing, gas, and mechanical installers, hereafter called the mechanical/plumbing advisory board, which shall be comprised of the building official, city engineer, one licensed master plumber, one licensed master gas/mechanical installer, one member from the city council, all to be selected by the mayor and city council.

(b) The building official shall be the secretary of the mechanical/plumbing advisory board and shall have custody of all records. The mechanical/plumbing advisory board is hereby authorized to serve to advise the city council and city staff on matters related to the licensing of mechanical and plumbing installers and related review and recommendation of needed code changes. Each appointment shall be for a period of two years with the term of office to expire July 1 after the full two-year period has been served or, in the case of the city councilperson, until the term of office as councilperson ends, whichever comes first. Vacancies shall be filled by the appointive power to serve for the balance of the term of the member of the board whose position becomes vacant.
(Code 1973, § 16-83; Code 2020, § 30-1301; Ord. No. 1837; Ord. No. 2204; Ord. No. 2384; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1301), 3-11-2024)

Sec. 8-1202. Examination.

(a) *Certification requirements.* Before the applicant shall be certified as a master plumber, journeyperson plumber, master gasfitter, journeyperson gasfitter, master mechanical installer, journeyperson mechanical installer, water conditioner installer or contractor, or underground lawn sprinkler installer, as the case may be, they shall have a current valid license issued by a Nebraskan city of the first class or received a passing score from an ICC testing center for plumbing master, plumbing journeyperson, mechanical master, mechanical journeyperson, master gasfitter, journeyperson gasfitter, water softener installer and a lawn sprinkler installer. The applicant must then be reviewed by the mechanical/plumbing advisory board to verify the qualifications of the applicant. Upon payment of licensing fees, occupation tax, and filing proof of current certificate of insurance, the plumbing master, plumbing journeyperson, mechanical master, mechanical journeyperson, master gasfitter, journeyperson gasfitter, water softener installer and lawn sprinkler installer shall be registered by the development services department.

(b) *Utility contractors.* No examination shall be required of applicants for a utility contractor's certification provided that the holder of such certification shall comply with all applicable provisions of this article and any requirements of any contract with the city for the installation of service lines in conjunction with water mains and sewer mains upon public rights-of-way. An application for a utility

contractor's certification shall be reviewed by the city engineer or a designated representative, who shall, upon completion of such review, issue a utility contractor's certification to any individual who has complied with all applicable provisions of this article and any requirements of any contract with the city for the installation of service lines in conjunction with water mains and sewer mains upon public rights-of-way.

(c) *Experience requirements.*

(1) *Master plumber, mechanical installer, or gasfitter.* Applicant shall have worked under the applicable supervision of a master plumber, mechanical, or gasfitter for a period of a minimum of two years, after having obtained a journeyperson's plumber, mechanical installer, or gasfitter license.

(2) *Journeyperson plumber, mechanical installer, or gasfitter.* Applicant shall have worked under the applicable supervision of a master or journeyperson plumber, mechanical installer, or gasfitter for a minimum period of two years.

(3) *Apprentice.* Applicant shall be an employee of a master plumber, mechanical installer, or gasfitter.

(Code 1973, § 16-84; Code 2020, § 30-1302; Ord. No. 1837; Ord. No. 2264; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1302), 3-11-2024)

Sec. 8-1203. Certification—Required.

(a) No person shall hereafter engage in or work at the business, trade, or calling of a master plumber, journeyperson plumber, master gasfitter, journeyperson gasfitter, master mechanical installer, journeyperson mechanical installer, water conditioning installer or contractor, or an underground lawn sprinkler installer in the city until they shall have been certified as a master plumber, journeyperson plumber, master gasfitter, journeyperson gasfitter, master mechanical installer, journeyperson mechanical installer, water conditioning installer or contractor, or an underground lawn sprinkler installer licensed with a Nebraskan city of the first class, or have a passing score from an ICC testing center. The applicant's experience shall be reviewed and approved by the mechanical/advisory board. The applicant shall pay all applicable fees and occupation taxes prior to becoming certified.

(b) Utility contractors. No person, other than an employee of the city engaged in city business, shall engage in the installation of service lines in conjunction with water mains and sewer mains upon public rights-of-way until the person has obtained a certification from the city engineer to work as a utility contractor. This subsection shall not apply to service connections as set forth in section 8-1207.

(Code 1973, § 16-85; Code 2020, § 30-1303; Ord. No. 1837; Ord. No. 2264; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1303), 3-11-2024)

Sec. 8-1204. Certification—Application.

Application for a license for master plumber, journeyperson plumber, master mechanical installer, journeyperson mechanical installer, master gasfitter, journeyperson gasfitter, water softener in-

staller, or lawn irrigation sprinkler installer shall be made in writing to the development services department upon forms furnished by that office, which shall show the name, residence and business location of the applicant, an applicable license from a Nebraskan city of the first class or applicable information verifying a passing score from an ICC testing center, and such other information as may be required.
(Code 1973, § 16-86; Code 2020, § 30-1304; Ord. No. 1837; Ord. No. 2264; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1304), 3-11-2024)

Sec. 8-1205. Certification—Corporations, firms and partnerships.

Any corporation, firm, or partnership which may be licensed under this article as a master plumber, journeyperson plumber, master mechanical installer, journeyperson mechanical installer, master gasfitter, journeyperson gasfitter, water softener installer, or lawn litigation sprinkler installer in the name of such corporation, firm or partnership shall have a master licensed in such trade who is licensed with a Nebraskan city of the first class, or have a passing score for the appliable ICC-issued test for each licensee, and be reviewed and approved by the mechanical/advisory board and has thereby shown themselves fit, competent and qualified to engage in such business, trade or calling as a bona fide officer of such corporation or as a member of such firm or partnership, and who shall at all times be in actual charge of and be responsible for the installation, removal or repair of any such work done by such corporation, firm or partnership. Before such corporation, firm, or partnership shall be licensed in its corporate, firm, or partnership name, there shall be filed with the development services department a license from a Nebraskan city of the first class or a passing score for the appliable ICC-issued test showing the fitness and competency of such officer of such corporation or such member of such firm or partnership to engage in the said business or calling, provided that, if after a license is issued such corporation, firm or partnership, such master as an officer of such corporation or a member of such firm or partnership shall withdraw therefrom and cease to be connected therewith, then and in that event the city council shall forthwith revoke the license of such corporation, firm or partnership.
(Code 1973, § 16-87; Code 2020, § 30-1305; Ord. No. 1837; Ord. No. 2264; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1305), 3-11-2024)

Sec. 8-1206. Certification—Expiration.

Licenses issued under this article shall expire on December 31 following the date thereof and shall not be assignable. If license fees are not paid within 30 days of expiration, the licensure shall be automatically revoked.
(Code 1973, § 16-88; Code 2020, § 30-1306; Ord. No. 1837; Ord. No. 2234; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1306), 3-11-2024)

Sec. 8-1207. Certification—Renewal and continuing education requirements.

(a) All licenses will be renewed when all fees are paid, including license fees and occupation taxes, and current certificate of insurance is provided.

(b) Any person licensed under the provisions of this article as a master or journeyperson who does not renew their license for a period of one month after the expiration of same shall be subject to review by the mechanical/plumbing advisory board.

(c) All master plumbers, journeyperson plumbers, master mechanical installers, journeyperson mechanical installers, master gasfitters, and journeyperson gasfitters are required to complete six hours of continuing education annually. The six hours shall include four hours of principal instruction and two hours of code instruction as defined by subsection (d) of this section.

(d) Instruction hours defined.

(1) The term "principal instruction hours" means subjects that are directly related to the performance of mechanical services, plumbing services, and gas services. Examples of such subjects include, but are not limited to, the design, installation, servicing, troubleshooting, and skills training for mechanical, plumbing, and gas piping systems.

(2) The term "code instruction hours" means subjects that are directly related to regulations governing mechanical systems, plumbing systems, and gas systems. Examples of such subjects include, but are not limited to, the International Plumbing Code, International Mechanical Code, and NFPA 54 Fuel and Gas Code.

(Code 1973, § 16-89; Code 2020, § 30-1307; Ord. No. 1837; Ord. No. 2234; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1307), 3-11-2024)

Sec. 8-1208. Certification—Revocation.

The city council, by a majority vote, shall have the power to revoke any journeyperson or master license upon the recommendation of the mechanical/plumbing advisory board if the same was obtained through error or fraud, or if the recipient thereof is shown to be grossly incompetent or has a second time willfully violated any of the provisions of this article. This penalty shall be cumulative and in addition to the penalties prescribed for the violation of the provisions of this article. If a license is revoked, the holder of the same shall not apply for licensure until one year from the date of such revocation.

(Code 1973, § 16-90; Code 2020, § 30-1308; Ord. No. 1837; Ord. No. 2234; Ord. No. 3644-5/98; Ord. No. 4417-12/2014; Ord. No. 4754, § 1(30-1308), 3-11-2024)

Sec. 8-1209. Certification—Plumbing material and supply dealers.

Any person engaged in dealing in plumbing or gas connecting materials or supplies, but not engaged in the installation, alteration, repair or removal of gas piping or appliances, shall not be required to register under this article to sell such materials and supplies.

(Code 1973, § 16-91; Code 2020, § 30-1309; Ord. No. 1837; Ord. No. 2234; Ord. No. 4417-12/2014)

Sec. 8-1210. Fees for certification and examination.

(a) A fee shall be charged for certification and examination as set forth in the most recent council fee resolution.

(b) Such fees shall be paid to the city clerk and, upon payment of the same, such clerk shall issue a receipt in duplicate which duplicate receipt shall be retained by the clerk and filed in the clerk's office.
(Code 1973, § 16-92; Code 2020, § 30-1310; Ord. No. 1837; Ord. No. 2234; Ord. No. 2775; Ord. No. 3644-5/98; Ord. No. 4417-12/2014)

Sec. 8-1211. Permitting use of name by others.

No certified master or journeyperson tradesperson shall allow their name to be used by another person, directly or indirectly, either to obtain a permit for any installation or to do any gasfitting work. If any certified installer violates this provision, the city council shall forthwith revoke the certificate issued to such installer. In addition to having their certificate revoked, such installer may be prosecuted under section 1-107 for such violation.
(Code 1973, § 16-93; Code 2020, § 30-1311; Ord. No. 1837; Ord. No. 2234; Ord. No. 3644-5/98; Ord. No. 4417-12/2014)

Sec. 8-1212. Certified electrician required for electrical work.

No person engaged in the business of installing electrically controlled plumbing equipment, mechanical equipment or gas-burning equipment of any type, and no employee of such person, may attempt to make any connection from any primary electrical service leads or in any manner disturb such existing wiring, but shall call in a duly certified electrician to perform such work, provided that this does not prohibit the appliance installer from completing the necessary wiring on the low tension (outlet) side of the transformer to electrically operated valves or controls and thermostats on existing installations.
(Code 1973, § 16-94; Code 2020, § 30-1312; Ord. No. 1837; Ord. No. 2234; Ord. No. 3644-5/98; Ord. No. 4417-12/2014)

Sec. 8-1213. Insurance and maintenance bond.

(a) *Insurance.*

(1) The holder of a certificate under this article shall secure and maintain, during all times that the certificate is in effect, bodily injury and property damage liability insurance coverage with limits as follows:

a. For plumber's, gasfitter's or mechanical installer's certification: $1,000,000.00; and

b. For utility contractor's certification: $1,000,000.00.

(2) The certification holder shall furnish the city clerk with a certificate of such insurance coverage, which certificate shall note that the insurance coverage shall not be terminated except upon 30 days' written notice to the city.

(3) The policy of insurance required by this section shall be purchased at the expense of the certification holder, shall be in effect for at least one year from May 1 of the current year, and

shall provide coverage of products, hazards and completed operations. Cancellation of the policy shall automatically suspend the certification until a substitute policy has been obtained, and a certificate of that fact filed in the office of the city clerk.

(b) *Maintenance bond.* The holder of a utility contractor's certification under this article shall provide to the city clerk a maintenance bond with a surety company to be approved by the city engineer. A bond shall be provided for each contract the certification holder shall have with the city for the purpose of the installation of service lines in conjunction with water mains and sewer mains upon the public rights-of-way. The amount of guarantee shall be the replacement of defective materials and/or workmanship for a period of two years after the completion of work pursuant to any such contract.

(Code 1973, § 12-38; Code 2020, § 30-1313; Ord. No. 1896; Ord. No. 1915; Ord. No. 2162; Ord. No. 3533-5/96; Ord. No. 3644-5/98; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-1214. Advertising by other than master tradespersons.

It shall be unlawful for any person not licensed as a master plumber, master gasfitter, master mechanical installer or water conditioner installer to use the words "master plumber," master gasfitter," "gasfitter," "plumber" or "plumbing" in any advertising.

(Code 1973, § 27-23; Code 2020, § 30-1314; Ord. No. 1910; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-1215. Nontransferable.

A plumber's certification, certification as a water conditioning installer or contractor, or certification as an underground lawn sprinkler installer shall not be transferred or assigned. No plumber, water conditioning installer or contractor, or underground lawn sprinkler installer holding a certification shall allow such person's certificate to be used by another person, directly or indirectly, to obtain a permit for the installation of any plumbing, to do any plumbing work, or any part of the installation of a water conditioning system or underground lawn sprinkling system.

(Code 1973, §§ 27-30, 27-32—27-37; Code 2020, § 30-1315; Ord. No. 1910; Ord. No. 2775; Ord. No. 3644-5/98; Ord. No. 3690-8/99; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 8-1216. Liability for installation by uncertified plumber, water conditioning installer or contractor, or underground lawn sprinkler installer.

It shall be unlawful for any person to cause or permit any job of plumbing, the making of any plumbing connection, the installing of any water conditioning device, or the installing of any underground lawn sprinkling system in or upon any property owned, managed or controlled by such person unless the person performing such work is a plumber, water conditioning installer or

contractor, or underground lawn sprinkler installer holding a certification who has obtained a plumbing permit to do so from the plumbing inspector for the work. Any person causing or permitting any work to be done in violation of this article shall also be guilty of violation of this chapter.
(Code 1973, §§ 27-30, 27-32—27-37; Code 2020, § 30-1316; Ord. No. 1910; Ord. No. 2775; Ord. No. 3644-5/98; Ord. No. 3690-8/99; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Chapter 9

RESERVED

Chapter 10

COMMUNITY DEVELOPMENT

Article I. In General

Sec. 10-101. Community development agency.
Sec. 10-102. Director of community development.
Sec. 10-103. Advisory committee.
Sec. 10-104. Planning and community development; consolidation.

Article II. Community Redevelopment Authority

Sec. 10-201. Composition; quorum; rules.
Sec. 10-202. Director and ex officio secretary.
Sec. 10-203. Ex officio treasurer; handling of funds.

ARTICLE I. IN GENERAL

Sec. 10-101. Community development agency.

The community development agency shall be a department of government of the city. The community development agency is authorized to exercise all the powers granted under 18-2101 through 18-2144 and, further, to do all things necessary to obtain financial assistance and support from the federal or state government.
(Code 1973, 2-86; Code 2020, § 2-612; Ord. No. 2587)

Sec. 10-102. Director of community development.

(a) There is hereby created the office of director of community development, who shall be appointed by the mayor and confirmed by a majority vote of all the city councilmembers. The director shall hold office until resignation; or, until the end of the mayor's term of office and until a successor is appointed and confirmed, unless sooner removed by a majority vote of all the city councilmembers; or, until the ordinance creating the office shall be repealed.

(b) The director of community development shall:

(1) Prepare and file applications to the state and federal governments for grants and loans for community and economic development, and other activities.

(2) Coordinate activities with other departments for accomplishing goals and objectives of the comprehensive plan.

(3) Manage a rehabilitation program financed from state and federal funds.

(4) Manage an acquisition and relocation program.

(5) Coordinate and administer the development of park lands bought with state or federal funds.

(6) Develop facilities such as fire stations, neighborhood centers and community facilities utilizing federal or state funds.

(7) Be responsible for all real and personal property bought with community development funds.

(8) Supervise the demolition of properties acquired by the city, as necessary.

(9) Coordinate with the area planning commission in determining a workable plan for housing and all other activities associated with housing and community development.

(10) Perform duties as from time to time are designated by the mayor and city council.

(c) The director of community development shall keep an office in the rooms provided by the city, which shall be kept open to the public during usual business hours. The director shall have charge and control of all the necessary public maps, charts, graphs, plans, books, documents, and other records pertaining to the office, which shall be carefully preserved at or near the director's office.

(d) The salary and benefits paid to the director of community development shall be determined from time to time by a majority of the city council.
(Code 1973, §§ 2-87, 2-88; Code 2020, §§ 2-613, 2-614; Ord. No. 2587)

Sec. 10-103. Advisory committee.

There is hereby established a community development advisory committee which shall advise the director of the community development agency on proposed programs and the operation of said agency. The advisory committee shall be composed of five members and one alternate appointed by the mayor and confirmed by majority vote of the city council. Members of said committee and the alternate shall each serve a term of five years, as designated by the mayor. The advisory committee shall elect one of its members as chairperson, and another as vice chairperson, and the director of community development shall serve as ex officio secretary to the committee. Meetings shall be held as needed pursuant to a call by the director or the chairperson and any two members.
(Code 1973, § 2-89; Code 2020, § 2-615; Ord. No. 2587; Ord. No. 3492-8/95)

Sec. 10-104. Planning and community development; consolidation.

The mayor may, with the approval of the city council, assign the responsibilities of director of community development to the city planning director, which action shall, in effect, consolidate the department of planning with that of community development for so long as one individual is assigned the responsibilities of both departments.
(Code 2020, § 2-616)

ARTICLE II. COMMUNITY REDEVELOPMENT AUTHORITY

Sec. 10-201. Composition; quorum; rules.

Five people, all of whom shall be residents of the city, shall constitute the community redevelopment authority. A total of four members of the authority shall constitute a quorum for the transaction of business. The authority shall adopt rules for the transaction of its business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be made available for public inspection during regular business hours.
(Code 2020, § 2-619; Ord. No. 3012-3/87; Ord. No. 3096-10/88)

Sec. 10-202. Director and ex officio secretary.

There shall be a director and ex officio secretary of the community redevelopment authority, and that person shall perform such duties as may be assigned by the authority, including the necessary administrative functions described in Nebraska Revised Statutes, § 18-2102.01 et seq.
(Code 2020, § 2-620; Ord. No. 3012-3/87; Ord. No. 3096-10/88)

Sec. 10-203. Ex officio treasurer; handling of funds.

All income, revenue, profits, and other funds received by the authority shall be deposited with the city treasurer as ex officio treasurer of such authority without commingling such money with any

other money under the treasurer's control and disbursed by the treasurer by check or draft only upon warrants, orders, or requisitions by the chairperson of the authority or other person authorized by the authority, which shall state distinctly the purpose for which the same are drawn, and a permanent record shall be kept by the authority of any such activity.
(Code 2020, § 2-621; Ord. No. 3012-3/87)

Chapter 11

RESERVED

Chapter 12

ELECTIONS

Sec. 12-101. Wards and precincts.

Sec. 12-101. Wards and precincts.

(a) The city is hereby divided into wards and precincts, as shown on the map prepared for that purpose, which map is hereby designated as the "Hastings Voting Precinct Map, 2021."

(b) The original Hastings Voting Precinct Map, 2021, described in subsection (a) of this section, together with any notation, reference and information shown thereon, is hereby incorporated in this chapter by reference as though fully set forth herein, and shall be kept on file in the office of the city clerk.

(Code 2020, § 2-101; Ord. No. 4663, § 2, 4-26-2021; Ord. No. 4689, § 1, 12-13-2021)

Chapter 13

RESERVED

Chapter 14

EMERGENCY MANAGEMENT AND EMERGENCY SERVICES

Article I. In General

Article II. Emergency Management

Sec. 14-201. Intent and purpose.
Sec. 14-202. Definitions.
Sec. 14-203. Emergency management director; duties and responsibilities.
Sec. 14-204. Liaison officer.
Sec. 14-205. Authority and responsibilities of mayor.
Sec. 14-206. Absence of mayor.
Sec. 14-207. City council authority.
Sec. 14-208. Emergency operations plan.
Sec. 14-209. Technical or skilled assistance.
Sec. 14-210. Violation.
Sec. 14-211. Penalty.

ARTICLE I. IN GENERAL

ARTICLE II. EMERGENCY MANAGEMENT*

Sec. 14-201. Intent and purpose.

It is the intent and purpose of this article to establish an office that will ensure the complete and efficient utilization of all available facilities to manage and respond to emergencies, disasters and hazards. The city's emergency management office will be the coordinating agency for all activities in connection with emergency management. It will be the instrument through which the mayor may exercise the authority and discharge the responsibilities vested in them by the Nebraska Emergency Management Act (Nebraska Revised Statutes, § 81-829.36 et seq.), as amended from time to time, and by this article. This article will not relieve any city department of the responsibilities or obligations imposed upon it by the city council, and in no event shall this article be construed to preclude the mayor from directly communicating with city department heads.
(Code 2020, § 14-102; Ord. No. 2818; Ord. No. 3698-7/99)

Sec. 14-202. Definitions.

Except as otherwise defined herein, the terms used in this article shall have the meanings set forth in Nebraska Revised Statutes, § 81-829.39.
(Code 2020, § 14-103; Ord. No. 2818; Ord. No. 3698-7/99)

Sec. 14-203. Emergency management director; duties and responsibilities.

The emergency management director for the city shall be appointed by the mayor, with the approval of the city council. The emergency management director for the city shall be subject to the direction and control of the mayor. Except as otherwise directed by the mayor, the emergency management director shall perform the following duties:

(1) Coordinate the recruiting of volunteer personnel and agencies to augment the personnel and facilities currently utilized for emergency management.

(2) Develop and coordinate plans for the immediate use of all facilities, equipment, personnel and other resources available to the agency for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring governmental services and public utilities necessary for public health, safety and welfare.

(3) Negotiate agreements with owners of buildings and other properties for the use of such facilities as public shelters.

(4) Educate the civilian population through public information programs as to actions necessary and required for the protection of lives and property in the case of any civil defense emergency or disaster, either impending or present.

***State law reference**—Emergency Management Act, Nebraska Revised Statutes, § 81-829.36 et seq.

(5) Conduct practice alerts to ensure the efficient operation of, and familiarization with, emergency management services in the city.

(6) Assist, support, and respond as needed to other public and private agencies engaged in any other emergency management activity.

(7) Develop mutual aid agreements with other public agencies for reciprocal emergency services.

(Code 2020, § 14-104; Ord. No. 2818; Ord. No. 3055-4/88; Ord. No. 3120-4/89; Ord. No. 3698-7/99)

Sec. 14-204. Liaison officer.

The liaison officer for the city shall be the emergency management director. The liaison shall facilitate in cooperation with emergency management organizations and ensure that emergency management services are provided to the citizens.

(Code 2020, § 14-105; Ord. No. 2818; Ord. No. 3120-4/89; Ord. No. 3698-7/99)

Sec. 14-205. Authority and responsibilities of mayor.

The mayor shall:

(1) Declare an emergency for the city when conditions defined as a disaster or an emergency exist.

(2) Terminate the proclamation of a local emergency when deemed appropriate by such mayor, or when directed to do so by resolution of the city council.

(3) During a local emergency, utilize the services, equipment, supplies and facilities of existing departments, offices, and agencies of the city to carry out emergency management services.

(4) During a local emergency, accept and determine that use and disposition of any services, equipment, supplies, materials or funds gifted, granted, or loaned for the purposes of disaster response or emergency management.

(5) Notify the state's emergency management agency of the manner in which the city is providing or securing emergency management services, the name and address of the mayor, and such additional information as said state agency requires.

(6) Exercise direction and control over the emergency management director during the time of a local emergency.

(Code 2020, § 14-106; Ord. No. 2818; Ord. No. 3120-4/89; Ord. No. 3698-7/99)

Sec. 14-206. Absence of mayor.

In the event that the mayor is absent from the jurisdiction during the time of a local emergency, then the city council president shall serve in the mayor's place; and if such person is absent, then the city council vice-president shall serve in the president's place. The person serving in the place of the mayor shall have all of the powers, authority and responsibilities of the mayor.

(Code 2020, § 14-107; Ord. No. 2818; Ord. No. 3698-7/99)

Sec. 14-207. City council authority.

The city council hereby reserves to itself the following authority and responsibilities:

(1) The appropriation of funds for the purposes of emergency management.

(2) Except during the time of a local emergency, the determination of the manner in which services, equipment, supplies, materials, or facilities of city departments shall be utilized for emergency management purposes.

(3) Except during the time of a local emergency, the acceptance and determination of the use and disposition of any services, equipment, supplies, materials, or funds gifted, granted, or loaned for purposes of disaster response or emergency management.

(Code 2020, § 14-108; Ord. No. 2818; Ord. No. 3698-7/99)

Sec. 14-208. Emergency operations plan.

A local emergency operations plan shall be prepared by the emergency management director and submitted to the mayor and council for their review and approval. Any emergency operations plan adopted and approved in connection with any interjurisdictional emergency management organization of which the city is a party shall be deemed to have satisfied the requirements of this section.
(Code 2020, § 14-110; Ord. No. 2818; Ord. No. 3698-7/99)

Sec. 14-209. Technical or skilled assistance.

When a required competency or skill for a disaster function is not available within the city's government, the emergency management director shall seek assistance from other persons outside of government, but only upon the advice and consent of the mayor. The assignment of duties, when of a supervisory nature, shall also grant authority for the persons so assigned to carry out such duties prior to, during, and after the occurrence of a disaster. Services from persons outside of government may be compensated or may be accepted by the city on a volunteer basis.
(Code 2020, § 14-111; Ord. No. 2818; Ord. No. 3698-7/99)

Sec. 14-210. Violation.

It shall be unlawful for any person to violate the provisions of this article, or the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of the provisions of this article, or any regulations or plan issued thereunder.
(Code 2020, § 14-112; Ord. No. 2818; Ord. No. 3698-7/99)

Sec. 14-211. Penalty.

Any person, firm or corporation violating any provision of this article, or any rule or regulation promulgated thereunder, upon conviction thereof, shall be guilty of a misdemeanor.
(Code 2020, § 14-113; Ord. No. 2818; Ord. No. 3698-7/99)

Chapter 15

RESERVED

Chapter 16

ENVIRONMENT AND NATURAL RESOURCES

Article I. In General

Sec. 16-101. Nuisances; draining or filling of lots.

Article II. Property Assessed Clean Energy (PACE) Program

Sec. 16-201. Purpose.
Sec. 16-202. Findings and determinations.
Sec. 16-203. Title and definitions.
Sec. 16-204. District boundaries and requirements pursuant to the Act.
Sec. 16-205. Authorization for PACE program.

Article III. Trees and Shrubs

Division 1. Generally

Sec. 16-301. Injuring prohibited.
Sec. 16-302. Roots obstructing sidewalks, sewers, etc.
Sec. 16-303. Street plantings—Permit.
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ARTICLE I. IN GENERAL

Sec. 16-101. Nuisances; draining or filling of lots.

All lots or pieces or parcels of ground within the city shall be drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon. It shall be the responsibility of the owner of said property to drain or fill said premises as necessary to prevent stagnant water. Upon the failure of an owner or occupant, or any agent, representative or employee of an owner or occupant, having control of any lot or lands to comply with the terms of this section in regard to drainage or filling said premises, notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by first class mail, postage prepaid, with such mail being conspicuously marked as to its importance; by personal service upon each owner or owner's duly authorized agent and to the occupant, if any, by a member of the police department; or by posting a notice to abate and remove such nuisance on the property. The owner or owner's duly authorized agent and/or occupant of the lot or piece of ground, within five days after receipt or posting of such notice, may request a hearing with the city to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the city clerk. A hearing on the appeal shall be held within 14 days after the filing of the appeal. The hearing officer shall render a decision on the appeal within five business days after the conclusion of the hearing. If the appeal fails, the city may have such work done. If within five days after receipt of such notice, if the owner or occupant of the lot or piece of ground does not request a hearing with the city or fails to comply with the order to abate and remove the nuisance, the city may have such work done. The costs and expenses of any such work shall be paid by the owner. If unpaid for two months after such work is done, the city may either:

(1) Levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed; or

(2) Recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(Code 2020, § 18-120; Ord. No. 2885; Ord. No. 4091-10/2006; Ord. No. 4393-6/2014)

ARTICLE II. PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM

Sec. 16-201. Purpose.

The purpose of this article is as follows:

(1) The city desires to create a clean energy assessment district to enable property assessed clean energy financing for its property owners;

(2) The city also desires to authorize the clean energy assessment district to enable third-party lenders to accept applications and enter into financing agreements with property owners within the boundaries of the district; and

(3) The city desires to create a clean energy assessment district, which shall be known as the city PACE district, as authorized by Nebraska Revised Statutes, §§ 13-3203 and 13-

3204(3), as the same may be from time to time amended, which boundaries shall be the corporate boundaries of the city and that portion of its extraterritorial jurisdiction where zoning powers and duties are being exercised as authorized pursuant to Nebraska Revised Statutes, § 16-902.

(Code 2020, § 6-101; Ord. No. 4618-11/2019)

Sec. 16-202. Findings and determinations.

(a) The city council hereby finds and determines as follows:

(1) Pursuant to Nebraska Revised Statutes, §§ 13-3201 to 13-3211, inclusive, the Property Assessed Clean Energy Act (the Act), energy efficiency and the use of renewable energy are important for preserving the health and economic well-being of the state's citizens. Using less energy decreases the cost of living and keeps the cost of public power low by delaying the need for additional power plants. To further these goals, it is necessary for the city to promote energy efficiency improvements and renewable energy systems. Upfront costs for energy efficiency improvements and renewable energy systems may prohibit or deter many property owners from making improvements. It is necessary for the city to implement an alternative financing method through the creation of a clean energy assessment district.

(2) Financing energy projects to further these goals is a valid public purpose and can be accomplished through property assessed clean energy (PACE) financing, which is used to overcome the upfront costs for energy efficiency improvements and renewable energy systems by using private capital and equity, rather than public debt.

(b) Pursuant to the Act, the city is authorized to establish a clean energy assessment district so that owners of qualifying property can access PACE financing for energy efficiency improvements or renewable energy improvements to their properties located in the city. The city also may enter into an agreement with one or more other municipalities pursuant to the Interlocal Cooperation Act (Nebraska Revised Statutes, § 13-801, et seq.), for the joint creation, administration, or creation and administration of clean energy assessment districts, pursuant to the Act. The city declares its intent that the provisions of this article shall be in conformity with federal and state laws. The city enacts this article pursuant to the Act, and, as the same may from time to time be amended, the provisions of which shall automatically become part hereof if inconsistent herewith.

(Code 2020, § 6-102; Ord. No. 4618-11/2019)

Sec. 16-203. Title and definitions.

This article shall be known and may be cited as "The City of Hastings, Nebraska Property Assessed Clean Energy (PACE) Program." Except the words and phrases specifically defined in this section or in Nebraska Revised Statutes, § 13-3203, as amended, words and phrases used in this article shall have their customary meanings. As used in this article, the following words and phrases shall have the following meanings:

District means the city's PACE district, created pursuant to this article, as authorized by the Act, which boundaries shall be the corporate boundaries of the city and that portion of the extraterritorial jurisdiction where zoning powers and duties are being exercised as authorized pursuant to Nebraska Revised Statutes, § 16-902.

District administrator means:

(1) The development services director of the city;

(2) Another employee of the city designated by the mayor of the city; or

(3) A third-party administrator selected by the city.

PACE financing means funds provided to the owner of qualified property by a third-party lender, pursuant to the Act and this article, for an energy efficiency improvement or renewable energy system.

Qualifying property means commercial property, including multifamily residential property having more than four dwelling units, and industrial property located in the district.
(Code 2020, § 6-103; Ord. No. 4618-11/2019)

Sec. 16-204. District boundaries and requirements pursuant to the Act.

(a) The city finds that the financing of energy efficiency improvements and renewable energy systems is a valid public purpose. Such public purposes include, but are not limited to, reduced energy and water costs, reduced greenhouse gas emissions, economic stimulation and development, improved property valuation, and increased employment.

(b) The boundaries of the district shall be the corporate boundaries of the city as allowed by the Act and that portion of its extraterritorial jurisdiction where zoning powers and duties are being exercised.

(c) The district administrator shall use a form contract for assessment contracts among the city, the owner of the qualifying property, and a third-party lender, containing terms governing the terms and conditions of financing and annual assessments in accordance with the Act, which provides for repayment of the costs financed through annual assessments upon the qualifying property benefited by the energy project.

(d) The district administrator is authorized to enter into assessment contracts on behalf of the city.

(e) The district administrator shall use a financing application process and eligibility requirements, which shall be more specifically defined in a program manual approved by the city council for financing energy projects in accordance with the requirements of the Act and accepted by the third-party lender. The application process and program eligibility requirements shall be, at a minimum, as follows:

(1) Submission of an application to the district administrator, which shall include, but not be limited to, the following information:

a. Applicant name and contact information, including property owner and developer;

b. Project location and legal description;

c. Identification of contractor or supplier, including anticipated PACE contractor and a copy of the approved bid for the energy efficiency project;

d. Project description;

e. Total project cost;

f. Description of proposed improvements;

g. Description of energy efficiency project to be financed;

h. Amount of requested assessment;

i. Interest rate on the PACE assessment and any required fees;

j. Term of assessment;

k. Energy savings report indicating estimated energy savings and estimated cost savings for the energy project;

l. Whether the applicant is requesting a waiver of the estimated economic benefit requirement;

m. Title report showing any mortgage or lien holders;

n. Lender consent;

o. Projected jobs created by PACE project;

p. Project environmental benefits;

q. Funding source;

r. All other such information as needed to demonstrate the project complies with all the requirements of the Act.

(2) The district administrator may grant an applicant's request to waive the estimated economic benefit requirement. If the district administrator denies the applicant's waiver request, the applicant may appeal the denial by submitting a request in writing to the city administrator. The appeal shall be mailed by certified mail or hand delivered to the city administrator within 14 days after the denial. The city administrator will review the matter on the record made by the district administrator and, after providing the applicant an informal opportunity to be heard, the city administrator will make the final decision.

(3) The district administrator shall review the application to determine whether the energy project meets the eligibility requirements of the Act and this article. An energy project shall not be eligible for PACE financing if the qualifying property is subject to any of the following:

a. Delinquent ad valorem taxes;

b. Delinquent personal property taxes;

c. Delinquent special assessments;

d. Overdue or delinquent water or sewer charges;

e. Involuntary liens, including, but not limited to, construction liens;

f. Notice of default pursuant to any mortgage or deed of trust related to the qualifying property; or

g. If the property owner or property developer is delinquent in the payment of any assessment required to be paid for any energy efficiency improvement financed pursuant to the Act.

(4) If the energy project is determined to be eligible under the terms of the Act and as required in this article, the district administrator shall review the application and approve, request additional information, or deny the application at the administrator's sole discretion.

(5) Upon approval of an application, the district administrator is authorized to proceed with and execute an assessment contract.

(f) Pursuant to Nebraska Revised Statutes, § 13-3205(7), annual assessments agreed to under an assessment contract shall be levied against the qualifying property and collected in accordance with the Act; and, direct collection, whereby a third-party lender provides assessment invoices to the borrower, and the borrower remits payments to the third-party lender directly, shall be permitted.

(g) The district shall establish procedures to determine the following in the future:

(1) Provisions for an adequate debt service reserve fund created under Nebraska Revised Statutes, § 13-3209, if applicable;

(2) Provisions for an adequate loss reserve fund created under Nebraska Revised Statutes, § 13-3208 if applicable; and

(3) Any application, administration, or other program fees to be charged to owners participating in the program that will be used to finance costs incurred by the city as a result of the program.

Any costs shall be deducted before remitting the assessment to the third-party PACE program administrator.

(h) The assessment term shall not exceed the weighted average useful life of the energy project paid for by the annual assessments.

(i) Any energy efficiency improvement that is not permanently affixed to the qualifying property upon which an annual assessment is imposed to repay the cost of such energy efficiency improvement must be conveyed with the qualifying property if a transfer of ownership of the qualifying property occurs during the assessment term.

(j) Prior to the effective date of any contract that binds the purchaser to purchase qualifying property upon which an annual assessment is imposed, the owner shall provide notice to the purchaser that the purchaser assumes responsibility for payment of the annual assessment as provided in Nebraska Revised Statutes, § 13-3205(3)(d), and that the obligations set forth in the assessment contract, including the obligation to pay annual assessments, are a covenant that shall run with the land and be assessed upon future owners of the qualifying property.

(k) In connection with providing PACE financing, the city may provide for marketing and participant education.

(l) The city shall obtain, or applicable third-party lenders shall obtain and provide to the city, verification that the renewable energy system or energy efficiency improvement was/were properly installed and is operating as intended.
(Code 2020, § 6-104; Ord. No. 4618-11/2019)

Sec. 16-205. Authorization for PACE program.

Pursuant to Nebraska Revised Statutes, § 13-3204(1), the district shall be governed by the city council.

(1) The district administrator shall comply with the Act and the provisions of this article and follow any applicable city procurement policy and procedures for selecting a third-party administrator, should a third-party administrator be selected for the administration of the PACE program. Any such third-party administrator must ensure that there is no financial requirement, liability, or exposure to the district or city. The district administrator, as defined in section 16-203, may serve as the administrator of the PACE program for the district and city.

(2) The district or city may also engage the services of a state or local financing agency for the purposes of providing conduit bond financing for the district or city as part of its third-party administration.

(3) Upon selection of a third-party administrator, that third-party administrator may, on behalf of the city, accept applications for financing energy efficient improvements within the district boundaries, facilitate the financing application process, and review eligibility requirements for financing energy projects in accordance with the requirements of the Act and as accepted by the third-party lender.

(4) The district may be expanded via the Interlocal Cooperation Act in order to create a program of sufficient size and scale to attract qualified third-party administrators and/or to promote energy efficiency across multiple political subdivisions, as authorized under the Act.

(Code 2020, § 6-105; Ord. No. 4618-11/2019)

ARTICLE III. TREES AND SHRUBS*

DIVISION 1. GENERALLY

Sec. 16-301. Injuring prohibited.

It shall be unlawful for any person to willfully, maliciously or wantonly cut down, destroy by girdling or tapping, or otherwise injure any tree within the city that is not owned by such person, unless permission to do so has been granted by the owner of such tree.
(Code 1973, § 38-1; Code 2020, § 39-101)

***State law reference**—General authority relative to trees, Nebraska Revised Statutes, § 16-248.

Sec. 16-302. Roots obstructing sidewalks, sewers, etc.

Trees and shrubs growing upon the lot line partially on public ground and partially upon the abutting property, or wholly upon the abutting property but so close to the lot line as to interfere with the making of any public improvement, or so that the roots thereof interfere with any sewer or drain, shall be deemed an obstruction under this article. Such roots may be removed by the street superintendent or duly authorized representative, at the expense of the owner, after the owner shall have failed or neglected after notice to do so.
(Code 1973, § 38-2; Code 2020, § 39-102; Ord. No. 4646, § 4, 9-28-2020)

Sec. 16-303. Street plantings—Permit.

It shall be unlawful for any person to plant, or cause to be planted, any tree or shrubbery in or upon any street right-of-way, parkway or other city-owned property within the city, without first having obtained a permit in writing from the director of parks and recreation to do so; and the terms of the permit shall be strictly followed by the person to whom it is issued. No tree or shrubbery of another or different kind shall be planted, and no tree or shrubbery shall be planted in another or different location than designated in the permit, provided the requirement to obtain a permit shall not apply to employees of the city when planting trees on behalf of the city.
(Code 1973, § 38-3; Code 2020, § 39-103)

Sec. 16-304. Street plantings—Rules and regulations.

The director of parks and recreation, in cooperation with the tree board, shall formulate rules and regulations for the planting of trees on city-owned real estate. Said rules and regulations, and any amendments thereto, shall be approved by the city council.
(Code 2020, § 39-104; Ord. No. 4646, § 5, 9-28-2020)

Sec. 16-305. Street plantings—Marking of line for planting.

It shall be the duty of the person about to plant trees on any city-owned property, pursuant to the permit issued as required by section 16-303, to call upon the parks superintendent or the director of parks and recreation, who shall properly mark the line on which same may be planted.
(Code 1973, § 38-4; Code 2020, § 39-105; Ord. No. 4646, § 6, 9-28-2020)

Sec. 16-306. Terrace tree species to be planted.

The city shall maintain an extensive list of recommended trees for planting in public areas. The purpose of this listing will be to maintain diversity in the total tree population. This list shall be available to residents of the city upon request to aid in the selection of trees for private and public properties. The list of recommended trees shall be updated periodically to reflect new developments or species that will affect the population of the community forest.
(Code 2020, § 39-307)

Sec. 16-307. Distances and clearances for planting.

(a) Distances and clearances for tree planting shall be as follows:

(1) Trees may be planted in the terrace where there is more than six feet between the edge of the sidewalk and the curb of the street. Street trees shall be planted no closer than three feet from a sidewalk, driveway or street.

(2) Trees shall be planted no closer than ten feet from any fire hydrant.

(3) Trees shall be planted a minimum of 20 feet from any electric pole line with the exception of trees with a mature height of 20 feet or less.

(4) Trees shall be planted 15 feet away from any street light pole.

(5) Only trees with a mature height of 20 feet or less are allowed to be planted over or within five lateral feet of any underground water, sewer, electric, gas or other utility line, including service into a structure.

(6) Trees shall be planted no closer than five feet away from all water and gas shutoff boxes and electrical equipment.

(7) Evergreen trees are prohibited on the terrace.

(b) No tree shall be planted that does not comply with the vision clearance requirements specified in section 16-310.
(Code 2020, § 39-308; Ord. No. 4646, § 13, 9-28-2020)

Sec. 16-308. Public tree care.

(a) The city shall have the right to plant, prune, maintain, and remove trees, plants and shrubs within the right-of-way or bounds of all streets, alleys, lanes, squares, and all publicly owned property, as may be necessary to ensure the public safety.

(b) The city may remove, or cause or order to be removed, any tree or part thereof which is in an unsafe condition, or which by reason of its nature affects the safe operation and maintenance of electric power lines or other public improvements, or is seriously affected with any fatal disease.

(c) The city shall remove and dispose of dead trees, tree stumps and large hanging, fallen or broken branches when they are located upon city-owned property, including parks and terraces. For the purposes of this section, the term "dead" means a tree which is, in the judgment of the parks' superintendent or director of parks and recreation, at least 75 percent dead.

(d) The abutting property owners shall have the responsibility to perform normal tree care on all terrace trees, which includes pruning as necessary.
(Code 2020, § 39-309; Ord. No. 4646, § 14, 9-28-2020)

Sec. 16-309. Tree topping.

It shall be undesirable as a normal practice for any person, firm, or city department to top any terrace tree, park tree, or other tree on public property. Topping, rounding off or pollarding is defined as the systematic cutting back of limbs within the tree's crown to such a degree as to remove the

normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this section by the director of parks and recreation.
(Code 2020, § 39-310; Ord. No. 4646, § 15, 9-28-2020)

Sec. 16-310. Clearance over streets and walkways.

Property owners are responsible for trees on their own property as well as trees on the public way that abuts their property. Clearance over streets and walkways shall be the responsibility of the abutting property owner. A clearance of seven feet must be maintained over walkways, and a clearance of 12 feet must be maintained over streets and alleys.
(Code 2020, § 39-311)

Sec. 16-311. Dead or damaged trees; notice; abatement.

(a) It is hereby declared a nuisance for any person who is the owner of real estate within the city to allow or permit to stand upon the property any dead tree or dead part of a tree, a stump, or any diseased or damaged tree or any diseased or damaged part of a tree, or any healthy tree or part of such tree which is a menace to public safety or which endangers any building or other property. Any such tree or part of a tree on private property, meeting the above criteria, may be declared to be a nuisance when a valid complaint is received about the same by the director of parks and recreation, or a designee.

(b) The director of parks and recreation, or a designee, shall notify the owner required to maintain property pursuant to this article of any nuisance as described in this article. The notice herein provided shall require the owner to abate such nuisance within 30 days from the date thereof.

(c) The director of parks and recreation, or a designee, shall have the power and is hereby authorized and instructed, after the expiration of 30 days from the date of notice sent by certified mail, to determine if compliance to abate a nuisance has been attained. If compliance has not been made, the city shall abate such nuisance by causing such trees or shrubs which are deemed to be a nuisance under this section to be removed, pruned or sprayed at the expense of the owner of the land whereon the same stand or terrace abutting thereto. If the owner fails to reimburse the city after being billed, the cost of such abatement shall be levied, equalized and assessed as are other special assessments.
(Code 2020, § 39-312; Ord. No. 4646, § 16, 9-28-2020; Ord. No. 4648, § 1, 10-26-2020)

Sec. 16-312. Access.

It shall be unlawful for any person to prevent, delay or interfere with access to private property by the city or its representative in the legal performance of any section of this article.
(Code 2020, § 39-313; Ord. No. 3190-10/90)

Secs. 16-313—16-332. Reserved.

DIVISION 2. CITY TREE BOARD

Sec. 16-333. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Park trees means trees, shrubs, bushes and all other woody vegetation in public parks.

Private community forest means all trees within municipal boundaries but not owned by the city.

Public community forest means all street and park trees and other trees owned by the city as a total resource.

Terrace trees means trees, shrubs, bushes and all other woody vegetation on land lying between the property lines on either side of all streets and avenues within the city.
(Code 2020, § 39-301; Ord. No. 4646, § 11, 9-28-2020)

Sec. 16-334. Creation and establishment of a city tree board.

There is hereby created and established a city tree board, which shall consist of seven members, who shall reside within the city or within the extraterritorial zoning jurisdiction of the city. Members of the city tree board shall be appointed by the mayor with the approval of the city council. The director of parks and recreation shall be an ex officio member of the city tree board.
(Code 2020, § 39-302; Ord. No. 4061-2/2006; Ord. No. 4384-1/2014; Ord. No. 4646, § 12, 9-28-2020)

Sec. 16-335. Term of office.

All appointments to the tree board shall be for a three-year term. In the event a vacancy occurs during the term of any member, a successor shall be appointed to fulfill the remaining unexpired term. Members of the tree board shall be eligible for reappointment upon expiration of their terms of office.
(Code 2020, § 39-303)

Sec. 16-336. Compensation.

Members of the tree board shall serve without compensation.
(Code 2020, § 39-304)

Sec. 16-337. Duties and responsibilities.

The duties and responsibilities of the tree board shall be as follows:

(1) To beautify the appearance of the city by promoting and encouraging the responsible planting, care, replacement, and maintenance of trees in the city.

(2) To conduct fundraising activities, the proceeds of which shall be designated for the planting of trees, shrubs, and bushes.

(3) To plan and sponsor activities in celebration of Arbor Day.

(4) To provide educational materials and programs to the public concerning the planting and care of trees.

(5) To make recommendations to the parks and recreation director concerning landscape plans for any new or existing public facilities constructed by the city.

(6) When requested by the city council, to consider, investigate, make findings, report, and recommend upon any special matter or question relating to trees.

(Code 2020, § 39-305)

Sec. 16-338. Operation.

The tree board shall choose its own officers, make its own rules and regulations, and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

(Code 2020, § 39-306)

Secs. 16-339—16-358. Reserved.

DIVISION 3. DISEASED TREES

Sec. 16-359. Declared nuisances; removal generally.

Trees of all species and varieties which are in a dead or dying condition are hereby declared to be a public nuisance and shall be removed and burned or buried.

(Code 1973, § 38-5; Code 2020, § 39-201; Ord. No. 2163; Ord. No. 2338; Ord. No. 4646, § 7, 9-28-2020)

Sec. 16-360. Enforcement of article.

The director of parks and recreation or parks superintendent is charged with enforcement of this article, 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 director or parks superintendent from entering on private property for purposes of carrying out their duties under this article, or to interfere with the director or parks superintendent in the lawful performance of their duties under the provisions of this article.

(Code 1973, § 38-6; Code 2020, § 39-202; Ord. No. 2163; Ord. No. 2338; Ord. No. 2814; Ord. No. 4646, § 8, 9-28-2020)

Sec. 16-361. Notice for removal.

If trees on private property are found to be infected or in a dead or dying condition, the director of parks and recreation shall give to the owner, tenant, agent or occupant of the premises where the same are situated written notice by publication or personal service of the existence of such disease or the dead or dying condition of such trees or parts thereof, and require the removal and burning or

burying of the same. Such notice shall also notify the owner of the premises that if such tree is not removed and burned or buried after 30 days' notice, that such failure to remove shall subject the owner to a fine.
(Code 1973, § 38-7; Code 2020, § 39-203; Ord. No. 2163; Ord. No. 2338; Ord. No. 2814; Ord. No. 4646, § 9, 9-28-2020)

Sec. 16-362. Removal from private lands.

After due notice has been served upon the owner, tenant, agent or occupant of the premises, it shall thereupon become their duty to cause such trees to be removed and burned or buried. It shall be unlawful for any owner, tenant, agent, or occupant of any premises upon which is found any tree which is infected or in a dead or dying condition to allow same to remain upon said premises for more than 30 days after receiving the notice described in section 16-321.
(Code 1973, § 38-9; Code 2020, § 39-204; Ord. No. 2163; Ord. No. 2338; Ord. No. 4646, § 10, 9-28-2020)

ARTICLE IV. STORMWATER MANAGEMENT

Sec. 16-401. Purpose; intent.

The purpose of this article is to provide for the health, safety, and general welfare of the citizens through the regulation of non-stormwater discharges to the storm sewer system to the maximum extent practicable as required by federal and state law. In addition, to control land disturbances, or eliminate soil erosion and sedimentation within the city. This article establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this article are:

(1) To regulate the contribution of pollutants to the municipal separate storm sewer system by discharges by any person.

(2) To prohibit illicit connections and discharges to the municipal separate storm sewer system.

(3) To prevent non-stormwater discharges generated as a result of spills, inappropriate dumping, or disposal to the city separate storm sewer system.

(4) To reduce pollutants in stormwater discharges from construction activity by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil, or results in the movement of earth on land.

(5) To require the construction of locally approved, permanent stormwater runoff controls to protect water quality and maintain non-erosive hydrologic conditions downstream of construction activity and development.

(6) To require responsibility for and long-term maintenance of structural stormwater control facilities and nonstructural stormwater management.

(7) To establish legal authority to carry out all inspection, surveillance, monitoring procedures, and enforcement procedures necessary to ensure compliance with this article.

(Code 2020, § 42-101; Ord. No. 4251-4/2010; Ord. No. 4271-10/2010; Ord. No. 4531-11/2017)

Sec. 16-402. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

70th percentile event means a rainfall storm event equivalent to a depth of rainfall which is not exceeded in 70 percent of the historic runoff-producing rainfall events. The depth of rainfall to be used shall be that which is identified in the post-construction stormwater management plan (PCSWMP). The depth of rainfall is used in hydrologic calculations to determine the water quality volume or rate of discharge to be controlled for.

80th percentile rain event means a rainfall storm event equivalent to a depth of rainfall which is not exceeded in 80 percent of the historic runoff-producing rainfall events. The depth of rainfall to be used shall be that which is identified in the post-construction stormwater management plan (PCSWMP). The depth of rainfall is used in hydrologic calculations to determine the water quality volume or rate of discharge to be controlled for.

Accidental discharge means discharge prohibited by this Code which occurs by chance and without planning or thought prior occurrence.

Authorized enforcement agency means the city and its employees or third parties designated to enforce this article.

Best management practices (BMPs) mean schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. Best management practices also include treatment practices, operating procedures, and practices to control site runoff, spillage, leaks, sludge disposal, water disposal, or drainage from raw materials storage.

Builder means the general contractor responsible for permitting and constructing a structure and associated construction activity.

Building phase of development means the period of construction activity when a portion of a common plan of development or sale requires a building permit.

Clean Water Act means the federal Water Pollution Control Act (33 USC § 1251 et seq.), and any subsequent amendments thereto.

Clearing means any activity that removes the vegetative surface cover.

Common plan of development or sale means a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan which may include, but is not limited to, an announcement or piece of

documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot.

Construction activity means activities subject to National Pollutant Discharge Elimination System construction permits. Such activities include, but are not limited to, clearing, grubbing, grading, excavating, demolition and other land disturbing actions.

Construction site means any location where construction activity occurs.

Contractor means any person performing or managing construction work at a construction site, including, but not limited to, any construction manager, general contractor or subcontractor, and any person engaged in any one or more of the following: earthwork, pipework, paving, building, plumbing, mechanical, electrical, landscaping or material supply.

Disturbed area means the area of the land's surface disturbed by any work or activity upon the property by means including, but not limited to, grading; excavating; stockpiling soil, fill, or other materials; clearing; vegetation removal; removal or deposit of any rock, soil, or other materials; or other activities which expose soil. The term "disturbed area" does not include the tillage of land that is zoned for agricultural use.

Drainage design guidance or manual means documentation that references design criteria and guidance by a community for stormwater management.

Earthwork means the disturbance of soil on a site associated with construction activities.

Erosion means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Erosion and sediment control plan means a plan that indicates the specific measures and sequencing to be used for controlling sediment and erosion on a development site during construction activity according to locally approved standards, specification, and guidance.

Erosion control means measures that prevent soil erosion to the maximum extent practicable.

Final drainage plan means a schematic of the proposed area and how it connects to city's storm sewer system. The term "final drainage plan" includes proposed location, grade, direction of flow, elevations, drainage structures and drainage areas.

Final stabilization means when all soil-disturbing activities at the site have been completed, and vegetative cover has been established with a uniform density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed. For purposes of this article, establishment of a vegetative cover capable of providing erosion control equivalent to preexisting conditions at the site is considered final stabilization.

Grading means excavation or fill of material, including the resulting conditions thereof.

Hazardous materials means any material, including any substance, waste, or combination thereof, which, because of its quantity, concentration, or physical, chemical, or infectious character-

istics, may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, and property or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal discharge means any direct or indirect non-stormwater discharge to the storm drainage system except as exempted in section 16-406.

Illicit connections means:

(1) Any drain or conveyance, whether on the surface or subsurface, which allows any illegal discharge to enter the storm drainage system, including, but not limited to, any conveyance which allows any non-stormwater discharge including sewage, process wastewater, or wash water to enter the storm drainage system.

(2) Any connections to the storm drainage system from indoor drains and sinks, regardless of whether said drain or connection has been previously allowed, permitted, or approved by an authorized enforcement agency.

(3) Any drain or conveyance connected from a commercial or industrial land use to the storm drainage system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

(4) Illicit connection will not include exception for approval. See connections allowed in section 16-406.

Industrial activity means activities subject to National Pollutant Discharge Elimination System industrial permits as defined in 40 CFR 122.26(b)(14).

Land development means any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land disturbance activity means any land development that may result in soil erosion from wind, water and/or ice and the movement of sediments into or upon waters, lands, or right-of-way.

MS4 boundary means the urbanized area map boundary prepared by the U.S. Census Bureau. This is the minimum boundary adopted by the Environmental Protection Agency (EPA) for phase II communities as part of the MS4 program.

Municipal separate storm sewer system (MS4) means publicly owned facilities by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, catchbasins, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and humanmade or altered drainage ditches/channels, reservoirs, and other drainage structures.

National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit means a permit issued by the EPA (or by the state under authority delegated to it) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

NDEQ means the Nebraska Department of Environmental Quality.

NOI means notice of intent.

NOT means notice of termination.

Non-stormwater discharge means any discharge to the storm drainage system that is not composed entirely of stormwater.

Operator means the individual who has day-to-day supervision and control of activities occurring at the construction site. This can be the owner, the developer, the general contractor, or the agent of one of these parties. It is anticipated that at different phases of a construction project, different types of parties will satisfy the definition of the term "operator," and the pertinent portions of any applicable permit authorization from the state will be transferred as the roles change.

Outfall means the point of discharge to any watercourse from a public or private stormwater drainage system.

Owner means the person who owns a facility, development, part of a facility, or land.

Permittee means the applicant in whose name a valid permit is issued.

Phasing means clearing a parcel of land in distinct phases, with the stabilization of each phase before the clearing of the next.

Pollutant means anything which causes or contributes to pollution. Pollutants include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes; yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Pollution means the presence in waters of the state of any substances, contaminants, pollutants, or human-made or human-induced impairment of waters, or alteration of the chemical, physical, biological, or radiological integrity of water in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation, unless authorized by applicable law.

Post-construction means the general time period referenced in perpetuity from the approval for final acceptance of the construction phase of any construction activity.

Post-construction stormwater management means the management of stormwater for a period of time in perpetuity from approval for final acceptance of the construction phase of any construction activity. The management of stormwater includes the use of stormwater treatment facilities (STFs) that meet minimum site performance standards in accordance with the city's MS4 permit. STFs are intended to provide stormwater treatment during this time period, and are considered functional after vegetation has been established.

Post-construction stormwater management plan (PCSWMP) means documentation supporting analysis, design, maintenance and inspection of STFs installed on a site in order to meet minimum site performance standards in accordance with the city's MS4 permit.

Post-construction stormwater management program means the municipality-controlled program that stems from requirements in the MS4 permit. This is the guiding document behind designs for the required STFs and post-construction stormwater management plan for each site.

Premises means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

Receiving water means any water of the state, including any and all surface waters that are contained in or flow in or through the state; all watercourses, even if they are usually dry; irrigation ditches that receive municipal stormwater; and storm sewer systems owned by other entities.

Redevelopment means any construction, alteration or improvement performed on a previously developed site.

Sediment means soil (or mud) that has been disturbed or eroded and transported naturally by water, wind or gravity, or mechanically by any person.

Sediment control means measures that prevent eroded sediment from leaving the site.

Site means the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

Site plan means a plan or set of plans showing the details of any land disturbance activity of a site, including, but not limited to, the construction of structures, open and enclosed drainage facilities, stormwater management facilities, parking lots, driveways, curbs, pavements, sidewalks, bike paths, recreational facilities, ground covers, plantings and landscaping.

Spill means a release of solid or liquid material which may cause pollution of the municipal separate storm sewer system or waters of the state.

Stabilization means the use of practices that prevent exposed soil from eroding.

Storm drainage system means publicly owned facilities by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures. The storm drainage system in the city is a municipal separate storm sewer system as defined by applicable federal regulations.

Stormwater means any surface flow, runoff, or drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Stormwater pollution prevention plan (SWPPP) means a document which describes the best management practices and activities to be implemented by a person or business to identify sources

of pollution or contamination at a site, and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

Stormwater treatment facilities (STFs) mean permanent best management practices (BMPs) put in place to provide control and treatment of stormwater runoff after construction for land development is complete. These facilities are physical in nature and sometimes referred to as structural BMPs.

Subdivision development includes activities associated with the platting of any parcel of land into two or more lots and all construction activity taking place thereon.

Utility agency/contractor means private utility companies, public utility departments, or other utility providers, and contractors working for such private utility companies, or public entity utility departments, or other utility providers engaged in the construction or maintenance of utility lines and services, including water, sanitary sewer, storm sewer, electric, gas, telephone, television and communication services.

Wastewater means any water or other liquid, other than uncontaminated stormwater, discharged from any premises or facility. The term "wastewater" includes sewage that is treated at the city's wastewater treatment plant.

Watercourse means a natural or artificial channel through which water can flow.

Waters of the state means any and all surface and subsurface waters that are contained in or flow in or through the state. The term "waters of the state" includes all watercourses, even if they are usually dry.
(Code 2020, § 42-102; Ord. No. 4251-4/2010; Ord. No. 4271-10/2010; Ord. No. 4531-11/2017)

Sec. 16-403. Applicability.

This article shall apply to all water entering the storm drainage system generated on any developed and undeveloped lands, unless explicitly exempted.
(Code 2020, § 42-103; Ord. No. 4251-4/2010)

Sec. 16-404. Responsibility for administration.

The city shall administer, implement, and enforce the provisions of this article. Any powers granted or duties imposed upon the city may be delegated by the mayor or city administrator to persons or entities acting in the beneficial interest of, or in the employ of, the city.
(Code 2020, § 42-104; Ord. No. 4251-4/2010)

Sec. 16-405. Ultimate responsibility.

The standards set forth herein and promulgated pursuant to this article are minimum standards. Compliance with this article does not act as a waiver or defense to any person for contamination,

pollution, or unauthorized discharge of pollutants. Ultimate responsibility for prohibited acts rests with persons who own or are in possession of control of premises from which the discharge of contaminants or pollutants emanates.
(Code 2020, § 42-106; Ord. No. 4251-4/2010)

Sec. 16-406. Discharge prohibitions.

No person shall discharge or cause to be discharged into the municipal storm drainage system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards. The commencement, conduct or continuance of any illegal discharge to the storm drainage system is prohibited except as described as follows:

(1) The following discharges are exempt from discharge prohibitions established by this article: water line flushing or other potable water sources; landscape irrigation or lawn watering; diverted stream flows; rising groundwater; groundwater infiltration to storm drains; uncontaminated pumped groundwater; foundation or footing drains (not including active groundwater dewatering systems); crawl space pumps; air conditioning condensation; springs; non-commercial washing of vehicles; natural riparian habitat or wetland flows; swimming pools (if dechlorinated, typically less than one PPM chlorine); firefighting activities; and any other water source not containing pollutants.

(2) Discharges determined by the city to be necessary to protect public health and safety.

(3) Dye testing, if the city is notified in writing prior to the time of the test.

(4) Any non-stormwater discharge permitted under a National Pollutant Discharge Elimination System permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drainage system.

(Code 2020, § 42-107; Ord. No. 4251-4/2010; Ord. No. 4531-11/2017)

Sec. 16-407. Connection prohibitions.

The construction, use, maintenance or continued existence of illicit connections to the storm drainage system is prohibited.

(1) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(2) A person is considered to be in violation of this article if the person connects a line conveying sewage or pollutants to the MS4 or allows such a connection to continue.

(Code 2020, § 42-108; Ord. No. 4251-4/2010)

Sec. 16-408. Suspension of storm drainage system access.

(a) Suspension due to illicit discharges in emergency situations. The city may, without prior notice, suspend storm drainage system discharge access to a person when the city deems it necessary to prevent an actual or threatened discharge which presents or may present imminent and substantial danger to the environment; to the health or welfare of persons, or to the storm drainage system; or to waters of the state. If the person fails to comply with a suspension order issued in an emergency, the city may take such steps as deemed necessary to prevent or minimize damage to persons, the storm drainage system, and/or waters of the state.

(b) Suspension due to the detection of illicit discharge. Any person discharging to the storm drainage system in violation of this article may have their storm drainage system access terminated if such termination would abate or reduce an illicit discharge. The city will notify a person of the proposed termination of storm drainage system access by personal delivery or by United States mail. The person may request a hearing before the stormwater board of appeals by delivering such request in writing to the city clerk. The person is not entitled to a stay of the termination pending any such hearing.

(c) A person commits an offense if the person accesses or attempts to access the storm drainage system from premises terminated pursuant to this section, without the prior approval of the city. (Code 2020, § 42-109; Ord. No. 4251-4/2010)

Sec. 16-409. Construction.

(a) *General requirements for construction activities.*

(1) Except for construction activity relating to the building phase of development, the city shall require proof of coverage by a NDEQ general permit authorization for stormwater discharges from construction sites before providing approval for construction activity and land developments requiring, but not limited to, site plan applications, subdivision applications, building applications, and right-of-way applications from the city, unless exempt pursuant to subsection (a)(1)a of this section. These provisions apply to all portions of any plan for land disturbing activity which would cause the disturbance of at least one acre of soil, even though multiple, separate and distinct land development activities within the overall development may take place at different times on different schedules. The following activities are exempt from this article:

a. Any emergency activity that is necessary for the immediate protection of life, property, or natural resources; and

b. Construction activity that provides maintenance and repairs performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

(2) The city shall be invited to the pre-construction meeting to review the installation of all temporary erosion and sediment control BMPs included on the approved erosion and sediment control plan at least two business days before any construction activities are scheduled to start.

(3) Solid waste, industrial waste, yard waste and any other pollutants or waste on any construction site shall be controlled through the use of BMPs. Waste or recycling containers shall be provided and maintained by the owner or contractor on construction sites where there is the potential for the release of waste. Uncontained waste that may blow, wash or otherwise be released from the site is prohibited. Sanitary waste facilities shall be provided and maintained in a secured manner.

(4) Ready-mixed concrete, or any materials resulting from the cleaning of vehicles or equipment containing such materials or used in transporting or applying ready-mixed concrete, shall not be allowed to discharge from any construction site. Concrete wasted on site must be disposed of in a manner consistent with locally approved standards, and generally require establishment of a designated wash-out area.

(5) Cover or perimeter control shall be applied within 14 days to any soil stockpiles, which will remain undisturbed for longer than 30 calendar days.

(6) Disturbed soil shall be managed with BMPs that are adequately designed, installed, and maintained according to locally approved technical standards, specifications and guidance for the duration of the construction activity to minimize erosion and contain sediment within the construction limits.

(7) Sediment tracked or discharged onto public right-of-way shall be removed immediately.

(8) Bulk storage structures for petroleum products and other chemicals shall have adequate protection to contain all spills and prevent any spilled material from entering the MS4 or waters of the state.

(9) Temporary BMPs shall be removed and disturbed areas shall be stabilized with permanent BMPs at the conclusion of construction activity.

(b) *Requirements for the building phase of development.*

(1) Any person who engages in construction activity is responsible for compliance with this article and all applicable terms and conditions of the approved construction activity and SWPPP as it relates to the building phase of development.

(2) The following information shall be included with the application for a building permit, and be submitted to the public works department:

a. Either the legal description and NPDES permit number for the larger common plan of development; or

b. The location of the property where the building phase of development is to occur; and

c. A certification that the building phase of development for the property described on the application for a building permit will be conducted in conformance with this article and the construction activity SWPPP.

(c) *Construction stormwater pollution prevention plan (SWPPP).*

(1) A SWPPP shall be prepared and updated in accordance with locally approved technical standards, specifications, and guidance for construction activity within the city, and shall include an erosion and sediment control plan for land disturbance.

(2) The SWPPP shall include a description of all potential pollution sources, and temporary and permanent BMPs that will be implemented at the site, as approved by the city.

(3) The erosion and sediment control plan shall be submitted to the city for review with any application covered in subsection (a)(1) of this section.

(4) Land disturbing activities may not proceed until approval of the erosion and sediment control plan is provided by the city.

(5) The owner or operator is required to have a copy of the SWPPP readily available for review, with content that reflects the current condition of the construction activity, and all records that demonstrate compliance and are required by this article.

(6) The SWPPP shall include a description of routine site inspections.

a. The owner or their representative shall inspect all BMPs at intervals of no greater than 14 calendar days, and within 24 hours after any precipitation event of at least one-half inch.

b. Inspections of BMPs shall be conducted by an individual knowledgeable in the principles and practice of erosion and sediment controls, who possesses the skills to assess conditions at the construction site that could impact stormwater quality, and to assess the effectiveness of any erosion and sediment control measures selected to control the quality of stormwater discharges from the construction activity.

c. Inspection reports shall provide the name and qualification of the inspector, date of the evaluation, risks to stormwater quality identified, and all corrective actions necessary to prevent stormwater pollution.

d. The owner or operator of a construction activity may be requested to submit copies of inspection reports for review on a periodic basis by the city.

(7) Based on inspections performed by the owner, operator, authorized city personnel, state or federal regulators, modifications to the SWPPP will be necessary if at any time the specified BMPs do not meet the objectives of this article. In this case, the owner shall meet with an appointed official of the city to determine the appropriate modifications. All required modifications shall be completed within seven calendar days of receiving notice of inspection findings and shall be recorded in the SWPPP.

(8) The owner or operator of a construction site shall be responsible for amending the SWPPP whenever there is a significant change in design, construction, operation, or maintenance which has a significant effect on the potential for discharge of pollutants to the MS4 or receiving waters, or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with land disturbance.

(9) Records of inspection are to be maintained with the SWPPP for the life of the project. Inspection records are to be available to city inspectors upon request. Delay in providing a copy of the SWPPP or any requested records shall constitute a violation of this article.

(d) *Requirements for utility construction.*

(1) Utility agencies or their representatives shall develop and implement BMPs to prevent the discharge of pollutants on any site of utility construction within the city. The city may require additional BMPs on utility construction activity. If the utility construction disturbs greater than one acre, the utility agency must comply with the requirements of subsections (a) and (b) of this section.

(2) Utility agencies or their representatives shall implement BMPs to prevent the release of sediment from utility construction sites. Disturbed areas shall be minimized, disturbed soil shall be managed, and construction site exits shall be managed to prevent sediment tracking. Sediment tracked onto public right-of-way shall be removed immediately.

(3) Prior to entering a construction site or subdivision development, utility agencies or their representatives shall obtain and comply with any approved erosion and sediment control plans for the project. Any impact to construction and post-construction BMPs resulting from utility construction shall be evaluated prior to disturbance by the developer and utility company. Repairs to the disturbed BMPs must be completed within 48 hours, by individuals agreed upon during the design phase, or at a pre-construction meeting.

(Code 2020, § 42-110; Ord. No. 4251-4/2010; Ord. No. 4271-10/2010)

Sec. 16-410. Post-construction.

(a) *Post-construction requirement of permanent BMPs.*

(1) Land development that meets the requirements of section 16-409(a)(1) must address stormwater runoff quality through the use of permanent BMPs. Permanent BMPs shall be provided for in the drainage plan for any subdivision plat, annexation plat, development agreement, subdivision agreement or other local development plan.

(2) Structural BMPs located on private property shall be owned and operated by the owner of the property on which the BMP is located, unless the city agrees in writing that a person or entity other than the owner shall own or operate such BMP. As a condition of approval of the BMP, the owner shall also agree to maintain the BMP in perpetuity to its design capacity unless or until the city shall relieve the property owner of that responsibility in writing. The obligation to maintain the BMP shall be memorialized on the subdivision plat, annexation plat, development agreement, subdivision agreement or other form acceptable to the city and shall be recorded with the city public works department.

(b) *Certification of permanent BMPs.* Upon completion of a project, and before a certificate of occupancy shall be granted, the city shall be provided a written certification stating that the completed project is in compliance with the approved final drainage plan. All applicants are required to submit as built plans for any permanent BMPs once final construction is completed, and must be

certified by a professional engineer licensed in the state. A final inspection by the city of all post-construction BMPs shall be required before the release of any performance securities can occur.

(c) *Ongoing inspection and maintenance of permanent BMPs.*

(1) The owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the city, execute an inspection and maintenance agreement that shall be binding on all subsequent owners of the permanent BMPs.

(2) Permanent BMPs included in a drainage plan which is subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and to ensure compliance with the requirements of the agreement, the plan and this article.

(Code 2020, § 42-111; Ord. No. 4251-4/2010; Ord. No. 4271-10/2010)

Sec. 16-411. Technical standards, specifications, and guidance.

All BMPs designed to meet the requirements of this article shall reference the appropriate technical standards, specifications and guidance as follows:

(1) City standards and specifications for construction.

(2) State department of roads drainage design and erosion control standards, specifications and guidance.

(3) Any other alternative methodology approved by the city, which is demonstrated to be effective.

(4) Timeline for post-construction criteria implementation. Implementation for the following will be after January 1, 2018:

a. *Proposed redevelopment; applies to lands which have been platted and previously built upon.* Stormwater treatment facilities must be accounted for on any proposed redevelopment project if it has not already submitted a complete preliminary plat or building permit for approval. Proposed redevelopment projects that are exempt from treatment are those that have already submitted a complete plat, preliminary plat or building permit for approval. Any non-exempt projects must account for a 70th percentile rain event.

b. *Proposed new development; applies to lands which are being platted for development or have been platted, but have not previously been built upon.* STFs must be accounted for on any new proposed development project that has not already submitted a complete preliminary plat or building permit for approval. Proposed new development projects that are exempt from treatment are those that have already submitted a complete final plat, preliminary plat or building permit for approval. Any non-exempt projects must account for an 80th percentile rain event.

(Code 2020, § 42-112; Ord. No. 4251-4/2010; Ord. No. 4271-10/2010; Ord. No. 4531-11/2017)

Sec. 16-412. Inspection and monitoring.

(a) *Applicability.* This section applies to all premises that have stormwater discharges associated with industrial activity, including construction activity.

(b) *Access to premises.*

(1) The city's designees shall be permitted to enter and inspect premises and facilities subject to regulation under this article as often as may be necessary to determine compliance with this article. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the city.

(2) The city's designees shall be given access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of the NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.

(3) The city may place upon the premises such devices as deemed necessary to conduct monitoring and/or sampling of discharges from the premises.

(4) The city may require a person to install monitoring equipment as necessary. Sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition at no expense to the city. All devices used to measure stormwater flow and quality shall be calibrated to ensure accuracy.

(5) Any obstruction to safe and easy access to the premises to be inspected and/or sampled shall be promptly removed at the request of the city and shall not be replaced. The costs of clearing such access shall not be paid by the city.

(6) Unreasonable delays in allowing city designees access to premises is a violation of a stormwater discharge permit and of this article. A person who is the operator of a facility or premises with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the city reasonable access for the purpose of conducting any activity authorized or required by this article.

(7) If a city designee has been refused access to any part of the premises from which stormwater is discharged, the city may seek issuance of a search warrant from any court of competent jurisdiction.

(Code 2020, § 42-113; Ord. No. 4251-4/2010)

Sec. 16-413. Best management practices (BMPs).

The city may adopt requirements identifying BMPs for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drainage system, or waters of the state. The owner or operator of a commercial or industrial establishment shall provide, at the owner or operator's expense, reasonable protection from discharge of prohibited materials or other wastes into the municipal storm drainage system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premises

which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the MS4. These BMPs shall be part of a SWPPP as necessary for compliance with requirements of any NPDES permit. If requested, the city will provide guidance on BMPs applicable to common activities, operations or facilities which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the United States.
(Code 2020, § 42-114; Ord. No. 4251-4/2010; Ord. No. 4531-11/2017)

Sec. 16-414. Watercourse protection.

Every person owning property through which a watercourse passes, and such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.
(Code 2020, § 42-115; Ord. No. 4251-4/2010)

Sec. 16-415. Notification of discharges and spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility, premises, or operation has information of any known or suspected release of materials which result or may result in illegal discharges or pollutants discharging into stormwater, the storm drainage system, or waters of the state, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such release of hazardous materials, said person shall immediately notify emergency response agencies and the city of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the city in person or by phone or facsimile no later than the next business day. Notifications in person, by phone, or by facsimile shall be confirmed by written notice addressed and mailed to the city within three business days of the prior notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.
(Code 2020, § 42-116; Ord. No. 4251-4/2010)

Sec. 16-416. Notice of violation.

Whenever the city finds that a person has violated or failed to meet a requirement of this article, the city's designee may order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:

(1) The performance of monitoring, analyses, and reporting;

(2) The elimination of illicit connections or discharges;

(3) That violating discharges, practices, or operations shall cease and desist;

(4) The abatement or remediation of stormwater pollution or contamination hazards, and the restoration of any affected property;

(5) Payment of costs to cover administrative and remediation expenses;

(6) The implementation of source control, treatment, and prevention practices. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor, and the expense thereof shall be charged to the violator and may be assessed against the real estate or collected by civil action.

(7) Stop work order. Whenever the city determines that any activity is occurring which is not in compliance with the requirements of this Code, the city may order such activity stopped upon service of written notice upon the owner and/or operator responsible for or conducting such activity. Such owner and/or operator shall immediately stop all activity until authorized in writing by the city to proceed. If the appropriate owner and/or operator cannot be located, the notice to stop shall be posted in a conspicuous place upon the area where the activity is occurring. The notice shall state the nature of the violation. The notice shall not be removed until the violation has been cured or authorization to remove the notice has been issued by the city. It shall be unlawful for any owner and/or operator to fail to comply with a stop work order.

(Code 2020, § 42-117; Ord. No. 4251-4/2010; Ord. No. 4531-11/2017)

Sec. 16-417. Appeal of notice of violation.

Any person receiving a notice of violation may appeal the determination. The notice of appeal must be received within ten days from the date of the notice of violation. Hearing on the appeal before the stormwater board of appeals or the person's designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the stormwater board of appeals shall be final.

(Code 2020, § 42-118; Ord. No. 4251-4/2010)

Sec. 16-418. Stormwater board of appeals; created.

The stormwater board of appeals is hereby established, consisting of three members who are qualified by experience and training to pass upon matters pertaining to the environment. The members of the stormwater board of appeals shall be the city engineer, environmental officer, and the environmental engineering assistant. Matters may be brought to the board only by appeal from a decision of the building official or code enforcement officer. The decision of the stormwater board of appeals shall be final.

(Code 2020, § 42-119; Ord. No. 4251-4/2010)

Sec. 16-419. Enforcement measures after appeal.

If the violation has not been corrected as set forth in the notice of violation, or, in the event of an appeal, within 25 days of the original deadline if the city stormwater board of appeals upholds the

notice of violation, then representatives of the city may enter upon the subject private property, and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the city's designees or agents to enter upon the premises for the purposes set forth in this section.
(Code 2020, § 42-120; Ord. No. 4251-4/2010)

Sec. 16-420. Cost of abatement of the violation.

After abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. If the amount due is not paid within 30 days, the city may sue to recover the costs through a civil action or levy and assess the costs against the real estate in the manner of special assessments.
(Code 2020, § 42-121; Ord. No. 4251-4/2010)

Sec. 16-421. Injunctive relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. If a person has violated or continues to violate the provisions of this article, the city may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations, or compelling the person to perform abatement or remediation of the violation. Injunctive relief shall be in addition to any other remedy available under this article or any other federal or state law.
(Code 2020, § 42-122; Ord. No. 4251-4/2010)

Sec. 16-422. Violations deemed a public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this article is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be abated or restored at the violator's expense, in the same manner as other nuisances under this Code.
(Code 2020, § 42-123; Ord. No. 4251-4/2010)

Sec. 16-423. Penalty for violations.

Any person violating any provision of this article shall, upon conviction, be guilty of an offense. Criminal fines shall be in addition to any civil remedies available.
(Code 2020, § 42-124; Ord. No. 4251-4/2010; Ord. No. 4271-10/2010)

Sec. 16-424. Remedies not exclusive.

The remedies listed in this article are not exclusive of any other remedies available under any applicable federal, state or local law, and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.
(Code 2020, § 42-125; Ord. No. 4251-4/2010)

ARTICLE IV. WATER WELLS

Sec. 16-501. Contaminated groundwater; findings and intent.

(a) The city council finds and determines that certain contaminants have, for many years, existed in certain areas of the groundwater in and near the city, and that certain legislation is necessary and appropriate for the purpose of supplementing the various measures undertaken by the city and others, aimed at reducing or eliminating the possibility that humans will come into contact with such contaminants.

(b) It is the intention of the city that existing water wells within the area where contaminated groundwater exists, which area shall be hereafter known as the city's institutional control area, shall be allowed to remain in existence only if reasonable safeguards are implemented so that there is no reasonable likelihood of human contact with the contaminants in the groundwater.

(c) It is also the intention of the city that no new domestic water wells may be installed within the city's institutional control area.

(d) It is not the intention of the city to prevent the installation of agricultural irrigation wells, or the installation of wells for non-potable use by businesses within the institutional control area, so long as adequate safeguards are in place to prevent human consumption of the water from said wells.
(Code 2020, § 32-611; Ord. No. 3754-11/2000; Ord. No. 4653, § 1, 2-8-2021)

Sec. 16-502. Registration of existing wells within institutional control area.

Within 60 days after the effective date of the ordinance from which this article is derived, all existing water wells within the city's institutional control area, other than public water supply wells, shall be registered in the office of the utilities department or of the department of development services by the owner of the real estate upon which the well is located. There shall be no fee for registering an existing water well. The department of development services shall forward all registrations to the utilities department, where they shall be kept on file.
(Code 2020, § 32-613; Ord. No. 3754-11/2000)

Sec. 16-503. Registration of existing water wells; information required.

The following information shall be furnished in connection with registering a water well in existence in the institutional control area on the effective date of the ordinance from which this article is derived:

(1) The name and address of the person owning the real estate upon which the well is located.

(2) The address and legal description of the property on which the well is located.

(3) The address of all properties being served by groundwater pumped from the well.

(4) A description of the uses of the water pumped from the well. The application shall state whether the groundwater is being, or will be, used for human consumption, including, but not limited to, drinking, cooking, washing, or other household uses.

(5) The location of the nearest public water main to the property served by the well.

(6) The depth of the well.

(7) An accurate diagram showing the location of the well in respect to the boundaries of the property, the nearest street, road, or highway intersection, and any on-site septic or waste disposal system.

(Code 2020, § 32-614; Ord. No. 3754-11/2000)

Sec. 16-504. Permitting of non-potable water wells.

After the effective date of the ordinance from which this article is derived, no person may drill or install a non-potable water well within the city or its two-mile extraterritorial jurisdictional area prior to applying for and obtaining a well permit in the manner described in this article. Any person filing an application for a new non-potable water well shall pay an application fee in the amount established in the city council fee resolution.

(Code 2020, § 32-615; Ord. No. 3754-11/2000)

Sec. 16-505. Geothermal water source heat pump systems.

Geothermal water source heat pump systems may be installed and operated within the city, and its two-mile extraterritorial jurisdiction, subject to permitting and other applicable requirements of this Code, provided that discharge of the spent water from any such system shall be dedicated to a beneficial use, and shall not include chemical additives for cleaning or descaling, nor shall it create a threat to public health or safety, a nuisance, or unlawful pollution of waters of the state. In no event shall the spent water from any geothermal water source heat pump system be directed or allowed to enter into or onto any publicly maintained street right-of-way, road right-of-way, ditch, storm sewer system, or sanitary sewer system.

(Code 2020, § 32-615.01; Ord. No. 4150-10/2007)

Sec. 16-506. Permitting of water wells; application for well permit.

(a) The following information shall be submitted to the department of development services in connection with applying for a well permit for a domestic water well or a non-potable water well within the city or its two-mile extraterritorial jurisdictional area:

(1) The name and address of the person owning the real estate on which the proposed well is to be located.

(2) The address and legal description of the property on which the proposed well is to be located.

(3) The address of all properties to be served by groundwater pumped from the proposed well.

(4) A description of the uses to be made of water to be pumped from the proposed well. The application shall state whether the groundwater will be used for human consumption, including, but not limited to, drinking, cooking, washing, or other household uses.

(5) The location of the nearest public water main to the property served by the proposed well.

(6) The depth of the proposed well.

(7) An accurate diagram showing the location of the proposed well in respect to the boundaries of the property, the nearest street, road, or highway intersection, and any on-site septic or waste disposal system.

(b) The well for which a permit has been obtained must be installed within six months after issuance of the permit, unless the utilities department, for good cause, grants an extension of the permit. The well permit shall expire unless the well is installed within such six-month period, or any extension thereof.
(Code 2020, § 32-616; Ord. No. 3754-11/2000)

Sec. 16-507. Wellhead protection areas.

The city designates the city's wellhead protection areas for the purpose of protecting the public water supply system. The boundaries of the city's wellhead protection areas are as follows:

(1) Township 8 North, Range 11 west of the 6th P.M., Adams County, Nebraska. All of sections 8, 9, 13 through 17, 21 through 27 and 35, the west half (W ½) of section 10 and the north half (N ½) of section 35.

(2) Township 8 North, Range 10 west of the 6th P.M., Adams County, Nebraska. All of sections 9, 10 and 15 through 36, the south half and the northwest quarter (S ½ & NW ¼) of section 3, the east half (E ½) of section 4, and the west half (W ½) of sections 11 and 14.

(3) Township 8 North, Range 9 west of the 6th P.M., Adams County, Nebraska. The west half (W ½) of sections 29 and 32, all of fractional sections 30 and 31.

(4) Township 7 North, Range 11 west of the 6th P.M., Adams County, Nebraska. All of sections 1 and 12, the north half (N ½) of section 13.

(5) Township 7 North, Range 10 west of the 6th P.M., Adams County, Nebraska. All of sections 1 through 18 and the north half (N ½) section 24.

(6) Township 7 North, Range 9 west of the 6th P.M., Adams County, Nebraska. All of sections 8 through 11 and 14 through 17, all of fractional sections 6, 7, 18 and the north half (N ½) of fractional section 19, the west half (W ½) of sections 5, 12 and 13, the north half (N ½) of sections 20 through 23 and the northwest quarter (NW ¼) of section 24.
(Code 2020, § 32-616.01; Ord. No. 4221-5/2009)

Sec. 16-508. Standards for considering application for a non-potable water well.

The utilities department shall approve the application for a non-potable water well within the city or its two-mile extraterritorial jurisdictional area if it is satisfied that:

(1) The required information contained in the application is complete;

(2) The well is not a domestic water well;

(3) The proposed use of the non-potable water well will comply with the requirements of this article.

(4) The location of the well does not violate any well spacing or encroachment regulations or restrictions established by any federal, state, or local authority.

(Code 2020, § 32-617; Ord. No. 3754-11/2000)

Sec. 16-509. Special exceptions for drinking water wells in the institutional control area.

(a) Any drinking water well in existence within the institutional control area on the effective date of the ordinance from which this article is derived may remain in use so long as the water, either at the wellhead or after point of use treatment, meets the drinking water standards established by 179 NE Admin. Rules and Regs. ch. 2, § 002. The determination of whether the water meets such standards shall be made by the utilities department.

(b) All point of use treatment devices shall be installed and maintained at the expense of the property owner, provided that nothing herein shall prevent the property owner from pursuing damages or other relief from any party responsible for contamination of groundwater available to the property owner.

(c) Any such existing domestic water well may be redrilled or replaced so long as the redrilled or replaced well meets one of the exceptions described in subsection (a) or (b) of this section; provided, however, such right shall exist only if an existing water main is not available to the property served by such domestic water well. Any replacement well may be drilled or installed only within 100 feet of the original domestic water well, and the location must first be approved by the department of development services and the utilities department.

(Code 2020, § 32-618; Ord. No. 3754-11/2000)

Sec. 16-510. Required warning signs in institutional control area.

(a) Every owner of real estate located within the city's institutional control area upon which a well is now or may hereafter be located shall conspicuously post and maintain a warning sign on or near such well, and at all water service points where water may be obtained from said well for human consumption.

(b) Warning signs.

(1) The warning sign shall, at a minimum, bear the following wording: "Warning. This water is not for human consumption." The signs will be uniform in appearance and shall be designed and produced by the city engineer. The cost of such signs shall be borne by the city.

(2) The sign requirement of subsection (b)(1) of this section shall not apply to a domestic water well or a service point which meets the special exception provisions of section 16-509.

(Code 2020, § 32-619; Ord. No. 3754-11/2000)

Sec. 16-511. Institutional control area; access; sampling and testing.

(a) Every owner of a well within the city's institutional control area shall, upon reasonable notice, grant access to said well to any local, state or federal official who requests access for the purpose of inspecting, sampling, testing, or inventorying said well.

(b) All existing domestic water wells in the city's institutional control area remaining in use after the effective date of the ordinance from which this article is derived shall be inspected and tested for contamination by the utilities department. Testing shall be conducted in accordance with testing protocol designed by the utilities department establishing the contaminants of concern and the frequency of testing.

(c) Water from any new water well installed within the city's institutional control area shall be sampled and analyzed by the utilities department for contaminants of concern prior to use of said well. The utilities department shall also determine the need for, and carry out as deemed appropriate, subsequent testing and analysis of the water produced by such well.

(d) The testing costs for wells within the institutional control area shall be borne by the utilities department.
(Code 2020, § 32-620; Ord. No. 3754-11/2000; Ord. No. 4150-10/2007)

Sec. 16-512. Nuisance.

All wells which:

(1) Are not registered or permitted as required by this article;

(2) Produce contaminated water which is made available in any way for human consumption; or

(3) Provide a conduit for contamination into the aquifer for any reason, such as being in a state of disrepair, or the manner in which the well was constructed;

are hereby declared to be a public nuisance, and shall be immediately brought into compliance with this article, or capped and closed at the owner's expense in accordance with all local, state, and federal rules and regulations governing the closing and capping of wells.
(Code 2020, § 32-621; Ord. No. 3754-11/2000)

Sec. 16-513. Prohibited acts.

(a) It shall be unlawful for any person to install a well within the city or its two-mile extraterritorial jurisdiction without obtaining a permit for said well from the utilities department.

(b) It shall be unlawful to fail to register any well as required by this article.

(c) It shall be unlawful for a person to fail to erect or maintain any warning sign required by the terms of this article.

(d) It shall be unlawful for a person to remove, deface, or cover any warning sign required by the terms of this article.

(e) It shall be unlawful for a person to operate or maintain a geothermal water source heat pump system in any manner contrary to the provisions of section 16-505.
(Code 2020, § 32-622; Ord. No. 3754-11/2000; Ord. No. 4150-10/2007)

Sec. 16-514. Violation.

(a) Any person found to be in violation of this article shall be fined in an amount not to exceed $100.00. Each day that the violation continues shall be deemed to be a separate and distinct offense, and guilty of an offense.

(b) In the event that the utilities department determines that any well is a nuisance within the meaning of section 16-512, it shall send a written notice to the owner by certified mail, return receipt requested, notifying the addressee of the violation. The written notice shall contain the following information:

(1) The street address and legal description sufficient for identification of the premises on which the well is located.

(2) A brief and concise description of the acts or circumstances constituting the nuisance.

(3) A brief and concise description of the corrective action required to be taken to eliminate the nuisance.

(4) A brief and concise statement advising the addressee that if the nuisance is not remedied within seven days (excluding weekends and holidays) after receipt of the certified letter, the utilities department may order electrical power to the well disconnected and will request the city attorney to file an action to abate the public nuisance.

(c) If the addressee of the notice referred to in subsection (b) of this section fails to abate said nuisance within the time specified, the city attorney shall, upon written request of the utilities department, proceed to abate said public nuisance pursuant to this Code, and take all steps to have the costs of said action assessed against the owner of the real estate upon which the well is located.

(d) In the event the use of the groundwater in violation of this article might cause irreparable harm or pose a threat to public health, safety, or welfare, the written notice to abate as set forth in subsection (b) of this section shall not be required as a condition precedent to commencing a legal action to obtain abatement of the nuisance. The city may, with the consent of the mayor, immediately file an action requesting such temporary and permanent orders as are appropriate to expeditiously and permanently abate said public nuisance and protect the public health, safety and welfare.
(Code 2020, § 32-623; Ord. No. 3754-11/2000)

Chapter 17

RESERVED

Chapter 18

FIRE PREVENTION AND PROTECTION

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Article II. Fire Department

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Sec. 18-202. Powers and duties of chief of fire department.
Sec. 18-203. Duties of firefighters; police powers of firefighters.
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Article III. Fireworks

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ARTICLE I. IN GENERAL

Sec. 18-101. Adoption of International Fire Code.

Chapter 4 and sections 603 and 604 of the 2018 International Urban-Wildland Interface Code, and the entire International Fire Code, 2018 edition, including appendices B, C, D, and I, as published by the International Code Council, Inc., are hereby adopted as the fire code for the city. Each and all of the regulations, provisions, fees, penalties, conditions, and terms of the fire code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed in this section. The fire code, printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as such code does not conflict with the statutes of the state or other specific model codes previously adopted by the city. One copy of the fire code is on file at the office of the city clerk and is available for public inspection during normal business hours. The provisions of the fire code shall be controlling throughout the city.

(1) The following sections of chapter 4 of the 2018 International Urban-Wildland Interface Code are hereby amended as follows:

Section 402.2.2(1) is not adopted.

Section 404.1. General. An approved water source shall have an adequate water supply for the use of the fire protection service to protect buildings and structures from exterior fire sources or to suppress structure fires within the urban-wildland interface area of the jurisdiction in accordance with this section.

(2) The following sections of the International Fire Code, 2018 edition, are hereby revised, amended or added:

Section 101.1. Insert: "City of Hastings, Nebraska."

Section 103 title shall read as follows: "Section 103. Division of fire prevention."

Section [A] 103.1 shall read as follows: "[A] 103.1. General. The division of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the division shall be the implementation, administration, and enforcement of the provisions of this code."

Section [A] 110.4 shall read as follows: "[A] 110.4. Violation penalties. Persons who shall violate a provision of this code, or shall fail to comply with any of the requirements thereof, or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than $100.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In all cases of violation of each of the chapters, articles or sections of this code, or of any other ordinance of the city where a fine is imposed upon any persons 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 county jail until such fine and costs are paid. Each judgment finding a person guilty under

any chapter, article or section of this code or of any ordinance of the city of Hastings shall specify in terms that the person found guilty stand committed until such fine and costs are paid, secured or satisfied, or unless the prisoner is sooner discharged by the due process of law."

Section [A] 112.4 shall read as follows: "Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation of unsafe condition, shall be liable to a fine of not less than $100.00, guilty of a misdemeanor, and shall be a continuing violation."

Section 307.1 shall read as follows: "Section 307.1. General. A person shall not kindle or maintain, or authorize to be kindled or maintained, any open burning unless conducted and approved in accordance with sections 307.1.1 through 307.5, and in accordance with Nebraska Revised Statutes, §§ 81-520.01—81-520.05."

Add section 307.1.2 to read as follows: "Section 307.1.2. Authorized times. Open burning may be granted only between the hours of 8:00 a.m. and 7:00 p.m. on Tuesdays and Thursdays, and 12:00 noon and 7:00 p.m. on Saturdays, unless alternate dates and/or times are specifically authorized by the fire chief or a designee, and included within the permit."

Add section 307.2.2 to read as follows: "Section 307.2.2. Permit timeframes and fees. The permit may be granted for a single burning event or a series of burning events over a period of time not exceeding 30 days. The fee for such permit shall be in the amount established by the city council's fee resolution."

Section 307.3 shall read as follows: "Section 307.3. Extinguishment authority. Where open burning, recreational fires, portable or permanent outdoor fireplaces, or cooking fires create or add to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order extinguishment of the burning operation. Any person who refuses to comply with the order or requirement of the fire chief or any member of the fire department to extinguish a fire shall be guilty of an ordinance violation."

Section 307.4 shall read as follows: "Section 307.4. Location. The location for open burning shall not be less than 50 feet from any structure, shall not be less than 15 feet from any property line, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure."

Section 307.5 shall read as follows: "Section 307.5. Attendance. Open burning, bonfires, recreational fires, and use of portable outdoor fireplaces shall be constantly attended by a competent person of legal age until the fire is extinguished. No fewer than one portable fire extinguisher complying with section 906 with a minimum 4-A rating, or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization."

Section 903.2.8 shall read as follows: "Section 903.2.8. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a Group R fire area."

Exception 1: Group R-3 occupancies shall not be required to be provided with an automatic sprinkler system. Where installed, the design and installation of fire sprinkler systems in one- and two-family dwellings and townhouses shall comply with section 903.3.

Exception 2: Care facilities located in a single-family dwelling shall not be required to be provided with an automatic fire sprinkler system where the number of persons receiving care is fewer than 13.

(Code 1973, § 14-1; Code 2020, § 13-101; Ord. No. 2632; Ord. No. 2874; Ord. No. 3011-4/87; Ord. No. 3155-1/90; Ord. No. 3440-12/94; Ord. No. 3962-8/2004; Ord. No. 3976-11/2004; Ord. No. 4581-3/2019)

Editor's note—For all National Fire Protection Association (NFPA) referenced standards found in chapter 80 of the International Fire Code, free access is available by visiting https://www.nfpa.org/codes-and-standards/all-codes-and-standards/free-access. It will be necessary to create a profile and/or log in to view the codes at no charge.

ARTICLE II. FIRE DEPARTMENT

Sec. 18-201. Composition; supervision.

The fire chief shall have general charge and direction of the city fire department. The existing personnel of such department shall constitute the city fire department.

(Code 1973, § 14-15; Code 2020, § 13-201)

Sec. 18-202. Powers and duties of chief of fire department.

The chief of the city fire department shall have, under the direction of the mayor, control and command of the city fire department and of the property, implements and apparatus used in the department. The chief shall also perform such duties as are provided by this Code and other ordinances of the city relating to the fire department and fire regulations. There may be an assistant chief of the fire department or one or more captains who shall at all times assist the chief of the fire department in the performance of the chief's duties, and shall, in the absence of the chief of the fire department, succeed to the office and duties of chief, when so designated by the chief.

(Code 1973, § 14-16; Code 2020, § 13-202)

Sec. 18-203. Duties of firefighters; police powers of firefighters.

All members of the fire department shall be subject to such rules and regulations and shall perform such duties as shall be prescribed or required of them by the fire chief or this Code or other ordinances of the city.

(Code 1973, § 14-17; Code 2020, § 13-203)

Sec. 18-204. Control of personnel; adoption of rules and regulations.

The fire chief shall have sole and absolute control and command over all persons connected with the city fire department, and shall possess full power and authority over its organizations, govern-

ment and discipline, and, to that end, the fire chief may prescribe and establish, from time to time, such rules and regulations as the fire chief may deem advisable, by and with the consent of the city council.
(Code 1973, § 14-18; Code 2020, § 13-204)

Sec. 18-205. Furnishing copies of rules and regulations to members.

Each member of the fire department shall be furnished with a copy of the rules and regulations established by the chief for the government of the fire department.
(Code 1973, § 14-19; Code 2020, § 13-205)

Sec. 18-206. Custody of fire apparatus, etc.

The fire chief shall have the custody, subject to the direction of the city council, of the engines, trucks, ladders, telegraph lines and all other property and appurtenances belonging to the fire department.
(Code 1973, § 14-20; Code 2020, § 13-206)

Sec. 18-207. Repair of fire apparatus.

The fire chief shall, when any of the fire engines, trucks, hooks and ladders or other apparatus need to be repaired, cause the same to be repaired under the chief's direction and supervision, by and with the advice and consent of the city council.
(Code 1973, § 14-21; Code 2020, § 13-207)

Sec. 18-208. Badges and uniforms.

(a) The fire chief shall make suitable regulations under which the officers and people of the fire department shall be required to wear some appropriate uniform and badge or other insignia by which, in case of fires and at other times, the authority and relation of such, in case of fires and at other times, the authority and relation of such officers and people in the department may be known, as the exigencies of their duties may require.

(b) Every member of the fire department, when on duty, shall wear a suitable badge, furnished by the city, and any member who shall lose or destroy the same shall be required to pay the cost of replacing it; and when any member shall leave the department, they shall immediately deliver their badge, and all other property belonging to the city, to the proper officer.
(Code 1973, § 14-22; Code 2020, § 13-208)

Sec. 18-209. Suspension of members pending charges.

During the pending of charges against any member of the fire department, the fire chief may suspend from duty any such member until such charge can be examined by the chief.
(Code 1973, § 14-23; Code 2020, § 13-209)

Sec. 18-210. Records.

The fire chief shall cause to be kept a full and complete record of all transactions in the fire department, of complaints against members, and the judgment of the chief thereupon, of the time lost by them and of all property placed in the chief's charge, and such other books and records as shall be required for the business of the department.
(Code 1973, § 14-24; Code 2020, § 13-210)

Sec. 18-211. Preservation of property.

The fire chief, or officer in command, shall have the power to cause the removal of any property, whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect adjoining property. The chief may direct any firefighters to remove any building, structure or fence for the purpose of checking the progress of any fire; and the chief shall have the power to remove any building or structure, during the progress of a fire, for the purpose of extinguishing or checking the same.
(Code 1973, § 14-25; Code 2020, § 13-211)

Sec. 18-212. Protection of department property.

It shall be the duty of all members of the fire department to prevent all persons not belonging to the department from entering any house or handling any apparatus belonging to the department without permission.
(Code 1973, § 14-27; Code 2020, § 13-212)

Sec. 18-213. Resignation; absence without leave.

Unexplained absence, without leave, of any member of the department for three days shall be cause for removal; but it may, at the option of the chief, be deemed and held to be a resignation by such member, and accepted as such.
(Code 1973, § 14-29; Code 2020, § 13-214)

Sec. 18-214. Fire chief and assistants to be on continuous duty.

The chief, or a designee, shall be on duty at all times, both night and day.
(Code 1973, § 14-30; Code 2020, § 13-215)

Sec. 18-215. Salaries; clothing allowance.

The officers and members of the fire department shall receive such compensation and clothing allowances as may from time to time be fixed by the mayor and city council by resolution.
(Code 1973, § 14-31; Code 2020, § 13-216; Ord. No. 1777)

Sec. 18-216. Physical examination.

All members of the fire department shall pass a physical examination at any time an examination is required by the chief or by the city council.
(Code 1973, § 14-32; Code 2020, § 13-217)

Sec. 18-217. Obstructing fire chief, etc., in performance of duties.

It shall be unlawful for any person to hinder or obstruct the fire chief, or the chief's assistants, in the performance of their duty.
(Code 1973, § 14-34; Code 2020, § 13-219)

Sec. 18-218. Hindrance or interference at fires; defacing apparatus.

It shall be unlawful for any person to willfully hinder any officer or firefighter in the performance of their duty at a fire, or to willfully injure, deface, or destroy any engine or fire apparatus belonging to the city.
(Code 1973, § 14-36; Code 2020, § 13-220)

ARTICLE III. FIREWORKS

Sec. 18-301. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fireworks means any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation and as defined by the International Fire Code as adopted from time to time by the city

Fireworks stand means a trailer, tent, or temporary structure which stands alone and is not connected to or with any other trailer, tent, or structure, either temporary or permanent, from which any product other than permissible fireworks is sold or distributed.
(Code 2020, § 13-501; Ord. No. 3310-4/93; Ord. No. 3976-11/2004; Ord. No. 4142-8/2007; Ord. No. 4370, 10-28-2013)

Sec. 18-302. Permit—Required to sell or offer for sale in city.

It shall be unlawful for any person to sell or offer for sale permissible fireworks in the city without a permit from the city.
(Code 2020, § 13-502; Ord. No. 3310-4/93; Ord. No. 4142-8/2007)

Sec. 18-303. Permit—Application.

The application deadline is June 15 of each year. The application to sell or offer for sale permissible fireworks shall contain:

(1) The name and address of the applicant and the local contact.

(2) The street address or legal description of the premises for which the permit is sought.

(3) An accurate description of the fireworks stand.

(4) A detailed site plan showing accurate scaled dimensions of the location of the fireworks stand and storage facility in relation to the boundaries of the premises and other structures. All tents shall have their location marked on an aerial view identifying utility locations.

(5) A nonrefundable processing fee may be assessed at the time of the application as submitted.

(6) The surface type for the stand or tent shall be identified.

(7) The applicant shall furnish a completed copy of the application to the local contact in charge of the stand.

(8) Proof of a valid liability insurance policy of at least $2,000,000.00 naming the city as an additional insured party.

(Code 2020, § 13-503; Ord. No. 3310-4/93; Ord. No. 4142-8/2007; Ord. No. 4370, 10-28-2013)

Sec. 18-304. Permit—When granted.

The city clerk shall submit copies of any application to sell permissible fireworks to the building official, fire department, and utility department, who shall, thereafter, review the application and the applicant to determine that all of the provisions of this Code and any other applicable federal or state laws or regulations have been met. The results of such review and application shall be delivered to the city clerk, who shall then issue a permit to the applicant. In the event that any of the persons reviewing the application recommend that it not be issued, then the application shall be forwarded to the city council, which, after review, shall either refuse or grant the issuance of the permit. Issuance by the city council may be based upon such conditions as will ensure compliance with all applicable laws and regulations. Any permit which is granted shall be prominently displayed at the fireworks stand to which it has been issued. No permit shall be transferrable. The applicant shall pay any applicable occupation tax as prescribed in section 48-202.

(Code 2020, § 13-504; Ord. No. 3310-4/93; Ord. No. 3371-1/1994; Ord. No. 4142-8/2007; Ord. No. 4370, 10-28-2013; Ord. No. 4557, 7-9-2018)

Sec. 18-305. Fireworks stands.

Permissible fireworks may be sold or offered for sale within the city only from a fireworks stand.

(1) The fireworks stand:

a. Must be located upon real estate which is zoned for commercial or industrial use;

b. Shall not be located within 25 feet from any building or other structure, or within 100 feet from any building or pump where gasoline, diesel fuel, or oil for motor vehicles is stored or sold;

c. Shall have at least one fire extinguisher of a type and at a location as directed by the fire chief;

d. May not be erected or located within the city before June 23 of any year, and must be removed on or before July 6 of the year in which it is erected; and

e. May consist of a tent, provided that:

1. The tent is made of a flame-resistant or fire-resistant material of a type approved by the fire chief;

2. The tent is placed at a location approved by the building official, the city's utilities department and the fire chief;
3. The tent is utilized for the sale of fireworks only and not for any other purpose, including, but not limited to, other commercial enterprises, camping, shelter or sleeping;
4. All fireworks shall be removed from the sales tent by 12:00 midnight each evening, and not placed back into the sales tent before 8:00 a.m. the following day, unless the vendor has adult security personnel in the tent at all times when the stand is not open for business; provided, however, the requirement to remove fireworks by 12:00 midnight shall be extended to 1:00 a.m. on the mornings of July 4 and 5.
5. Any tent placed on a grassy surface shall maintain the grass at one inch or less throughout the selling period.

f. Shall post any placard or poster provided by the fire department setting forth the applicable laws regarding the use of fireworks.

(2) Electrical power for fireworks stands shall comply with the most recently adopted edition of the National Electrical Code NFPA 70, and the following:

a. All power, whether utilities or generator, for fireworks stands and storage shall be protected by a ground fault circuit interrupter (GFCI) device, including, but not limited to, outlets, breakers, and inline cord units.

b. All GFCIs shall be tested before use.

c. All extension cords shall be three conductor (grounded) with the ground pin intact, and be of adequate gauge (size) for the load and distance.

d. Any portable distribution boxes and distribution cords shall be four-wire system (hot, hot, neutral, ground) and shall also be protected by a GFCI device.

e. Any replacement or newly installed GFCIs shall be of the WR, weather-resistant, type.

(Code 2020, § 13-505; Ord. No. 3310-4/93; Ord. No. 3371-1/94; Ord. No. 3900-5/2003; Ord. No. 4063-2/2006; Ord. No. 4142-8/2007; Ord. No. 4370-10/2013)

Sec. 18-306. Age requirements.

(a) It shall be unlawful for any person who is under the age of 16 years to sell, or offer to sell, any fireworks within the city.

(b) A person of at least 19 years of age shall supervise all sales of fireworks by a salesperson who is under the age of 19 years.

(c) It shall be unlawful for any person to sell or offer to sell any fireworks within the city to any person under the age of 16 years.

(Code 2020, § 13-506; Ord. No. 3310-4/93; Ord. No. 3371-1/94; Ord. No. 3900-5/2003; Ord. No. 4142-8/2007)

Sec. 18-307. Sale and use of permissible fireworks.

Permissible fireworks may be sold and/or ignited only during the following times:

(1) June 28 to July 2: 10:00 a.m. to 10:00 p.m.

(2) July 3 and 4: 10:00 a.m. to 12:00 midnight.

(Code 2020, § 13-507; Ord. No. 3310-4/93; Ord. No. 3900-5/2003; Ord. No. 4063-2/2006; Ord. No. 4111-11/2006; Ord. No. 4553-4/2018)

Sec. 18-308. Prohibited acts.

It shall be unlawful for any person to:

(1) Use, discharge, explode or possess any fireworks within the city before June 28 or after July 4 of any year; provided, however, any person possessing a current permit as provided in this article may possess permissible fireworks between June 23 and July 6, unless a permit for additional storage time is issued by the fire chief and, further, provided that fireworks may be used, discharged, exploded, or possessed at any time when a special permit to do so is issued by the fire chief.

(2) Use, discharge or explode any fireworks in the vicinity of any person or property in a manner which exposes such person or property to injury or damage, or within any building.

(3) Throw any fireworks from or into a motor vehicle.

(4) Use, discharge or explode any fireworks on any public street, alley, sidewalk, park or other property owned by the city without a special permit issued by the fire chief.

(5) Ignite sky lanterns, or any other free-floating device which includes a flame or other heating device to heat air as a lifting mechanism. Such devices shall be prohibited within the city. It shall be unlawful for any person to sell at retail or otherwise barter, exchange, or offer for sale at retail, give away, or have in their possession, discharge, light, release, use or bring into the city any said sky lanterns.

(Code 2020, § 13-508; Ord. No. 3310-4/93; Ord. No. 3453-1/95; Ord. No. 3900-5/2003; Ord. No. 3976-11/2004; Ord. No. 4142-8/2007; Ord. No. 4370-10/2013; Ord. No. 4557-7/2018)

Chapter 19

RESERVED

Chapter 20

FUEL GAS APPLIANCE INSTALLATION

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ARTICLE I. IN GENERAL

Sec. 20-101. Scope.

The provisions of section 8-901 apply to this chapter.

Sec. 20-102. Appliances and accessories to comply with standard requirements.

(a) All gas appliances and accessories installed for domestic or commercial use shall:

(1) Be listed by a nationally recognized testing agency.

(2) Comply with applicable American National Standards (ANSI) approval or listing requirements covering safe operation, substantial and durable construction and acceptable performance.

(3) Be acceptable to the gas inspector.

(b) The American Gas Association, Inc., Laboratories, and Underwriters' Laboratories, Inc., are nationally recognized testing agencies.

(c) Compliance may be determined by the presence on the appliance or accessory of a label of a nationally recognized testing agency qualified and equipped to perform the tests necessary to determine such compliance and maintaining an adequate periodic inspection of current production models, and whose label on the appliance or accessory states that it complies with national safety requirements. In cases where no applicable standard has been developed for a given class of appliance or accessory, approval of the gas inspector should be obtained before the appliance or accessory is installed.
(Code 1973, § 16-24; Code 2020, § 30-1101; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-103. Listed appliances and accessories.

The term "listed," used in connection with appliances and accessories throughout this article, refers to appliances and accessories which are shown in a list published by an approved nationally recognized testing agency, qualified and equipped for experimental testing, and maintaining an adequate periodic inspection of current production of listed models, and whose listing states either that the appliance or accessory complies with nationally recognized safety requirements or has been tested and found safe for use in a specified manner.
(Code 1973, § 16-25; Code 2020, § 30-1102; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-104. Type of gas.

It shall be determined that the appliance has been designed for use with the gas to which it will be connected. No attempt shall be made to convert the appliance from the gas specified on the rating plate for use with a different gas without consulting the gas department or the manufacturer for complete instructions.
(Code 1973, § 16-26; Code 2020, § 30-1103; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-105. Verification of pipe size.

When connecting additional appliances to a piping system, the existing piping shall be checked to determine if it has adequate capacity. If inadequate, the existing system shall be enlarged as required, or a separate line of adequate capacity shall be run from the meter to the appliance.
(Code 1973, § 16-27; Code 2020, § 30-1104; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-106. Permissible temperatures on combustible materials.

(a) All gas appliances and their flue or vent connectors shall be installed so that continued or intermittent operation will not create a hazard to persons or property. They shall not, during operation, raise the temperature of unprotected combustible walls, partitions, floors, or ceilings more than 90 degrees Fahrenheit above normal room temperature when measured with mercury thermometers or conventional bead type thermocouples. When wall and partition temperatures are measured with disc type thermocouples as specified in American National Standards approval requirements for the types of appliances involved, an indicated temperature rise of 120 degrees Fahrenheit will correspond to the 90 degrees Fahrenheit rise measured with thermometers or conventional bead type thermocouples.

(b) Minimum clearance between combustible walls and the back and sides of various conventional types of appliances and their flue or vent connectors are specified in this article.
(Code 1973, § 16-28; Code 2020, § 30-1105; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-107. Air for combustion.

(a) Appliances shall be installed in a location in which the facilities for ventilation permit satisfactory combustion of gas and proper venting, under normal conditions of use. While all forms of building construction cannot be covered in detail, this requirement may usually be met by application of one of the following methods in ordinary building construction: In buildings of conventional frame, brick, or stone construction without enclosed appliance rooms, basement storm windows, or tight stair doors, infiltration is normally adequate to provide air for combustion and draft hood dilution.

(b) Where appliances are installed in a confined space within a building having adequate air infiltration, provisions shall be made for supplying this space with air for combustion and ventilation. This may be accomplished through use of two permanent openings freely communicating with interior areas of adequate infiltration in accordance with Figure 20-107, or by compliance with the provisions of subsection (c) of this section. If necessary, continuous ducts having cross sectional areas equal to the opening shall be utilized to communicate with the source of the air supply. The minimum dimension of rectangular air ducts shall be not less than three inches.

(c) Where appliances are installed in a confined space within a building, the building being of unusually tight construction, air for combustion and ventilation must be obtained directly from outdoors or from such spaces (crawl or attic) as freely communicate with the outdoors. Under these conditions, the openings called for in Figure 20-107 shall be replaced by two openings having a combined area of not less than one square inch per 1,000 British thermal units (BTU's) per hour of input rating. One opening shall be near the top of the enclosure and one near the bottom. These

openings shall be of approximately equal area and shall communicate with the selected source or sources of adequate air supply by continuous ducts of the same cross sectional area as the openings to which they connect. The minimum dimension of rectangular air ducts shall be not less than three inches. Any duct from the top opening shall be horizontal or pitched upward. The size of combustion air openings specified in this subsection and subsection (d) of this section shall not necessarily govern where special engineering ensures an adequate supply of air for combustion, draft and hood dilution and ventilation.

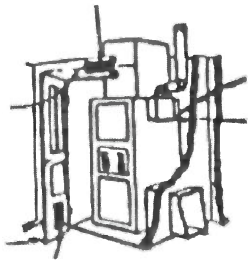

Figure 20-107. Illustration showing air openings necessary to supply air for combustion when appliance is installed in confined space.

(d) Where appliances are installed in unconfined spaces, such as a full basement, within a building of unusually tight construction, air for combustion and ventilation must be obtained from outdoors or from spaces freely communicating with the outdoors. Under these conditions, a permanent opening having a total free area of not less than one square inch per 1,000 BTU per hour

of input rating shall be provided. Where ducts are required, they shall be of the same cross sectional area as the openings to which they connect. The minimum dimension of rectangular air ducts shall be not less than three inches. For the installation of commercial and industrial equipment, permanent facilities for supplying an ample amount of outside air shall be provided in accordance with the burner manufacturer's instructions. Where no manufacturer's instructions are available, an opening to outside air shall be provided, having an area of at least ten square inches for each gallon fuel burner per hour. The size of combustion air openings specified in this subsection and subsection (d) of this section shall not necessarily govern where special engineering ensures an adequate supply of air for combustion, draft hood dilution and ventilation.

(e) Operation of exhaust fans, kitchen ventilation systems or fireplaces may create conditions requiring special attention to avoid unsatisfactory appliance operation.
(Code 1973, § 16-29; Code 2020, § 30-1106; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-108. Venting.

Appliances shall be vented in accordance with the provisions of this article.
(Code 1973, § 16-30; Code 2020, § 30-1107; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-109. Flammable vapors.

Gas appliances shall not be installed in any location where flammable vapors are likely to be present, unless the design, operation and installation are such as to eliminate the possible ignition of the flammable vapors.
(Code 1973, § 16-31; Code 2020, § 30-1108; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-110. Accessibility.

Every appliance shall be located so that it will be readily accessible for operation and servicing.
(Code 1973, § 16-32; Code 2020, § 30-1109; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-111. Strain on piping to be avoided.

Gas appliances shall be adequately supported and so connected to the piping as not to exert undue strain on the connections.
(Code 1973, § 16-33; Code 2020, § 30-1110; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-112. Extra device or attachment.

No device or attachment shall be installed on any appliance which may in any way impair the combustion of gas.
(Code 1973, § 16-34; Code 2020, § 30-1111; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-113. Combination of appliances.

Any combination of appliances, attachments or devices used together in any manner shall comply with the standards which apply to the individual appliances.
(Code 1973, § 16-35; Code 2020, § 30-1112; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-114. Use of air or oxygen under pressure.

Where air or oxygen under pressure is used in connection with the gas supply, effective means shall be provided to prevent air or oxygen from passing back into the gas piping. The gas inspector shall be consulted for details.
(Code 1973, § 16-36; Code 2020, § 30-1113; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-115. Venting of pressure regulators.

Gas appliance pressure regulators requiring access to the atmosphere for successful operation shall be equipped with a vent pipe leading to the outer air or into the combustion chamber adjacent to a constantly burning pilot. In case of vents leading to the outer air, means shall be employed to prevent water from entering this pipe and also to prevent stoppage of it by insects and foreign matter. In case of vents entering the combustion chamber, the vent shall be located so that the escaping gas will be readily ignited from the pilot flame and the heat liberated will not adversely affect the operation of the thermal element. The terminus of the vent shall be securely held in a fixed position relative to the pilot flame. For manufactured gas, a flame arrester in the vent line may also be necessary. Pressure regulator vent limiters are prohibited.
(Code 1973, § 16-37; Code 2020, § 30-1114; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-116. Installation instructions.

The installer shall leave the manufacturer's instructions for installation in a location on the premises where they are readily available for reference by the gas inspector.
(Code 1973, § 16-38; Code 2020, § 30-1115; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-117. Gas appliance pressure regulators.

(a) A gas pressure regulator shall be installed on all conversion burner heating installations, on all central heating designed furnaces, and on automatic water heaters with a rating of 40,000 BTU or over.

(b) On both domestic and commercial installations where gas is served to the burner at low pressure (ounces or inches water column), this regulator must comply with the American National Standards listings for domestic gas appliance regulators. A pound to inches regulator is not considered satisfactory.

(c) A gas pressure regulator requiring access to atmosphere for successful operation shall be vented to the outer air. Means shall be employed to prevent water from entering this pipe, and also to prevent stoppage of it by insects or foreign matter.

(d) If more practicable, it may be vented into the firing chamber with the point of emission at a position to be readily ignited from the burning pilot.
(Code 1973, § 16-39; Code 2020, § 30-1116; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-118. Appliance connections to building piping.

(a) All flexible copper appliance connectors shall be aluminum lined and AGA approved. No aluminum tubing shall be used to connect an appliance through a masonry wall.

(b) Hot plates, clothes dryers, room heaters, refrigerators, domestic gas ranges, and similar equipment shall be connected to the gas piping with rigid pipe, approved semi-rigid tubing, or approved appliance connectors of flexible metal tubing and fittings. When a semi-rigid tubing connector of flexible metal tubing and fittings is used, connect to an outlet in the same room as the appliance. The length of the connector shall not exceed six feet. The connector shall be installed so as to be protected against physical damage.

(c) The connection of an appliance with any type of gas hose is prohibited, except when used with laboratory, shop or ironing equipment that requires mobility during operation. Such connections shall have the shutoff or stopcock installed at the connection to the building piping. Where gas hose is used, it shall be of the minimum practical length, but not to exceed six feet, and shall not extend from one room to another nor pass through any walls, partitions, ceilings, or floors. Under no circumstances shall gas hose be concealed from view or used in a concealed location. Only listed gas hose shall be used. Listed gas hose shall be used only in accordance with the terms of its listing. Gas hose shall not be used where it is likely to be subject to excessive temperatures (above 125 degrees Fahrenheit).

(Code 1973, § 16-40; Code 2020, § 30-1117; Ord. No. 1837; Ord. No. 2101; Ord. No. 2230; Ord. No. 4417-12/2014)

Sec. 20-119. Electrical connections.

(a) *Compliance with National Electrical Code.* All electrical connections between gas appliances and the building wiring shall conform to the National Electrical Code.

(b) *Electric ignition and control devices.* No devices employing or depending upon an electrical current shall be used to control or ignite a gas supply if of such a character that failure of the electrical current could result in the escape of unburned gas, or in failure to reduce the supply of gas under conditions which would normally result in its reduction unless other means are provided to prevent the development of dangerous temperatures, pressures or the escape of gas.

(c) *Electrical ground.* The gas piping shall not be used for an electrical ground, nor shall electric circuits utilize gas piping, casing of controls, panels or other metal parts in lieu of wiring. This provision shall not apply to low-voltage control and ignition circuits, and to electronic flame detection device circuits incorporated as part of the appliance.

(d) *Electrical circuit.* The electrical circuit employed for operating the automatic main gas-control valve, automatic pilot, room temperature thermostat, limit control or other electrical devices used with gas appliance shall be in accordance with the wiring diagrams supplied with the appliance.

(e) *Continuous power.* All gas appliances using electrical controls shall have the controls connected into a permanently live electric circuit, i.e., one that is not controlled by a light switch. It is recommended that central heating gas appliances for domestic use is provided with a separate electrical circuit.

(f) *Transformer.* It is recommended that any separately mounted transformer necessary for the operation of the gas appliance is mounted on a junction box, and a switch with on and off markings installed in the hot wire side of the transformer primary.

(g) *Wire size.* It is recommended that multiple conductor cable, not lighter than number 18 American wire gauge, having type T (formerly type SN) insulation or equivalent, is used on control circuits. Multiple conductor cables should be color coded to assist in correct wiring and to aid in tracing low-voltage circuits.
(Code 1973, § 16-41; Code 2020, § 30-1118; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-120. Room temperature thermostats.

(a) *Locations.* To ensure a good response by the room temperature thermostat, it should be located where it will be in the natural circulating path of room air. Locations which would expose the device to cold air infiltration, or drafts from windows, doors or other openings leading to the outside, or to air currents from warm or cold air registers, or where the natural circulation of the air is cut off, such as behind doors, above or below mantles and shelves, or in corners shall be avoided. Placing a thermostat which controls a central heating appliance in a bedroom, bathroom or kitchen is not recommended.

(b) *Exposure.* A room temperature thermostat should not be exposed to heat from nearby radiators, fireplaces, radios, lamps, rays of the sun, or mounted on a wall containing pipes or warm air ducts, or a flue or vent, which would affect its operation and prevent it from properly controlling the room temperature.

(c) *Drafts.* Any hole in the plaster or panel through which the wires pass from the thermostat to the appliance being controlled shall be adequately sealed with suitable material to prevent drafts from affecting the thermostat.
(Code 1973, § 16-42; Code 2020, § 30-1119; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

ARTICLE II. SPECIFIC INSTALLATIONS

Sec. 20-201. General installation practice of types of appliances; responsibility.

Under this article appear the fundamental standards covering installation practices for specific types of appliances which must be observed to ensure safety and satisfactory performance as well as consumer satisfaction. All provisions outlined in this article shall be fully observed. Responsibility for the proper installation of gas appliances shall rest with the installing agency.
(Code 1973, § 16-43; Code 2020, § 30-1120; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-202. Domestic ranges.

(a) *Clearance from combustible construction.*

(1) Listed domestic gas ranges, except bungalow and dual-oven type combination gas ranges, when installed on combustible floors, shall be set on their own bases or legs and shall be

installed with clearances not less than shown in Table 20-202. In no case shall the clearances be such as to interfere with the requirements for combustion air and accessibility.

(2) Listed domestic gas ranges with listed gas room heater sections shall be installed so that the warm air discharge side shall have a minimum clearance of 18 inches between it and adjacent combustible construction. A minimum clearance of 36 inches shall be provided between the top of the heater section and the bottoms of cabinets. The minimum clearance between the back of the heater section and combustible construction shall be in accordance with Table 20-204.

(b) *Vertical clearance above cooking top.* Domestic gas ranges shall have a vertical clearance above the cooking top of not less than 36 inches to a combustible construction. When the underside of such combustible construction is protected with asbestos mill board at least one-fourth inch thick covered with sheet metal of not less than number 28 U.S. gauge, the distance shall be not less than 24 inches. The protection shall extend nine inches beyond the sides of the range.

(c) *Install level.* All gas ranges shall be installed so that the cooking top and oven racks are level.

Table 20-202. Minimum Clearances for Listed Domestic Gas Ranges

		Distance From Combustible Construction—Inches			
		Sides		*Rear*	
Type of Range	*Spacing of Top Burner Opening From Side of Range*	*Wall Not Extending Above Cooking Top*	*Wall Extending Above Cooking Top*	*Body Side of Range*	*Projecting Flue Box*
Uninsulated	——	6	6	6	1
Insulated*	Less than 5 in.	½	3	1	1
Insulated	5 in. or more	½	½	1	1
Flush to wall	Less than 5 in.	Flush	3	Flush	——
Flush to wall	5 in. or more	Flush	Flush	Flush	——

*Approved as insulated models in accordance with American National Standards approval requirements for domestic gas ranges.

(Code 2020, § 30-1121; Ord. No. 1837; Ord. No. Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-203. Bungalow (utility) type domestic and dual-oven type combination gas ranges.

Bungalow (utility) type domestic gas ranges or dual-oven type combination gas ranges shall be spaced from combustible construction and otherwise installed in accordance with the standards applying to the supplementary fuel section of the range.

(Code 1973, § 16-45; Code 2020, § 30-1122; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-204. Water heaters.

(a) *Prohibited installations.* Water heaters shall not be installed in bathrooms, bedrooms or any occupied rooms normally kept closed. Water heaters, gas or electric, shall not be installed as boilers for hydronic heating systems.

(b) *Location.* Water heaters shall be located as close as practicable to the flue or vent. They should be so located as to provide short runs of piping to fixtures.

(c) *Clearance.* Listed gas-fired water heaters shall be positioned in relation to combustible construction with a minimum clearance in accordance with Table 20-204. In no case shall the clearances be such as to interfere with the requirements for combustion air, draft hood clearance and relief, and accessibility for servicing.

Table 20-204. Minimum Clearances for Listed Gas-Fired Water Heaters

Type of Heater [a]	*Distance From Combustible Construction—Inches*	
	Nearest Part of Jacket	*Flat Side*
Type A	6	——
Type B	2	——
Type C	——	Flush

[a] Type A: miscellaneous (including circulating tank, instantaneous, uninsulated, underfired).

Type B: underfired, insulated automatic storage heaters.

Type C: type B units with one or more flat sides and tested for installation flush to wall.

(d) *Connections.* Water heaters shall be connected in a manner to permit observation, maintenance and servicing.

(e) *Closed systems.* No water heater shall be installed in a closed system of water piping unless an approved water pressure relief valve is provided.

(f) *Temperature, pressure and vacuum relief valves.* The installation and adjustment of temperature, pressure and vacuum relief valves or combinations thereof and automatic gas shutoff valves shall be in accordance with the requirements of the gas inspector or with the manufacturer's instructions accompanying such devices.

(g) *Independent gas piping.* The gas line shall be a separate line direct from the meter to the appliances, unless the existing gas line is of ample capacity. Any contemplated use of existing gas piping shall be verified.

(h) *Cold water supply.* The water supply to any automatic instantaneous water heater shall be such as to provide sufficient pressure to properly operate the water valve when drawing hot water from a faucet on the top floor.

(i) *Connection to boiler or tank.* The method of connecting the circulating water heater to the tank shall ensure proper circulation of water through the heater, and permit a safe and useful temperature of water to be drawn from the tank. See Figure 20-204.

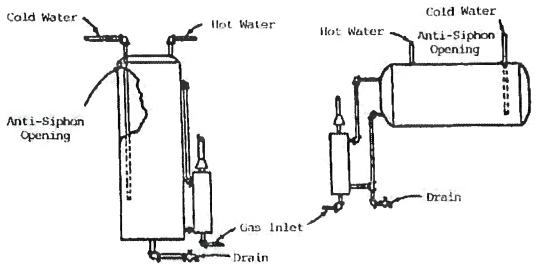

Figure 20-204. Suggested location for anti-siphon opening in cold water inlet.

(j) *Size of water circulating pipe.* The size of the water circulating piping, in general, shall conform with the size of the water connections of the heater.

(k) *Sediment drain.* A suitable water valve or cock, through which sediment may be drawn off or the tank emptied, shall be installed at the bottom of the tank.

(l) *Anti-syphoning devices.* Means acceptable to the gas inspector shall be provided to prevent syphoning in any boiler or tank to which any circulating water heater is attached. A cold water tube with a hole near the top is commonly accepted for this purpose. See Figure 20-303-1.
(Code 1973, § § 16-46; Code 2020, § 30-1123; Ord. No. 1837; Ord. No. 2101; Ord. No. 3877-10/2002; Ord. No. 4417-12/2014; Ord. No. 4417-12/2014)

Sec. 20-205. Room or space heaters.

(a) *Installations in sleeping quarters.* Room heaters installed in sleeping quarters for use of transients, as in hotels, motels and auto courts, shall be of the vented type and shall be connected to an effective flue or vent and equipped with an automatic pilot. Open flame heaters of any type are not acceptable vented heaters.

(b) *Installations in institutions.* Room heaters installed at any location in institutions such as homes for the aged, sanitariums, convalescent homes, orphanages, etc., shall be of the vented type and shall be connected to an effective flue or vent and equipped with an automatic pilot.

(c) *Clearances.* A room or space heater shall be placed so as not to cause a hazard to walls, floors, curtains, furniture, doors when open, etc., and to the free movements of persons within the room. Appliances designed and marked "For use in incombustible fire-resistive fireplace only," shall not be installed elsewhere. Listed room or space heaters shall be installed with clearances not less than specified in Table 20-205, except that appliances listed for installation at less clearances may be installed in accordance with their listings. In no case shall the clearances be such as to interfere with the requirements of combustion air and accessibility.

Table 20-205. Minimum Clearances for Listed Gas-Fired Room Heaters

	Distance From Combustible Construction—Inches	
Type	*Jacket, Sides and Rear*	*Projecting Flue Box or Draft Hood*
Warm air circulators	6	2

Type	Distance From Combustible Construction—Inches	
	Jacket, Sides and Rear	Projecting Flue Box or Draft Hood
Radiant heaters	6	2
Wall heaters	Flush	—
Gas steam and hot water radiators	6	2

(d) *Wall type room heaters.* Wall type room or space heaters shall not be installed in walls of combustible construction unless approved for such installation.

(e) *Connection.* The provisions of section 20-118 shall be observed.
(Code 1973, § 16-47; Code 2020, § 30-1124; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-206. Central heating boilers and furnaces.

(a) *Independent gas piping.* The gas line shall be a separate line direct from the meter to the boiler or furnace, unless the existing gas line is of ample capacity. Any contemplated use of existing gas piping shall be verified.

(b) *Manual main shutoff valves.*

1. Where a complete shutoff type automatic pilot system is not utilized, a manual main shutoff valve shall be provided ahead of all controls, except the manual pilot gas valve.
2. Where a complete shutoff type automatic pilot system is utilized, a manual main shutoff valve shall be provided ahead of all controls. A suitable manual valve shall be provided for shutting off the main burner gas independently of the pilot gas.
3. A union connection shall be provided downstream from the manual main shutoff valve to permit removal of the controls.

(c) *Clearances.* Listed central heating boilers and furnaces shall be installed with clearances not less than specified in Table 20-206, except that appliances listed for installation at lesser clearances may be installed in accordance with their listing. In no case shall the clearance be such as to interfere with the requirements for combustion air, draft hood clearance and relief, and accessibility for servicing.

Table 20-206. Minimum Clearances for Listed Central Heating Boilers and Furnaces

Type of Appliance	Distance From Combustible Construction—Inches			
	Above	Jacket Sides and Rear	Front	Projecting Flue Box or Draft Hood
Boilers	6	6	18	6
	18	6	18	6

1. *Appliances classed as low-heat appliances.* Low-heat appliances shall include ranges, heating stoves, warm air heating furnaces, water heaters and hot water heating boilers, steam boilers operating at not over 50 pounds per square inch gauge pressure, steam boilers of not over ten boiler horsepower regardless of operating pressure, domestic type

incinerators, bakery ovens, candy furnaces, coffee-roasting ovens, core ovens, lead-melting furnaces, rendering furnaces, stereotype furnaces, wood-drying furnaces and other furnaces classified as low-heat appliances in accordance with nationally recognized good practice. Appliances otherwise classed as medium-heat appliances may be considered as low-heat appliances if not larger than 100 cubic feet in size.

2. *Appliances classed as medium-heat appliances.* Medium-heat appliances shall include annealing furnaces (glass or metal); charcoal furnaces; galvanizing furnaces; gas producers and steam boilers of over ten boiler horsepower operating at over 50 pounds per square inch gauge pressure, when such appliances are larger than 100 cubic feet in size; other furnaces classified as medium-heat appliances in accordance with nationally recognized good practice; and appliances otherwise classed as high heat appliances if not larger than 100 cubic feet in size. The stack must be located 18 inches from all combustible material, unless otherwise specified by the gas inspector.

(d) *Erection and mounting.* A central heating boiler or furnace shall be erected in accordance with the manufacturer's instructions and shall be installed on a firm, level, fire-resistive foundation, unless listed for installation on a combustible floor, or the floor is protected in an approved manner.

(e) *Accessibility.* The installation of central heating boilers and furnaces shall be such as to make them accessible for cleaning of heating surfaces, removal of burners, replacement of sections, motors, controls, filters, draft hoods and other working parts, and for adjustment and lubrication of parts requiring such attention.

(f) *Connection of flow and return pipes.* The method of connecting the flow and return pipes on steam and hot water boilers shall facilitate a rapid circulation of steam or water. For common piping systems reference may be made to the American Society of Heating and Ventilating Engineers' Heating, Ventilating, Air Conditioning Guide and to the Institute of Boiler and Radiator Manufacturers' (IBR) guides.

(g) *Feed water and drain connections.* A steam or hot water boiler shall be provided with a direct connection to a water supply through an individual control valve. A drain valve, by means of which the boiler may be flushed or drained, also shall be provided.

(h) *Temperature of pressure relief devices.* Steam and hot water boilers shall be provided with approved automatic devices to shut down the burners in the event of undue pressure or low water in a steam boiler, or overheating in a hot water boiler.

(i) *Plenum chambers and air ducts.* A plenum chamber, when not a part of a furnace, shall be constructed in accordance with the manufacturer's instructions. The method of connecting supply and return ducts shall facilitate proper circulation of air. Reference may be made to the NBFU standards for the installation of air conditioning, warm air heating, air cooling and ventilating systems, No. 90, and to the design and installation manuals of the National Warm Air Heating and Air Conditioning Association. Where the furnace is installed within a confined space, the air circulated by the furnace shall be handled by ducts which are sealed to the furnace casing and are entirely separate from the means provided for supplying combustion and ventilating air.
(Code 1973, § 16-48; Code 2020, § 30-1125; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-207. Recessed heaters.

(a) *Installation.* Listed recessed heaters may be installed in combustible construction. Because of the necessity for closely correlating the installation of recessed heaters with the building construction, the gas inspector shall be consulted for the proper installation methods to be followed. Recessed heaters should be installed in accordance with the manufacturer's instructions.

(b) *Location.* Recessed heaters shall be located so as not to cause a hazard to walls, floors, curtains, furniture, doors, etc. Recessed heaters installed between bathrooms and adjoining rooms shall not circulate air from bathrooms to other parts of the building.

(c) *Manual main shutoff valve.* A manual main shutoff valve shall be installed ahead of all controls, including the pilot gas valve.

(d) *Accessibility.* The installation of recessed heaters shall be such as to make them accessible for cleaning of heating surfaces, removal of burners, replacement of sections, motors, controls, filters and other working parts, and for adjustment and lubrication of parts requiring such attention. Panels, grilles and access doors which must be removed for normal servicing operations shall not be attached to the building construction.

(e) *Combustion and circulating air.* Adequate combustion and circulating air shall be provided. (Code 1973, § 16-49; Code 2020, § 30-1126; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-208. Floor furnaces.

(a) *Installation.* Listed floor furnaces may be installed in combustible floors.

(b) *Manual main shutoff valve.* A separate manual main shutoff valve shall be provided ahead of all controls, and a union connection shall be provided downstream from this valve to permit removal of the controls or the floor furnace.

(c) *Combustion air.* Fixed ventilation by means of a duct or grille arranged to supply air from a permanently ventilated attic or underfloor space shall be provided to any confined space which encloses the floor furnace. The duct or grille shall be screened and have a free area of at least twice the free area of the vent collar of the floor furnace, or one square inch per 1,000 BTU per hour of gas input, whichever is the greater, and shall be installed in such a manner as to ensure proper combustion.

(d) *Placement.* The following are requirements that will serve in properly placing the furnace to serve one story:

(1) No floor furnace shall be installed in the floor of any aisle or passageway of any auditorium, public hall, or place of assembly, or in an exit-way from any such room or space.

(2) With the exception of wall-register models, a floor furnace shall not be placed closer than six inches to the nearest wall, and wall-register models shall not be placed closer than six inches to a corner.

(3) The furnace shall be so placed that a door, drapery or similar object cannot be nearer than 12 inches to any portion of the register of the furnace.

(4) Generally speaking, the more central the location, the better, favoring slightly the sides exposed to the prevailing winter winds.

(e) *Bracing.* The floor around the furnace shall be braced and headed with a framework of material not lighter than the joists.

(f) *Support.* Means shall be provided to support the furnace when the floor grille is removed.

(g) *Clearance.* The lowest portion of the floor furnace shall have at least a 12-inch clearance from the general ground level. When these clearances are not present, the ground below and to the sides shall be excavated to form a basin-like pit under the furnace so that the required clearance is provided beneath the lowest portion of the furnace. A 24-inch clearance shall be provided on all sides.

(h) *Wind protection.* Floor furnaces shall be protected, where necessary, against severe wind conditions.

(i) *Upper floor installations.* Listed gas floor furnaces may be installed in an upper floor, provided that the furnace assembly projects below into a utility room, closet, garage or similar noninhabitable space. In such installations, the floor furnace shall be enclosed completely, entirely separated from the noninhabitable space, with means for air intake to meet the provisions of subsection (c) of this section, with access facilities for servicing on the control side, with minimum furnace clearances of six inches to all sides and bottom, and with the enclosure constructed of Portland cement plaster on metal lath or material of equal fire resistance.
(Code 1973, § 16-50; Code 2020, § 30-1127; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-209. Duct furnaces.

(a) *Clearance.* Listed gas-fired duct furnaces shall be installed with clearances of at least six inches between adjacent walls, ceilings and floors of combustible construction and the appliance projecting flue box or draft hood, except that duct furnaces listed for installation at lesser clearance may be installed in accordance with their listings. In no case shall the clearance be such as to interfere with the requirements for combustion air and accessibility.

(b) *Erection of appliance.* A duct furnace shall be erected and firmly supported in accordance with the manufacturer's instructions.

(c) *Accessibility.* The installation of duct furnaces shall be such as to make them accessible for cleaning the heating surfaces, removal of burners, replacement of sections, controls, draft hoods and other working parts, and for adjustment of parts requiring such attention.

(d) *Access panels.* The ducts connected to or enclosing duct furnaces shall have removable access panels on both upstream and downstream sides of the furnace.

(e) *Location of draft hood and controls.* The controls and draft hoods for duct furnaces shall be located outside the ducts. The draft hood shall be located in the same enclosure from which combustion air is taken.

(f) *Circulating air.* Circulating air shall not be taken from the same enclosure in which the furnace is located.

(g) *Duct furnaces used with refrigeration systems.* Duct furnaces, when used in conjunction with a refrigeration system, shall not be located downstream from the evaporator coil.
(Code 1973, § 16-51; Code 2020, § 30-1128; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-210. Conversion burners—Generally.

Installation of conversion burners shall conform to the American National Standards requirements for installation of domestic gas conversion burners, Z21.9-1948.
(Code 1973, § 16-52; Code 2020, § 30-1129; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-211. Conversion burners—Domestic ranges.

Installation of conversion burners in ranges originally designed to utilize solid or liquid fuels shall conform to American National Standards requirements for installation of gas conversion burners in domestic ranges, Z21.38-1953.
(Code 1973, § 16-53; Code 2020, § 30-1130; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-212. Gas-fired unit heaters.

(a) *Support.* Suspended type gas-fired unit heaters shall be safely and adequately supported with due consideration given to their weight and vibration characteristics.

(b) *Clearances.* Listed gas-fired unit heaters shall be installed with clearances from combustible construction of not less than six inches above the appliance and from projecting flue box or draft hood and not less than 18 inches at the sides and bottoms, except that heaters listed for installation with lesser clearances may be installed in accordance with their listings. Additional clearances required for servicing shall be in accordance with the manufacturer's recommendations contained in the installation instructions.

(c) *Negative pressure.* The location of any unit heater or the duct work attached thereto shall be such that a negative pressure will not be created in the room in which the unit heater is located.

(d) *Ductwork.* A unit heater shall not be attached to a warm air duct system unless listed and marked for such installation.

(e) *Garage installation.* Unit heaters installed in garages for more than three motor vehicles or in airplane hangars shall be of a type listed for such use, and installed at least eight feet above the floor.
(Code 1973, § 16-54; Code 2020, § 30-1131; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-213. Clothes dryers.

(a) *Clearance.* Listed clothes dryers shall be installed with minimum clearance of six inches from adjacent combustible construction, except that clothes dryers listed for installation at lesser clearances may be installed in accordance with their listings. Moisture exhaust ducts shall be installed with clearances for high temperature duct systems in accordance with the National Fire Protection Association Standards for the installation of air conditioning, warm air heating, air cooling and

ventilating systems, No. 90. A minimum clearance of 18 inches shall be provided between the lower surface of any combustible material located above the dryer and the top of any other vent outlet not protected by a 250 degrees Fahrenheit or lower limit control.

(b) *Public use.* Gas-fired clothes dryers installed for multifamily use shall be equipped with approved automatic pilots.
(Code 1973, § 16-55; Code 2020, § 30-1132; Ord. No. 1837; Ord. No. 2094; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-214. Gas-fired incinerators.

(a) *Clearances.* Listed gas-fired incinerators shall be installed as close as practicable to a chimney and with at least 12-inch clearance between sides and combustible construction; except that incinerators listed at lesser clearances may be installed in accordance with their listing, except that the clearance to combustible construction shall not be less than three inches. The clearance above a charging door shall be not less than 48 inches. The clearance shall be such as not to interfere with the requirements for combustion air and accessibility. Listed incinerators of the wall type shall be installed on a noncombustible wall communicating directly with a chimney flue.

(b) *Smoke pipe connection.* No draft hood shall be connected into the smoke pipe of an incinerator. Where conditions permit, it is preferable to have the smoke pipe connected to a separate chimney flue.

(c) *Smoke pipe clearance.* Smoke pipes shall have at least 18-inch clearance from combustible construction and shall not pass through combustible construction unless guarded at the point of passage.

(d) *Smoke pipe material.* The smoke pipe from an incinerator to a Type A flue or vent shall be galvanized steel of a thickness at least 24 U.S. Standard gauge or of material having equivalent or superior heat and corrosion resistant properties, and the joints shall be secured by sheet metal screws.
(Code 1973, § 16-56; Code 2020, § 30-1133; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-215. Gas refrigerators.

Gas refrigerators shall be provided with adequate clearances for ventilation at the top and back. They shall be installed in accordance with the manufacturer's instructions. If such instructions are not available, at least two inches shall be provided between the back of the refrigerators and the wall and at least a 12-inch clearance above the top.
(Code 1973, § 16-57; Code 2020, § 30-1134; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-216. Hotel and restaurant ranges, deep fat fryers and unit broilers.

(a) *Mounting on combustible floors.*

(1) Listed hotel and restaurant ranges, deep fat fryers, and unit broilers, where set on their own bases or legs, may be installed on unprotected combustible floors unless marked "for use only in fireproof locations."

(2) Hotel and restaurant ranges, deep fat fryers, and unit broilers which are not listed for mounting on a combustible floor shall be mounted on fire-resistant floors, or be mounted in accordance with one of the following paragraphs, or in some manner substantially equivalent thereto that is acceptable to the gas inspector.

a. Where the appliances are set on legs which provide not less than 18 inches of open space under the base of the appliance, or where it has no burners and no portion of any oven or broiler within 18 inches of the floor, it may be mounted on a combustible floor without special floor protection, provided that there is at least one sheet metal baffle between the burner and the floor.

b. Where the appliance is set on legs which provide not less than eight inches of open space under the base of the appliance, it may be mounted on combustible floors, provided that the floor under the appliance is protected with not less than three-eighths-inch asbestos mill board covered with sheet metal of not less than 24 U.S. standard gauge. The floor protection specified above shall extend not less than six inches beyond the appliance on all sides.

c. Where the appliance is set on legs which provide not less than four inches under the base of the appliance, it may be mounted on combustible floors, provided that the floor under the appliance is protected with hollow masonry not less than four inches in thickness covered with sheet metal of not less than 24 U.S. standard gauge. Such masonry courses shall be laid with ends unsealed and joints matched in such a way as to provide for free circulation of air through the masonry. The hollow masonry shall be kept in place by a holding strip fastened to the floor on all four sides. The ends of hollow masonry shall be not less than three inches from any wall or obstruction.

d. Where the appliance does not have legs at least four inches high, it may be mounted on combustible floors, provided that the floor under the appliance is protected by two courses of four-inch hollow clay tile or equivalent, with courses laid at right angles and with ends unsealed and joints matched in such a way as to provide for free circulation of air through such masonry courses and covered with steel plate not less than three-sixteenths inch in thickness. The tile shall be kept in place by a holding strip fastened to the floor on all sides. The ends of the tile shall be not less than three inches from any wall or obstruction.

(b) *Clearance for listed appliances.* Listed hotel and restaurant ranges, deep fat fryers, and unit broilers shall be installed at least six inches from combustible construction except that at least a two-inch clearance shall be maintained between the flue box or draft hood and combustible construction. Appliances designed and marked "for use only in fireproof locations" shall not be installed elsewhere.

(c) *Combustible construction adjacent to cooking top.* Any portion of combustible construction adjacent to a cooking top section of a hotel or restaurant range, even though certified for close-to-wall installation, which is not shielded from the wall by a high shelf, warming closet, etc., shall be protected as specified in subsections (a) and (b) of this section for a distance of at least two feet above the surface of the cooking top.

(d) *Install level.* All hotel and restaurant ranges, deep fat fryers and unit broilers shall be installed level on a firm foundation.

(e) *Ventilation.* Adequate means shall be provided to properly ventilate the space in which hotel and restaurant equipment is installed to permit proper combustion of the gas. When exhaust fans are used for ventilation, special precautions may be required to avoid interference with the operation of the equipment.
(Code 1973, § 16-58; Code 2020, § 30-1135; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-217. Gas counter appliances.

(a) *Vertical clearance.* A vertical distance of not less than 48 inches shall be provided between the top of all commercial hot plates and griddles and combustible construction.

(b) *Listed appliances.* Listed gas counter appliances, such as commercial hot plates and griddles, food and dish warmers, coffee brewers and urns, waffle bakers and hot water immersion sterilizers, when installed on combustible surfaces, shall be set on their own bases or legs, and shall be installed with a minimum horizontal clearance of six inches from combustible construction.
(Code 1973, § 16-59; Code 2020, § 30-1136; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-218. Portable gas baking and roasting ovens.

Listed portable gas baking and roasting ovens shall be installed at least six inches from combustible construction, except that at least a two-inch clearance shall be maintained between the flue box or draft hood and combustible construction. Appliances designed and marked "for use in fireproof locations only" shall not be installed elsewhere.
(Code 1973, § 16-60; Code 2020, § 30-1137; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

ARTICLE III. VENTING OF APPLIANCES

Sec. 20-301. General venting standard of gas appliances; responsibility.

Under this article appear the fundamental standards for venting gas appliances which must be observed to ensure safety to persons or property under ordinary circumstances. Responsibility for the proper venting of appliances shall rest with the installing agency.
(Code 1973, § 16-61; Code 2020, § 30-1138; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-302. Appliances requiring venting.

(a) *Classification of appliances.* Gas appliances are hereby divided into two classifications:

(1) Appliances required to be vented.

(2) Appliances not required to be vented.

(b) *Appliances required to be vented.* Appliances of the following types shall be flue- or vent-connected or provided with other approved means for exhausting the flue gasses to the outside atmosphere:

(1) Central heating appliances, including steam and hot water boilers, warm air furnaces, floor furnaces and vented recessed heaters.

(2) Unit heaters and duct furnaces.

(3) Gas-fired incinerators.

(4) Water heaters with inputs over 5,000 BTU per hour.

(5) Room heaters listed for vented use only. This includes the space heating sections of bungalow gas ranges.

(6) Appliances which have draft hoods supplied by the appliance manufacturer, except room heaters for either vented or unvented use.

(7) Appliances equipped with gas-conversion burners.

(Code 1973, § 16-62; Code 2020, § 30-1139; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-303. Draft hoods.

(a) *Required.* Every vented appliance, except incinerators, dual-oven type combination ranges, and units designed for power burners or for forced venting, shall have a draft hood. If the draft hood is not a part of the appliance or supplied by the appliance manufacturer, it shall be supplied by the installer, and in the absence of other instructions shall be the same size as the appliance flue collar.

(b) *Installation.* Where the draft hood is a part of the appliance or is supplied by the appliance manufacturer, it shall be installed without alteration in accordance with the manufacturer's instructions. In the absence of manufacturer's instructions, the draft hood shall be attached to the flue collar of the appliance or as near to the appliance as conditions permit. In no case shall a draft hood be installed in a false ceiling, in a different room, or in any manner that will permit a difference in pressure between the draft hood relief opening and the combustion air supply.

(c) *Position.* A draft hood shall be installed in the position for which it was designed with reference to the horizontal and vertical planes, and shall be so located that the relief opening is not obstructed by any part of the appliance or adjacent construction.

(d) *Special draft hoods.* Where the installer must supply a draft hood of special design, advice of the gas inspector as to its use should be secured.

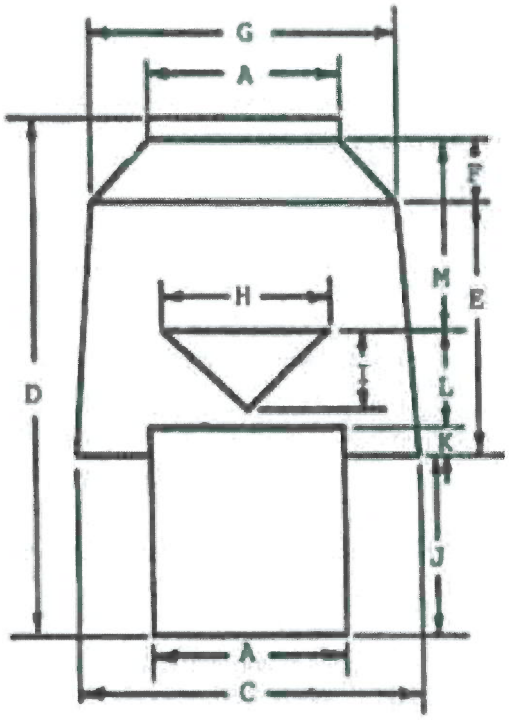

Figure 20-303-1. Suggested general dimensions for a vertical draft hood.

Table 20-303-1. Of Dimensions (Inches)

A	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*
3	5.5	7.0	3.8	0.7	4.4	3.0	1.5	2.5	0.7	1.5	2.3
4	7.2	9.5	5.0	1.0	6.0	4.0	2.0	3.5	1.0	2.0	3.0
5	9.4	10.8	5.3	1.5	8.0	5.0	2.3	4.0	0.9	2.4	3.5
6	11.5	12.0	5.6	1.9	9.8	6.0	2.5	4.5	0.8	2.7	4.0
7	13.5	13.9	6.4	2.3	11.6	7.0	2.9	5.3	0.9	3.1	4.6
8	15.5	15.8	7.1	2.7	13.4	8.0	3.2	6.0	1.0	3.5	5.3
9	17.5	17.5	7.7	3.1	15.2	9.0	3.5	6.7	1.0	4.0	5.8
10	19.7	18.8	7.9	3.6	17.2	10.0	3.8	7.3	1.0	4.3	6.2
11	22.2	20.7	8.4	4.3	19.6	11.0	4.1	8.0	1.5	4.6	6.6
12	24.7	22.2	8.7	5.0	22.0	12.0	4.4	8.5	1.7	5.0	7.0

Note: This is only one design of a vertical hood, and should not be construed as the only design that may be used. A hood of any other design which will meet the American National Standards listing requirements for draft hoods, Z21.12-1937, should be satisfactory within the limits of performance specified.

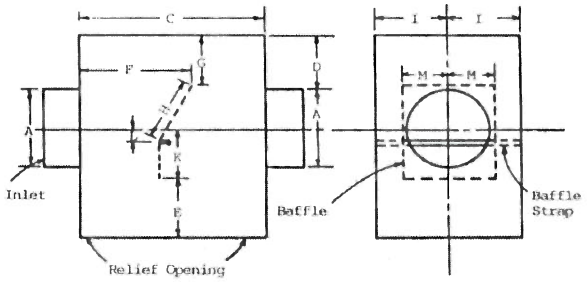

Figure 20-303-2. Suggested general dimensions for a horizontal draft hood.

Table 20-303-2. Of Dimensions (Inches)

A	C	D	E	F	G	H	I	J	K	L	M
3	6	1 ½	4 ¾	3 ¾	1 ⅜	2 ½	2 ½	2 ½	2 ⅛	9/16	1 ¾
4	8	2	4 ¾	5	1 ⅞	3 ⅜	3 ⅜	3 ⅜	2 ⅞	5/4	2 5/16
5	10	2 ½	4 ¾	6 ¼	2 ⅜	4 3/16	4 3/16	4 3/16	3 ½	15/16	2 15/16
6	12	3	4 ¾	7 ½	2 ⅞	5	5	5	4 ¼	1 ⅛	3 ½
7	14	3 ½	4 ¾	8 ¾	3 ⅜	5 ⅞	5 ⅞	5 ⅞	5	1 5/16	4 11/16
8	16	4	4 ¾	10	3 ⅞	6 11/16	6 11/16	6 11/16	5 ⅝	1 ½	4 11/16
9	18	4 ½	4 ¾	11 ¼	4 ⅜	7 ½	7 ½	7 ½	6 ⅜	1 11/16	5 ¼
10	20	5	4 ¾	12 ½	4 ⅞	8 ⅜	8 ⅜	8 ⅜	7	1 ⅞	5 13/16
11	22	5 ½	4 ¾	13 ¾	5 ⅜	9 3/16	9 3/16	9 3/16	7 ¾	2 1/16	6 ⅜
12	24	6	4 ¾	15	5 ⅞	10	10	10	8 ½	2 ¼	7

Note: This is only one design for a horizontal hood, and should not be construed as the only design that may be used. A hood of any other design which will meet the American National Standards listing requirements for draft hoods, Z21.12-1937, should be satisfactory within the limits of performance specified.

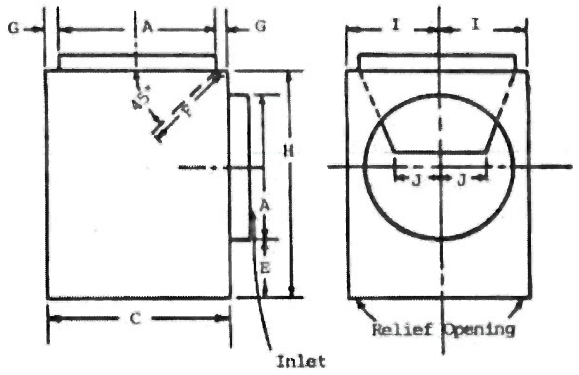

Figure 20-303-3. Suggested general dimensions for a horizontal to vertical draft hood.

Table 20-303-3. Of Dimensions (Inches)

A	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*
3	4	½	¾	2	½	4 ¼	2	⅝
4	5	½	1	2 11/16	½	5 ½	2 ½	13/16
5	6	½	1 ¼	3 5/16	½	6 ¾	3	1
6	7	½	1 ½	4	½	8	3 ½	1 3/16
7	8	½	1 ¾	4 11/16	½	9 ¼	4	1 ⅜
8	9	½	2	5 5/16	½	10 ½	4 ½	1 9/16
9	10	½	2 ¼	6	½	11 ¾	5	1 ¾
10	11	½	2 ½	6 11/16	½	13	5 ½	1 15/16
11	12	½	2 ¾	7 5/16	½	14 ¼	6	2 ⅛
12	13	½	3	8	½	15 ½	6 ½	2 5/16

Note: This is only one design of a horizontal to vertical hood, and should not be construed as the only design that may be used. A hood of any other design which will meet the American National Standards listing requirements for draft hoods, Z21.12-1937, should be satisfactory within the limits of performance specified.

(Code 1973, § 16-63; Code 2020, § 30-1140; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-304. Types of flues or vents.

(a) *Type A.* Type A flues or vents shall be employed for venting the following types of appliances, except as otherwise permitted by subsection (b) of this section:

(1) All incinerators.

(2) All appliances which may be converted readily to the use of solid or liquid fuels.

(3) All boilers and warm air furnaces, except where the gas inspector approves the use of Type B gas flues or vents.

(b) *Special flues for 1000 degrees Fahrenheit flue gas (flues for low-heat appliances).* Listed prefabricated flues for low-heat appliances may be employed in accordance with their listing for venting the following types of appliances:

(1) Domestic incinerators.

(2) Gas appliances.

(c) *Type B and Type BW.*

(1) Type B and Type BW gas flues or vents shall be used only with approved gas appliances which produce the flue gas temperatures not in excess of 550 degrees Fahrenheit at the outlet of the draft hood when burning gas at the manufacturer's normal input rating and not specified by subsection (a) of this section to be vented to Type A flues or vents. Type B gas flues or vents shall be installed with clearances to combustible construction in accordance with their listing.

(2) Type BW gas vents may be used for venting only approved vented recessed heaters. Such vents shall be installed in accordance with their listing.

(3) For the purpose of this provision, listed appliances, with the exception of incinerators and conversion burners, may be accepted as producing flue gas temperatures not in excess of 550 degrees Fahrenheit at the outlet of the draft hood.

(d) *Type C.* Type C gas flues or vents shall be used only for runs directly from the space in which the appliance is located through the roof or exterior wall to the outer air. Such flues or vents shall not pass through any attic or concealed space, nor through any floor.

(e) *Marking of gas flues or vents not suitable for other fuels.*

(1) In those sections of the country where solid and liquid fuels are used extensively, chimneys, flues or vents installed for use with gas appliances, but which are not suitable for solid or liquid fuels, shall be plainly and permanently labeled: "This flue is for use of gas-burning appliances only."

(2) The gas inspector shall determine whether the locality constitutes such an area. The label shall be attached to the wall or ceiling at a point near where the flue or vent connector enters the chimney, or where a Type B gas flue or vent is used in place of a chimney, at a point near where the Type B gas flue or vent or the flue or vent connector enters the wall or ceiling.

(Code 1973, § 16-64; Code 2020, § 30-1141; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-305. Flue or vent connectors.

(a) *Materials.* The material used for the flue or vent connector shall be resistant to corrosion and be of sufficient thickness to withstand damage. Where a question arises as to the suitability of a particular material, the gas inspector should be consulted.

(b) *Avoid bends.* The flue or vent connector shall be installed so as to avoid short turns or other constructional features which would create excessive resistance to the flow of flue gases.

(c) *Pitch.* The flue or vent connector shall maintain a pitch or rise from the appliance to the flue or vent. A rise as great as possible, at least one-fourth inch to the foot (horizontal length) shall be maintained. The horizontal run shall be free from any dips or sags.

(d) *Vertical run.* Wherever sufficient headroom is available, appliances having a horizontal flue outlet shall be provided with a vertical run of flue or vent connector before the horizontal run. To minimize frictional resistance to the connector, it is recommended that 45-degree elbows be used.

(e) *Length.* The horizontal run of the connector shall be as short as possible, and the appliance shall be located as near the flue or vent as practicable. The maximum length of the horizontal run shall not exceed 75 percent of the height of the flue or vent.

(f) *Support.* Flue or vent connectors shall be securely supported.

(g) *Clearance.*

(1) Flue or vent connectors shall be located in such a manner that continued operation of the appliance will not raise the temperature surrounding combustible construction more than 90 degrees Fahrenheit above normal room temperature when measured with mercury thermometers or conventional bead type thermocouples. Where flue or vent connectors pass

through partitions of combustible construction, ventilated thimbles shall be used. Minimum clearances from combustible construction to flue or vent connectors for listed appliances are shown in Table 20-305-1.

Table 20-305-1. Flue or Vent Connector Clearances for Listed Appliances

Appliance	*Minimum Distance from Combustible Construction*	
	Metal Flue or Vent Connectors	*Type B Flue or Vent Connectors*
Boiler	6 inches	1 inch [a]
Warm air furnace	6 inches	1 inch [a]
Water heater	6 inches	1 inch [a]
Room heater	6 inches	1 inch [a]
Floor furnace	9 inches	3 inches [b]
Incinerator	18 inches	Not permitted

[a] Except as otherwise specified in the listing by a nationally recognized testing agency.

[b] Three inches, for a distance of not less than three feet from outlet of the draft hood. Beyond three feet the minimum clearance is one inch.

(2) The clearance from metal flue or vent connectors to combustible construction may be reduced as specified in Table 20-305-2 where the combustible construction is protected in accordance with this table.

(h) *Use of thimbles.* Flue or vent connectors other than Type B shall not pass through any combustible walls or partitions unless they are guarded at the point of passage by ventilated metal thimbles not smaller than the following:

(1) For listed appliances except floor furnaces and incinerators, four inches larger in diameter than the flue or vent connector, unless there is a run of not less than six feet of flue or vent connector in the open between the draft hood outlet and the thimble, in which case the thimble may be two inches larger in diameter than the flue or vent connector.

(2) For listed floor furnaces, six inches larger in diameter than the flue or vent connector.

(3) For incinerators, 12 inches larger in diameter than the flue or vent connector.

(i) *Size.* The flue or vent connector shall not be smaller than the size of the flue collar or the size of the outlet of the draft hood supplied by the manufacturer of a gas-designed appliance. Where the appliance has more than one flue outlet, and in the absence of the manufacturer's specific instructions, the flue or vent shall equal the combined area of the flue outlets for which it acts as a common connector to the flue or vent.

(j) *Dampers.*

(1) No manually operated damper shall be placed in the flue or vent connector from a gas appliance except as noted in subsection (j)(2) of this section. Fixed baffles ahead of draft hoods are not classified as dampers.

(2) A manually operated or barometric damper may be installed in the flue or vent connector of a gas incinerator when recommended by the manufacturer. The manual damper shall be so constructed that it will not close off more than 80 percent of the cross sectional area of the flue or vent connector. Such a damper will be supplied with a listed incinerator if the manufacturer recommends its use, and the installation instructions accompanying the incinerator will include complete information for installation of the damper.

(k) *Fireplace.* A flue or vent connector shall not be connected to a chimney flue having a fireplace opening unless the opening is permanently sealed.

Table 20-305-2. Clearances with Specified Forms of Protection

Type of Protection Applied as Illustrated Below	*Where the Required Clearance with No Protection Is:*		
	6 Inches Clearance Reduced To	*9 Inches Clearance Reduced To*	*18 Inches Clearance Reduced To*
¼-inch asbestos millboard spaced out 1-inch with non-combustible spacers.	3 inches	6 inches	12 inches
28-gauge sheet metal on ¼-inch asbestos millboard.	2 inches	4 inches	12 inches
28-gauge sheet metal spaced out 1-inch with noncombustible spacers.	2 inches	4 inches	9 inches

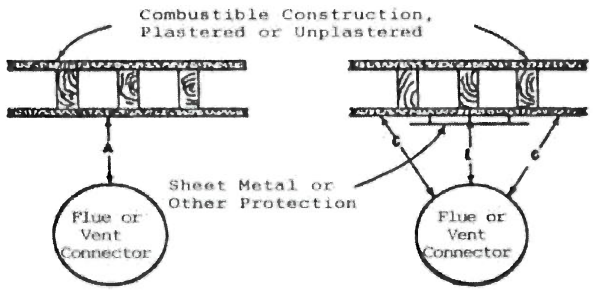

Figure 20-305

A equals the required clearance with no protection as specified in Table 20-305-1.

B equals the reduced clearance permitted in accordance with Table 20-305-2.

The protection applied to combustible construction is required to extend far enough in each direction to make C equal to A.

(Code 1973, § 16-65; Code 2020, § 30-1142; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-306. Flues or vents for natural draft venting.

This section applies only to natural draft venting. Forced draft or exhaust systems and power burners usually require special engineering and installation, and should be approved by the gas inspector.

(1) *Check chimney.* Before connecting a flue or vent connector, the flue or vent shall be examined to ascertain that it is properly constructed, clear and will freely conduct the products of combustion to the outer air.

(2) *Size.* The flue or vent to which the flue or vent connector is connected shall be of a size not less than specified in Figure 20-306-1. In no case shall the area be less than the area of a three-inch-diameter pipe. When more than one appliance vents into a flue or vent, the flue or vent shall not be less than the area of the largest flue or vent connector plus 50 percent of the area of the additional flue or vent connectors. Any shaped flue or vent may be used, provided its flue gas-venting capacity is equal to the capacity of round pipe for which it is substituted.

(3) *Height.* Gas vents shall extend at least two feet above the highest point where they pass through the roof of a building, and at least two feet higher than any portion of a building within ten feet; except that gas vents need not comply with this provision when equipped with an approved device and proper effective venting is accomplished. Chimneys shall extend at least three feet above the highest point where they pass through the roof of a building, and at least two feet higher than any portion of the building within ten feet. See Figure 20-306-2.

(4) *Chimney entrance.* In entering a chimney flue, the connection shall be above the extreme bottom to avoid stoppage. Means shall be employed which will prevent the flue or vent connector from entering so far as to unduly restrict the space between its end and the opposite wall of the chimney. A thimble or slip joint may be used to facilitate removal of the flue or vent connector for cleaning.

(5) *Cleanouts.* Cleanouts shall be of such construction that they will remain tightly closed when not in use.

(6) *Venting into flues used for other fuels.* An automatically controlled gas appliance connected to a flue which also serves equipment for the combustion of solid or liquid fuel shall be equipped with an automatic pilot. A gas appliance flue or vent connector and a smoke pipe from an appliance burning another fuel may be connected into the same flue through separate openings, or may be connected into the same flue through a single opening if joined by a Y fitting as close as practical to the flue. If two or more openings are provided into one flue, they should be at different levels.

(7) *Flue connecting two or more gas appliances.* In order to promote better draft where more than one gas appliance flue or vent connector is connected to a flue or vent, the connections should be made at different levels. Two or more gas appliances may be vented through a common flue or vent connector when necessary, if joined by Y fittings as close as practical to the flue or vent, and provided the size of the common flue or vent is sufficient to accommodate the total volume of flue bases. Y fittings shall be made so that the angle at which the flue or vent connectors intersect is as small as possible and should not exceed 45 degrees.

(8) *Unlined chimneys.* Where an existing chimney is unlined, or where local experience indicates that the flue gas condensate might be a problem, the gas inspector for information about liners that are suitable for the locality shall be consulted.

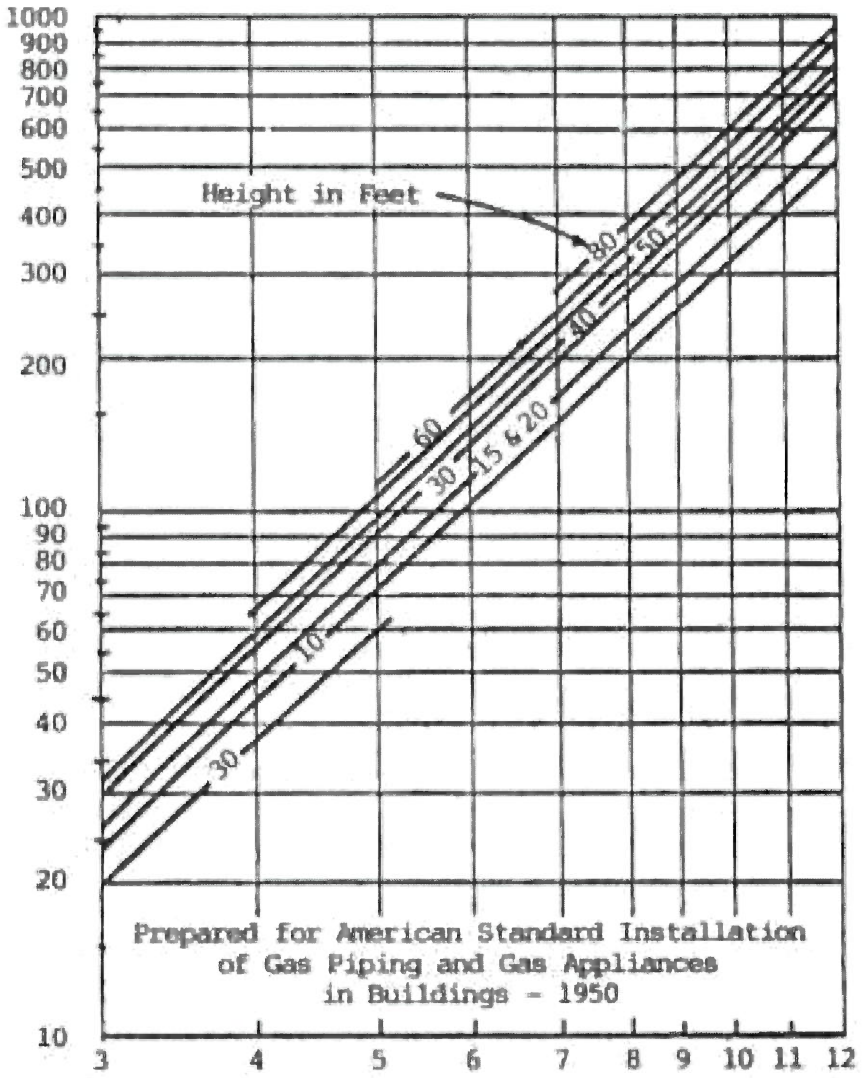

Figure 20-306-1. Capacity in BTU per hour for gas appliance flues or vents.

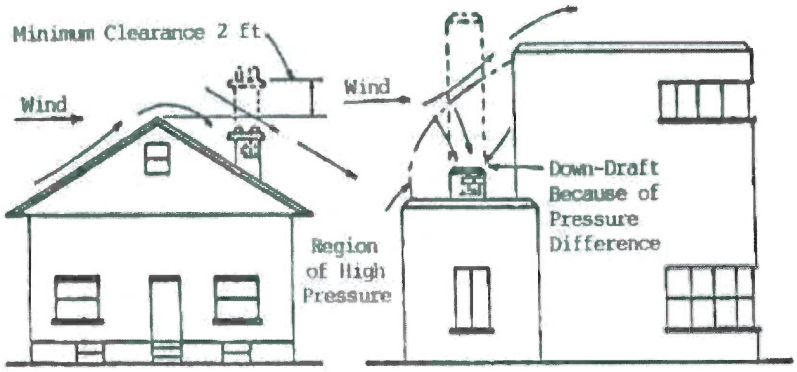

Figure 20-306-2. Typical chimney conditions apt to result back drafts.

Note: Correct chimney design shown by dotted lines.

Carry chimney well above roof of high building. Outside metal stacks unsatisfactory unless Type B vent is used.

(Code 1973, § 16-66; Code 2020, § 30-1143; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-307. Outside flues or vents.

(a) *Material.* Outside flues or vents are not recommended and they are particularly unsuccessful in severe climates and in small sizes, but when they must be used the material shall be resistant to the action of combustion products and shall possess high insulation qualities or be adequately insulated to minimize condensation and aid draft.

(b) *Support flue or vent pipe.* When a flue or vent must be installed on the outside of the building, it shall be securely supported. A capped tee should be installed at the base of the riser with an opening to drain off condensate. A suitable vent cap which does not obstruct or reduce the effective cross sectional area of the flue or vent outlet should be placed on top of the riser.

(c) *Prohibited installation.* Natural draft vents extending through an outside wall and terminating adjacent to the outside walls are prohibited.

(Code 1973, § 16-67; Code 2020, § 30-1144; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-308. Special venting arrangements.

(a) *Appliances with sealed combustion chambers.* The provisions of this article do not apply to listed appliances having sealed combustion chambers and which are so constructed and installed that all air for combustion is derived from outside the space being heated and all flue gasses are discharged to the outside atmosphere. Such appliances shall be installed in accordance with their listings.

(b) *Flue exhausters.* Flue exhausters may be used with gas appliances in lieu of natural draft vents, except on incinerators. Where a flue exhauster is used with gas appliances requiring venting, provisions shall be made to prevent the flow of gas to the main burners in the event of failure of the exhaust system.
(Code 1973, § 16-68; Code 2020, § 30-1145; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

ARTICLE IV. READYING APPLIANCES FOR USE

Sec. 20-401. General procedures for placement and consumer use of appliances; responsibility.

Under this article appear the fundamental procedures to be followed in placing an appliance in operation, and instructing the consumer in its safe and satisfactory use. Responsibility for carrying into effect the following procedures shall rest with the installing agency.
(Code 1973, § 16-69; Code 2020, § 30-1146; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-402. Adjusting burner input.

(a) *Required.* Each burner shall be adjusted to its proper input in accordance with the manufacturer's instructions. Overrating of burners is prohibited.

(b) *Checking burner input.* To check the BTU input rate, the test hand on the meter should be timed for at least one revolution and the input determined from this timing. Test dials are generally marked one-half, one, two or five cubic feet per revolution, depending upon the size of the meter. Instructions for converting the test hand readings to cubic feet per hour are given in Table 20-402.

Table 20-402. Gas Input to Burner in Cubic Feet per Hour

Size of Test Meter Dial				
Seconds for One Revolution	*One-Half Cubic Foot*	*One Cubic Foot*	*Two Cubic Foot*	*Five Cubic Foot*
Cubic Feet Per Hour				
10	180	360	720	1,800
11	164	327	655	1,636
12	150	300	600	1,500
13	138	277	555	1,385
14	129	257	514	1,286
15	120	240	480	1,200
16	112	225	450	1,125
17	106	212	424	1,159
18	100	200	400	1,000
19	95	189	379	947
20	90	180	360	900
21	86	171	343	857
22	82	164	327	818
23	78	157	313	783

Size of Test Meter Dial				
Seconds for One Revolution	*One-Half Cubic Foot*	*One Cubic Foot*	*Two Cubic Foot*	*Five Cubic Foot*
Cubic Feet Per Hour				
24	75	150	300	750
25	72	144	288	720
26	69	138	277	692
27	67	133	267	667
28	64	129	257	643
29	62	124	248	621
30	60	120	240	600
31	58	116	232	581
32	56	113	225	563
33	55	109	218	545
34	53	106	212	529
35	51	103	206	514
36	50	100	200	500
37	49	97	195	486
38	47	95	189	474
39	46	92	185	462
40	45	90	180	450
41	44	88	176	440
42	43	86	172	430
43	42	84	167	420
44	41	82	164	410
45	40	80	160	400
46	39	78	157	391
47	38	77	153	383
48	37	75	150	375
49	37	73	147	367
50	36	72	144	360
51	35	71	141	353
52	35	69	138	346
53	34	68	136	340
54	33	67	133	333
55	33	65	131	327
56	32	64	129	321
57	32	63	126	316
58	31	62	124	310
59	30	61	122	305
60	30	60	120	300
62	29	58	116	290
64	29	56	112	281
66	29	54	109	273
68	28	53	106	265

Size of Test Meter Dial				
Seconds for One Revolution	*One-Half Cubic Foot*	*One Cubic Foot*	*Two Cubic Foot*	*Five Cubic Foot*
Cubic Feet Per Hour				
70	26	51	103	257
72	25	50	100	250
74	24	48	97	243
76	24	47	95	237
78	23	46	92	231
80	22	45	90	225
82	22	44	88	220
84	21	43	86	214
86	21	42	84	209
88	20	41	82	205
90	20	40	80	200
94	19	38	76	192
98	18	37	74	184
100	18	36	72	180
104	17	35	69	173
108	17	33	67	167
112	16	32	64	161
116	15	31	62	155
120	15	30	60	150
130	14	28	55	138
140	13	26	51	129
150	12	24	48	120
160	11	22	45	112
170	11	21	42	106
180	10	20	40	100

Note: To convert to BTU per hour, multiply by the BTU heating value of the gas used.

(c) *Adjusting rate.* The input rate as determined by timing the test hand on the meter shall be adjusted to the required rate by changing a fixed orifice size, changing the adjustment of an adjustable orifice, or by readjustment of the gas pressure regulator outlet pressure, when a regulator is provided, within limitations authorized by the gas department.

(Code 1973, § 16-70; Code 2020, § 30-1147; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-403. Primary air adjustment.

The primary air for injection (Bunsen) type burners shall be adjusted for proper flame characteristics in accordance with the manufacturer's instructions. Normally, the primary air adjustment should first be set to give a soft blue flame having luminous tips, and then increased to a point where the yellow tips just disappear. If the burner cannot be adjusted as described in this section, the manufacturer or gas inspector should be consulted. After setting the primary air, the adjustment means shall be secured in position.

(Code 1973, § 16-71; Code 2020, § 30-1148; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-404. Automatic pilots.

When an automatic pilot is provided, it shall be checked for proper operation and adjustment in accordance with the manufacturer's instructions. If the pilot does not function properly to turn off the gas supply in the event of pilot outage, it shall be properly serviced or replaced with new equipment.
(Code 1973, § 16-72; Code 2020, § 30-1149; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-405. Automatic ignition.

Appliances equipped with means for automatic ignition, such as used with domestic gas range top burners, shall be checked to ensure proper operation. If necessary, proper adjustments shall be made.
(Code 1973, § 16-73; Code 2020, § 30-1150; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-406. Protective devices.

All protective devices furnished with the appliance, such as a limit control, fan control to blower, temperature and pressure relief valve, low water cutoff device and manual operating features, etc., shall be checked to ensure proper operation.
(Code 1973, § 16-74; Code 2020, § 30-1151; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-407. Checking the draft.

On flue-connected appliances, the appliances shall be operated for a few minutes and the installation checked to see that the products of combustion are going up the flue or vent properly by passing a lighted match or taper around the edge of the relief opening of the draft hood. If the flue or vent is drawing properly, the match flame will be drawn into the draft hood. If not, the products of combustion will tend to extinguish this flame. If the products of combustion are escaping from the relief opening of the draft hood, the appliance shall not be left in operation until proper adjustments or repairs are made to ensure adequate draft through the flue or vent.
(Code 1973, § 16-75; Code 2020, § 30-1152; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Sec. 20-408. Instructions to consumer.

(a) The consumer should be thoroughly instructed, by demonstration, how to operate the appliance properly and safely before it is left in operation.

(b) When operating instructions are furnished by the manufacturer, they shall be left with the consumer or in a prominent position near the appliance.
(Code 1973, §§ 8-27, 16-76; Code 2020, § 30-1153; Ord. No. 1837; Ord. No. 2101; Ord. No. 2631; Ord. No. 3255-3/92; Ord. No. 4417-12/2014)

Sec. 20-409. Notification of completion of installation.

Where regulations so require, the gas inspector shall be notified that the installation has been completed.
(Code 1973, § 16-77; Code 2020, § 30-1154; Ord. No. 1837; Ord. No. 2101; Ord. No. 4417-12/2014)

Chapter 21

RESERVED

Chapter 22

HEALTH AND HUMAN SERVICES

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Article II. Board of Health

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Sec. 22-202. Records.
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Sec. 22-303. Storage, handling, etc., of materials affording harborage or food.
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Sec. 22-405. Possession or use; exceptions.
Sec. 22-406. Placement and use of vending machines and self-service displays.
Sec. 22-407. Penalties.
Sec. 22-408. Use in public areas prohibited.

ARTICLE I. IN GENERAL

Sec. 22-101. Adoption of state rules and regulations.

Three copies of the rules and regulations of the state department of health relating to communicable disease, quarantine and schools, and for the control of venereal diseases, as revised, adopted and promulgated in pamphlet form, effective in 1970, are in the hands of the city clerk, and such rules and regulations, together with any alterations or amendments thereto, if and when three copies of such alterations are likewise filed with the city clerk, are incorporated herein by reference, insofar as the same are applicable to cities of the first class.
(Code 1973, § 2-60; Code 2020, § 2-805)

ARTICLE II. BOARD OF HEALTH*

Sec. 22-201. Creation of board; composition; appointment; jurisdiction; clerk.

(a) A board of health is hereby created in and for the city, which board shall consist of five members as follows:

(1) The mayor, who shall be chairperson of the board;

(2) A physician who resides permanently in the city and who shall be medical adviser of the board;

(3) The chief of police who shall be secretary and quarantine officer;

(4) The president of the council; and

(5) One other member from the city at large who shall be appointed by the mayor with the approval of the council.

(b) The mayor shall see that all rules and regulations of the board of health shall be enforced over all places within the city and over any cemetery lying therein and used by the inhabitants of the city. The city clerk shall be clerk of such board, but not a member thereof.
(Code 1973, § 2-56; Code 2020, § 2-801; Ord. No. 2343)

Sec. 22-202. Records.

The board of health shall keep a record of all their transactions, orders, notices and of such other action taken by it, which records shall be filed with the city clerk, and are hereby made public records of the city and shall be accessible to the public for inspection in the office of the city clerk at all reasonable hours.
(Code 1973, § 2-58; Code 2020, § 2-803)

Sec. 22-203. Vacancies in office.

In the absence or disability of the medical advisor, the mayor may appoint some other physician to act in the place of such medical advisor during such absence or disability; and to the end that the

*State law reference—Board of health, Nebraska Revised Statutes, § 16-238.

board may at all times be in position to function and perform its duties, there shall be a substitute appointed for any member thereof when absent, unable or disqualified to act; and the substitute so appointed shall have the power to do each and every act as the regular member thereof while serving on the board.
(Code 1973, § 2-59; Code 2020, § 2-804)

ARTICLE III. RODENT CONTROL

Sec. 22-301. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved means that which the board of health by rule or regulation designates acceptable as a device, apparatus or method which, by demonstration or test, has proven workable for its intended use.

Board of health means the city's board of health or its authorized representative.

Building means any structure, whether public or private, that is adapted to or used for dwelling occupancy, as defined in section 8-501; for the transaction of business; for the rendering of professional service, amusement, the display or sale or storage of goods, wares, merchandise, articles or equipment; for office buildings, public buildings, stores, theaters, markets, restaurants, grain processors, abattoirs, factories, warehouses, workshops, garages; and for outhouses, sheds, barns or other structures or premises used as an accessory to any such uses.

Food or *foodstuff* includes, besides human food, grain and other feed for animals or fowl.

Rodent control means the distribution of rodent poison or the setting of rodent traps or fumigation or such other methods of rodent eradication as may be approved by the board of health.

Rodent harborage means any condition under which rodents may find shelter or protection.

Rodentproof or *rodentproofing* applies to a form of construction which will prevent the ingress or egress of rodents to or from a given space or building, or gaining access to food, water or harborage. It consists of the closing and keeping closed by the use of material impervious to rodent gnawing of every opening in foundations, basements, cellar exterior and interior walls, ground or first floors, roofs, sidewalk grating, sidewalk openings and other places that may be reached and entered by rodents by climbing, burrowing or other methods.
(Code 1973, § 32-1; Code 2020, § 11-101)

Sec. 22-302. Rodentproofing required.

(a) Every building erected after the effective date of the ordinance from which this article is derived, and every alteration, addition, extension, enlargement or repairs thereto, shall be rodentproofed and maintained in such condition.

(b) Every building, except private and two-family dwellings, existing at the effective date of the ordinance from which this article is derived, and every alteration, addition, extension, enlargement, or repairs thereto shall be rodentproofed and maintained in such condition, and all vacant and unimproved property shall be kept free of rodent harborage at all times. The owner of such building and vacant or unimproved property shall be responsible for complying with the provisions of this section.
(Code 1973, § 32-2; Code 2020, § 11-102)

Sec. 22-303. Storage, handling, etc., of materials affording harborage or food.

All building materials, lumber, boxes, cartons, barrels, bottles, cans, containers, machinery, raw materials, junk, fabricated goods, food, foodstuff and similar things which may afford harborage or food for rodents shall be kept, stored or handled in a manner or method approved by the board of health.
(Code 1973, § 32-3; Code 2020, § 11-103)

Sec. 22-304. Duty of building owner or occupant.

Whenever there is a rodent infestation in any building, open area or other premises, the occupants thereof, and in the case of a multiple dwelling, the owner thereof shall immediately institute rodent control and shall continuously maintain such measures until such building, open area or other premises are declared by the board of health to be free of rodent infestation.
(Code 1973, § 32-4; Code 2020, § 11-104)

Sec. 22-305. Food establishments—Conditions generally.

No building or part thereof shall be used as a place where food or foodstuff is stored, processed, prepared or manufactured, sold or offered for sale unless such building or part thereof is free from vermin and rodents.
(Code 1973, § 32-5; Code 2020, § 11-105)

Sec. 22-306. Food establishments—Certification by board of health.

No license shall be issued for the storing, processing, preparing, manufacturing, selling or offering for sale of any food, foodstuff or food products until the applicant therefor has secured a certification from the board of health that the place where such operation is to be conducted is of rodentproof construction or has been rendered rodentproof.
(Code 1973, § 32-6; Code 2020, § 11-106)

Sec. 22-307. Building alterations.

It shall be unlawful for any owner, occupant, contractor, public utility or any other person in making alterations, additions, extensions, enlargements or repairs, or in making installation of wires,

conduits, pipes or other installations, or for any other purpose, to remove or fail to restore in like condition the rodentproofing from any building or to make new openings therein that are not rodentproofed.
(Code 1973, § 32-7; Code 2020, § 11-107)

Sec. 22-308. Feeding of wild birds.

No person shall feed wild birds other than with approved containers for the food elevated at least 48 inches above the ground level.
(Code 1973, § 32-8; Code 2020, § 11-108)

Sec. 22-309. Rules and regulations of board of health.

The board of health is hereby empowered to promulgate and enforce all reasonable rules and regulations for carrying out the purpose and intent of this article.
(Code 1973, § 32-9; Code 2020, § 11-109)

ARTICLE IV. TOBACCO AND VAPING

Sec. 22-401. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alternative nicotine product means any noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. The term "alternative nicotine product" does not include any electronic nicotine delivery system, cigarette, cigar, or other tobacco product, or any product regulated as a drug or device by the United States Food and Drug Administration under chapter V of the federal Food, Drug, and Cosmetic Act.

Cigarette means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains:

(1) Any roll of tobacco wrapped in paper, or in any substance not containing tobacco;

(2) Tobacco, in any form, that is functional in the product which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or

(3) Any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subsection (1) of this definition.

Electronic nicotine delivery system means any product or device containing nicotine, tobacco, or tobacco derivatives that employs a heating element, power source, electronic circuit, or other

electronic, chemical, or mechanical means, regardless of shape or size, to simulate smoking by delivering the nicotine, tobacco, or tobacco derivatives in vapor, fog, mist, gas, or aerosol form to a person inhaling from the product or device.

Retailer means any person, firm or corporation offering tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form for sale at retail to members of the public, and shall also include any private club or organization which offers tobacco products for sale to its members.

Self-service display means a retail display that contains tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form, and is located in an area openly accessible to a retailer's customers and from which such customers can readily access the product without the assistance of a salesperson. The term "self-service display" does not include a display case that holds tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form behind locked doors.

Tobacco products mean any product or substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco or any finely cut, ground, powdered or leaf tobacco that is intended to be placed in a person's mouth.

Tobacco specialty store means a retail store that:

(1) Derives at least 75 percent of its revenue from tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form; and

(2) Does not permit persons under the age of 21 years to enter the premises.

Vape or *vaping* means the inhaling and exhaling of the aerosol produced by any vaping device.

Vaping device means a device that consists of a mouthpiece, battery, a cartridge for containing the e-liquid or e-juice, and a heating component for the device that is powered by a battery or other electronic means. Vaping devices may include, but are not limited to, e-cigarettes, vape pens, advanced personal vaporizers (MODS), JUULs or any other devices, whether professionally made or homemade, that are designed and used to inhale vapor products.

Vaping products include, but are not limited to, pods, cartridges, e-liquid or e-juice, regardless of the presence of nicotine.

Vending machine means any mechanical, electric or electronic self-service device which, upon insertion of money, tokens, or any other form of payment, dispenses tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form.
(Code 2020, § 18-140; Ord. No. 3692-7/99; Ord. No. 4642, § 1, 9-14-2020)

Sec. 22-402. Sales prohibited; sign.

(a) It shall be unlawful for any retailer or any other person to sell, offer for sale, give away or deliver tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form to any person under the age of 21 years, regardless of the presence of nicotine.

(b) Every retailer shall post signs at or near every cash register and vending machine where tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form are offered for sale for the purpose of informing members of the public or members of the club or organization of the restriction upon sale of tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form to persons under 21 years. Each such sign shall be plainly visible and state: "The sale of tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form to persons under 21 years of age is prohibited by law." Such sign shall be on light-colored paper, measuring at least 81/2 inches by 11 inches, and bear legible dark letters not less than one-half inch in height.
(Code 2020, § 18-141; Ord. No. 3692-7/99; Ord. No. 4642, § 1, 9-14-2020)

Sec. 22-403. Retailer charged with sale; defense.

In any prosecution of, or any proceeding against, any retailer charged with having made a sale to a person under the age of 21 years, proof of the following shall be an affirmative defense to the charge:

(1) The purchaser falsely represented in writing, and supported with photographic documentary proof, that the purchaser was of legal age to purchase tobacco; and

(2) The appearance of such purchaser was such that an ordinary and prudent person would believe that such appearance conformed to the documentary description of appearance presented by the purchaser; and

(3) The sale was made in good faith, in reliance upon the written representation supported by photographic documentary proof, other documentary evidence, and the appearance of the purchaser, and in the belief the purchaser was of legal age to make such purchase.
(Code 2020, § 18-142; Ord. No. 3692-7/99; Ord. No. 4642, § 1, 9-14-2020)

Sec. 22-404. Purchase by minors prohibited.

It shall be unlawful for any person under the age of 21 years to purchase, or attempt to purchase, tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form. It shall further be unlawful for any person under the age of 21 years to misrepresent their identity or age, or to use any

false or altered identification for the purpose of purchasing tobacco products. It shall be unlawful for any person under the age of 21 years to purchase any vaping products, vaping devices, or electronic nicotine delivery systems, regardless of the presence of nicotine.
(Code 2020, § 18-143; Ord. No. 3692-7/99; Ord. No. 4642, § 1, 9-14-2020)

Sec. 22-405. Possession or use; exceptions.

It shall be unlawful for any person under the age of 21 years to possess or use any tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form, regardless of the presence of nicotine, except that a person under the age of 21 years:

(1) May possess tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form while under the direct supervision of the parent or natural or legal guardian of such person, and in the privacy of the home of such parent or guardian;

(2) May sell or handle any unopened container of tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form in the course of employment through a licensed retailer; or

(3) May possess or purchase tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form while under the direct supervision of a law enforcement officer for the purpose of testing or enforcing compliance with statutes, laws or ordinances governing the sale of tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form.

(Code 2020, § 18-144; Ord. No. 3692-7/99; Ord. No. 4642, § 1, 9-14-2020)

Sec. 22-406. Placement and use of vending machines and self-service displays.

(a) *Direct exchange for sale.* Except as otherwise provided under this section, a retailer may sell tobacco products, cigarettes, cigars, vaping products, vaping devices, electronic nicotine delivery systems, electronic cigarettes, alternative nicotine products or tobacco in any form only in a direct, face-to-face exchange between the retailer and the consumer. Examples of methods of sale that are not permitted include vending machines and self-service displays.

(b) *Exceptions.* The following methods of sale are permitted: vending machines (include vending machines that sell packaged, single cigarettes) and self-service displays that are located in facilities where the retailer ensures that no person under the age of 21 years is present, or permitted to enter, at any time.
(Code 2020, § 18-145; Ord. No. 3692-7/99; Ord. No. 4642, § 1, 9-14-2020)

Sec. 22-407. Penalties.

(a) Any violation of the provisions of sections 22-402, 22-404, and 22-405 shall be subject to a penalty as provided in section 1-107. Where an offense is ongoing and permitted to continue, each day of commission of the offense shall constitute a separate offense.

(b) Any person found to have violated sections 22-404 or 22-405 may be offered, as an option in lieu of payment of the fine prescribed herein, participation in a diversionary program. The cost, hours and duration of the diversionary program shall be established by the agency presenting the program. Upon certification by such agency evidencing attendance by such violator of the diversionary program, any monetary penalty prescribed herein, excluding court costs, shall be deemed satisfied.
(Code 2020, § 18-146; Ord. No. 3692-7/99; Ord. No. 4642, § 1, 9-14-2020)

Sec. 22-408. Use in public areas prohibited.

(a) It shall be unlawful for any person to smoke in all city-owned buildings, in or upon vehicles owned by the city, within the perimeter fencing of public swimming pools, or within any city public parks.

(b) For purposes of this article, the term "smoking" means inhaling, exhaling, vaping, burning or carrying any lighted cigarette, cigar, pipe, smoking paraphernalia, tobacco, clover, weed, plant or substance.
(Code 2020, § 18-147; Ord. No. 3901-5/2003; Ord. No. 4642, § 1, 9-14-2020)

Chapter 23

RESERVED

Chapter 24

LAW ENFORCEMENT

Article I. In General

Article II. Police Department

Sec. 24-201. Oath of office.
Sec. 24-202. Disposal of unclaimed property.

ARTICLE I. IN GENERAL

ARTICLE II. POLICE DEPARTMENT

Sec. 24-201. Oath of office.

All police officers of the city shall take the usual oath of office, which shall be in writing and filed in the office of the city clerk.
(Code 1973, § 28-6; Code 2020, § 12-104; Ord. No. 2676)

Sec. 24-202. Disposal of unclaimed property.

All personal property, except vehicles and firearms, which is in the custody of the police department, but is not owned by the police department and is no longer desired by the police department, shall be disposed of as follows, unless otherwise provided by law:

(1) The police department is hereby empowered to sell, destroy or dispose of personal property in a manner approved by the chief of police.

(2) Notice shall be mailed or given to the legal owner of the property, if known. The notice shall state that if the property is not claimed within 30 days of the notice, it may thereafter be sold or otherwise disposed of.

(3) If the lawful owner of the property is unknown, then the property may be sold, destroyed, or disposed of if not claimed within 30 days of the date the police department no longer needed or desired the property.

(4) Any property, if not claimed within the said 30 days, may be sold at a public auction, including online, to the highest bidder for cash.

(5) All money received from the sale of unclaimed property shall be paid to the chief of police, whose duty it shall be to account for such money collected by the chief of police to the city treasurer, who shall place the same in the city's general fund.

(Code 1973, § 28-9; Code 2020, § 12-107; Ord. No. 4766, § 1, 7-22-2024)

Chapter 25

RESERVED

Chapter 26

LIBRARIES AND CULTURAL AFFAIRS

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Article II. Public Library

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Sec. 26-204. Use to be free; exclusion of violators of rules.
Sec. 26-205. Annual report.
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Secs. 26-212—26-231. Reserved.

Division 2. Library Board

Sec. 26-232. Membership; qualifications and election of members.
Sec. 26-233. Terms of members.
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Article III. Hastings Museum

Sec. 26-301. Established; management and control; purchase of books, exhibits, etc.; budget.
Sec. 26-302. Museum board—Composition; appointment; term of office; compensation; filling vacancies in office.
Sec. 26-303. Museum board—Officers; quorum; powers.
Sec. 26-304. Museum director.
Sec. 26-305. Amendment of rules, regulations, etc.
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Sec. 26-311. Annual report.
Sec. 26-312. Destruction of museum property.

ARTICLE I. IN GENERAL

ARTICLE II. PUBLIC LIBRARY*

DIVISION 1. GENERALLY

Sec. 26-201. Established; name.

There is hereby established in the city a public library and reading room which shall be forever kept and maintained by the city, and shall be known as the Hastings Public Library. Whenever in this article there shall be used the term "public library," the same shall be held to include the public library and reading room.
(Code 1973, § 19-1; Code 2020, § 26-101; Ord. No. 2007; Ord. No. 2959-2/86)

Sec. 26-202. Library budget and expenditures.

The library director, after consultation with the library board, shall make a recommendation through the city administrator as to the library's receipts and expenditures to be made part of the city's annual budget and to be approved by the mayor and city council.
(Code 1973, § 19-7; Code 2020, § 26-107; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4548-2/2018)

Sec. 26-203. Library director.

The library director shall be a city department head as provided by section 2-305, and shall be appointed by the mayor with the approval of the city council. Compensation for the library director shall be approved by the mayor and city council and included in the city's annual salary schedule approved as part of the city's annual municipal budget.
(Code 1973, § 19-8; Code 2020, § 26-108; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4548-2/2018)

Sec. 26-204. Use to be free; exclusion of violators of rules.

The library established under and by virtue of this article shall be forever free to the use of the inhabitants of the city, subject always to such reasonable regulations as the library board may adopt to render the library of greatest use to the inhabitants of the city, and the board may exclude from the use of the library anyone who shall willfully violate or refuse to comply with the rules and regulations established for the government thereof.
(Code 1973, § 19-9; Code 2020, § 26-109; Ord. No. 2007; Ord. No. 2959-2/86)

Sec. 26-205. Annual report.

The library board shall, on or before the second Monday in November of each year, make a report to the mayor and city council on the condition of the library as of the last day of September of each

*State law reference—Library authorized, Nebraska Revised Statutes, § 16-251.

year, showing the number of books or periodicals on hand, newspapers and current literature which have been subscribed for or donated to the reading room, the number of books or periodicals purchased or acquired by gift during the year, the number of books lost or missing, the number of visitors attending, the number and character of books loaned or issued, and such other statistics, information and suggestions as may be deemed of general interest, or as the city council may require.
(Code 1973, § 19-10; Code 2020, § 26-110; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4548-2/2018)

Sec. 26-206. Amendment of rules, regulations, etc.

Any rules or regulations established by the library board to govern the library may be amended by the mayor and city council.
(Code 1973, § 19-11; Code 2020, § 26-111; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4548-2/2018)

Sec. 26-207. Collection of penalties.

Penalties imposed or accrued by any bylaw or regulation of the library board, and any court costs and attorney fees, may be recovered in a civil action before any court having jurisdiction. Such action shall be instituted in the name of the city library board. Money, other than any court costs and attorney fees, collected in such actions shall be forthwith placed in the city treasury, to the credit of the public library fund. Attorney fees collected pursuant to this section shall be placed in the city treasury and credited to the budget of the city attorney's office.
(Code 1973, § 19-12; Code 2020, § 26-112; Ord. No. 2007; Ord. No. 2959-2/86)

Sec. 26-208. Donations.

Any person may make a donation of money, land or property for the benefit of the library, and the title to the property donated may be made to and shall vest in the city or the library foundation, to be used for public library purposes, and such property shall thereafter be exempt from taxation. All real estate or interest in real estate donated or devised to the library for the benefit of the library may be sold and disposed of in the manner provided by law.
(Code 1973, § 19-13; Code 2020, § 26-113; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4548-2/2018)

Sec. 26-209. Circulating libraries.

The library board shall have the power to authorize any circulating library or reading matter of any private person, association or corporation to be used within the library in the same manner as the books or other property of the library; but such circulating library or reading matter shall be drawn upon and used outside of the library only on payment of such fees or membership as the person owning the same may require, provided that the books or reading matter so deposited in the rooms of such public library shall be separately and distinctly marked, and kept upon shelves or in cases apart from library property.
(Code 1973, § 19-14; Code 2020, § 26-114; Ord. No. 2007; Ord. No. 2959-2/86)

Sec. 26-210. Disposition of library receipts.

All money received by the library board or the librarian or by any of their assistants from any source for the use or support thereof shall be paid over monthly to the city treasurer to be held on account of the library.
(Code 1973, § 19-15; Code 2020, § 26-115; Ord. No. 2007; Ord. No. 2959-2/86)

Sec. 26-211. Destruction of library property.

No person shall willfully and/or maliciously write upon, injure, deface, tear or destroy any book or newspaper, or any property or thing of value belonging to the public library.
(Code 1973, § 19-16; Code 2020, § 26-116; Ord. No. 2007; Ord. No. 2959-2/86)

Secs. 26-212—26-231. Reserved.

DIVISION 2. LIBRARY BOARD

Sec. 26-232. Membership; qualifications and election of members.

The city council shall elect a library board of eight members, to be chosen from the citizens at large. Neither the mayor nor any member of the city council shall be a member of the library board.
(Code 1973, § 19-3; Code 2020, § 26-103; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 3772-11/2000; Ord. No. 4401-8/2014; Ord. No. 4548-2/2018)

Sec. 26-233. Terms of members.

The terms of office for members of the board shall be staggered and be for terms of four years, with two members being appointed each year for a four-year term. Appointments shall be made at the last regular meeting of the city council in June of each year.
(Code 1973, § 19-4; Code 2020, § 26-104; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4548-2/2018)

Sec. 26-234. Filling of vacancies; composition of members.

In cases of vacancies on the library board by resignation, removal, or otherwise, the mayor, with the approval of the city council, shall fill such vacancy for the unexpired term. No library board member shall receive any pay or compensation for any services rendered as a member of the library board.
(Code 1973, § 19-5; Code 2020, § 26-105; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4548-2/2018)

Sec. 26-235. Officers; quorum; powers.

The library board shall, at their first regular meeting in August of each year, organize by electing one of their members as president, another as secretary, and such other officers as may be necessary. Four members of the board shall constitute a quorum. The library board shall recommend the adoption of such rules and regulations for governance of the library as may be appropriate,

subject to the review and approval of the mayor and city council. These rules and regulations may include penalties and forfeitures for trespasses upon or injury to library grounds, rooms, books, or other property, or for the failure to return any book, or for establishing and maintaining a public library and reading room. The library board shall recommend the expenditure of all the money collected or donated to the credit of the library, which expenditure shall be approved by the mayor and city council. In addition, the library director and library board shall have exclusive control of the library collection, and the books, subscriptions, programming, and materials purchased for use by patrons of the library.

(Code 1973, § 19-6; Code 2020, § 26-106; Ord. No. 2007; Ord. No. 2959-2/86; Ord. No. 4401-8/2014; Ord. No. 4548-2/2018)

ARTICLE III. HASTINGS MUSEUM*

Sec. 26-301. Established; management and control; purchase of books, exhibits, etc.; budget.

(a) There is hereby established in the city a museum which shall forever be kept and maintained by the city, and shall be known as the Hastings Museum. The museum shall be managed and controlled by the museum board under the general direction of the mayor and council.

(b) Under the general program planned for each municipal year, as recommended by the museum board and approved by the mayor and council, and always within that part of the museum fund budgeted for museum maintenance, the museum director may purchase papers, books, manuscripts and works of art and objects of natural and scientific curiosity and instruction therefor. There shall be included in the annual budget and the annual appropriation bill each year such provision for the maintenance and support of the museum as the council shall deem necessary; when any funds are raised by virtue of a special tax or levy for museum purposes, such funds shall be credited to and expended from the museum development fund.

(Code 1973, § 22-1; Code 2020, § 27-101; Ord. No. 2007)

Sec. 26-302. Museum board—Composition; appointment; term of office; compensation; filling vacancies in office.

The mayor, with the approval of the city council, shall appoint a museum board of eight members, to be chosen from the citizens at large. Neither the mayor nor any member of the city council shall be a member of the museum board. The terms of office for members of the board shall be staggered and be for terms of four years, with two members being appointed each year for a four-year term. Appointments shall be made at the last regular meeting of the city council in June of each year. No museum board member shall receive any pay or compensation for services as a member of such board. In case of a vacancy on the board, the mayor, with the approval of the city council, shall fill such vacancy for the unexpired term.

(Code 1973, § 22-2; Code 2020, § 27-102; Ord. No. 2007; Ord. No. 3592-6/97; Ord. No. 4548-2/2018)

***State law reference**—Museums authorized, Nebraska Revised Statutes, § 16-251.

Sec. 26-303. Museum board—Officers; quorum; powers.

The museum board shall, at their first regular meeting in August of each year, organize by electing one of their members as president, another as secretary, and such other officers as may be necessary. Four members of the museum board shall constitute a quorum. The museum board shall recommend the adoption of such rules and regulations for the governance of the museum as may be appropriate, subject to the review and approval of the mayor and city council. These rules and regulations may include the renting of museum building areas, and rules affecting the supervision, care and custody of any room or museum property, as well as rules providing for the exclusion from the use of the museum by anyone who shall willfully violate or refuse to comply with the rules and regulations established for the governance of the museum. In addition, the museum director and museum board shall have exclusive control of the museum collection and exhibits, use of the theater and planetarium, and the films and programming offered to patrons of the museum. The museum board shall recommend the expenditure of all the money collected or donated to the credit of the museum, which expenditure shall be approved by the mayor and city council.
(Code 1973, § 22-3; Code 2020, § 27-103; Ord. No. 2007; Ord. No. 4548-2/2018)

Sec. 26-304. Museum director.

The museum director shall be a city department head as provided by section 2-305, and shall be appointed by the mayor with the approval of the city council. Compensation for the museum director shall be approved by the mayor and city council and included in the city's annual salary schedule approved as part of the city's annual municipal budget.
(Code 1973, § 22-4; Code 2020, § 27-104; Ord. No. 2007; Ord. No. 4548-2/2018)

Sec. 26-305. Amendment of rules, regulations, etc.

Any rules or regulations established by the museum board for the governance of the museum may be amended by the mayor and council.
(Code 1973, § 22-5; Code 2020, § 27-105; Ord. No. 2007; Ord. No. 4548-2/2018)

Sec. 26-306. Admission charges.

The museum board, with the approval of the mayor and city council may establish such admission charges to the museum as the board deems reasonable. Any money collected by virtue of admission charges shall be placed in the general fund of the city.
(Code 1973, § 22-6; Code 2020, § 27-106; Ord. No. 2007; Ord. No. 2194; Ord. No. 4548-2/2018)

Sec. 26-307. Collection of penalties.

Penalties imposed or accrued by any rule or regulation of the museum board may be recovered in a civil action before any court having jurisdiction. Such action shall be instituted in the name of the city, and money collected in such actions shall be forthwith placed in the general fund of the city.
(Code 1973, § 22-7; Code 2020, § 27-107; Ord. No. 2007; Ord. No. 4548-2/2018)

Sec. 26-308. Donations.

Any person may make a donation of money, land or property for the benefit of the museum, and the title to the property donated may be made to and shall vest in the city or the museum foundation to be used for museum purposes, and such property shall thereafter be exempt from taxation. All real estate or interest in real estate donated or devised to the museum for the benefit of the museum may be sold and disposed of in the manner provided by law.
(Code 1973, § 22-8; Code 2020, § 27-108; Ord. No. 2007; Ord. No. 4548-2/2018)

Sec. 26-309. Disposition of funds, taxes, etc.

All taxes levied or collected other than those derived from the city's general levy, and all funds donated or in any way acquired for the erection, maintenance or support of the museum, shall be deposited and kept in the city's general fund.
(Code 1973, § 22-9; Code 2020, § 27-109; Ord. No. 2007; Ord. No. 4548-2/2018)

Sec. 26-310. Disposition of receipts generally.

All money received by the city, museum board, the museum director or by any of their assistants from any source for the use or support thereof shall be paid over monthly to the city treasurer.
(Code 1973, § 22-10; Code 2020, § 27-110; Ord. No. 2007; Ord. No. 4548-2/2018)

Sec. 26-311. Annual report.

The museum board shall, on or before the second Monday in November of each year, make a report to the mayor and city council on the condition of the museum as of the last day of September each year, including the number of visitors to the museum for the previous year and such other statistics, information and suggestions as may be deemed of general interest or as the city council may require.
(Code 1973, § 22-11; Code 2020, § 27-111; Ord. No. 2007; Ord. No. 4548, 2-27-2018)

Sec. 26-312. Destruction of museum property.

No person shall willfully and maliciously write upon, injure, deface, tear or destroy any plate, engraving or any property or thing of value belonging to the museum.
(Code 1973, § 22-12; Code 2020, § 27-112; Ord. No. 2007)

Chapter 27

RESERVED

Chapter 28

LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS

Article I. In General

Article II. Games of Chance and Lotteries

Sec. 28-201. Definitions.
Sec. 28-202. Occupation tax.
Sec. 28-203. Amount of occupation tax for persons engaged in the occupation of conducting games of chance and lotteries.
Sec. 28-204. Amount of occupation tax for distributor.
Sec. 28-205. Delinquent payments.
Sec. 28-206. Prohibition.
Sec. 28-207. License application.
Sec. 28-208. Display of license.
Sec. 28-209. License fee.
Sec. 28-210. Exemption.

Article III. Keno Lottery

Sec. 28-301. Lottery participation; restrictions.
Sec. 28-302. Lottery sales outlet locations; approval required; qualification standards.

Article IV. Sexually Oriented Businesses

Sec. 28-401. Ordinances saved from repeal.

ARTICLE I. IN GENERAL

ARTICLE II. GAMES OF CHANCE AND LOTTERIES

Sec. 28-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Distributor means any person who engages in the business of selling, leasing, or delivering possession or custody of gambling devices for consideration to a person engaged in the occupation of conducting games of chance and/or lotteries.

Gambling device means any and all machines or devices used by a person engaged in the occupation of conducting games of chance and/or lotteries.

Games of chance and/or lotteries mean those forms of gambling authorized by the state pursuant to Nev. Const. art. III, § 24.

Person means firms, corporations, voluntary associations, partnerships, and joint stock companies, as well as individuals.

Person engaged in the occupation of conducting games of chance and/or lotteries means any person who has been granted a license to conduct games of chance and/or lotteries by the state.
(Code 2020, § 22-501)

Sec. 28-202. Occupation tax.

An occupation tax is hereby imposed on each person engaged in the occupation of conducting games of chance and lottery activities within the city. Every person conducting games of chance and lottery activities within the city shall pay the tax in the amount and manner specified in section 28-203.
(Code 2020, § 22-502)

Sec. 28-203. Amount of occupation tax for persons engaged in the occupation of conducting games of chance and lotteries.

The occupation tax for each person engaging in the occupation of conducting games of chance and lottery activities within the city shall be four percent of the gross receipts received by said person in each quarter of a calendar year. The tax shall be paid quarterly, and on or before the 30th day of the immediately succeeding calendar quarter, to the city treasurer, and credited to the general fund of the city.
(Code 2020, § 22-503)

Sec. 28-204. Amount of occupation tax for distributor.

The occupation tax for engaging in the occupation of distributing gambling devices within the city shall be four percent of the gross receipts received by a distributor in each quarter of a calendar year. The tax shall be paid quarterly, and on or before the 30th day of the immediately succeeding calendar quarter, to the city treasurer, and credited to the general fund of the city.
(Code 2020, § 22-504)

Sec. 28-205. Delinquent payments.

All payments of occupation tax levied pursuant to this article which are made after the due date shall be deemed delinquent payments. Any person who has failed to pay such occupation tax when the same shall become due shall be charged a penalty of ten percent of the amount of such unpaid occupation tax.
(Code 2020, § 22-505)

Sec. 28-206. Prohibition.

It shall be unlawful for any person to conduct games of chance or lottery activities without first obtaining a license from the city to do so.
(Code 2020, § 22-506)

Sec. 28-207. License application.

Every person desiring a license required by the provisions of this article shall make application to the city clerk. Accompanying each application shall be:

(1) A sworn statement by each designated supervising member that such member will be responsible for compliance with rules and regulations for each occasion of games of chance and/or lotteries which the member supervises.

(2) A sworn statement by the member designated as responsible for the proper utilization of gross receipts that no commission, fee, rent, seller profits, compensation, reward or recompense will be paid to any person or organization not sanctioned by the laws of the state and the city; and that all profits will be spent for a lawful purpose.

(3) A copy of the applicant's license issued by the state.
(Code 2020, § 22-507)

Sec. 28-208. Display of license.

Every license issued under the provisions of this article shall be conspicuously displayed at the place where the game of chance and/or lottery activity is conducted, at all times during the conduct thereof.
(Code 2020, § 22-508)

Sec. 28-209. License fee.

The license fee for engaging in the occupation of conducting games of chance and lotteries within the city shall be in the amount established by resolution. Licenses shall be issued for the calendar year and shall be renewed in January of each year by payment of the appropriate license fees to the city clerk.
(Code 2020, § 22-509)

Sec. 28-210. Exemption.

Nonprofit organizations and persons that desire to participate in games of chance and/or lotteries that are in compliance with the Nebraska Small Lotteries and Raffles Act (Nebraska Revised Statutes, § 9-501 et seq.), the Nebraska Bingo Act (Nebraska Revised Statutes, § 9-201 et seq.), the Nebraska Pickle Card Lottery Act (Nebraska Revised Statutes, § 9-301 et seq.), the Nebraska Lottery and Raffle Act (Nebraska Revised Statutes, § 9-401 et seq.), and/or the Nebraska County and City Lottery Act (Nebraska Revised Statutes, § 9-601 et seq.) are exempt from the provisions of this article.
(Code 2020, § 22-510; Ord. No. 3194-10/90)

ARTICLE III. KENO LOTTERY

Sec. 28-301. Lottery participation; restrictions.

(a) No person under 19 years of age shall play or participate in any way in the lottery established and conducted by the city council.

(b) The operator, its officers, directors, shareholders, and partners, and immediate family of same; the operator's manager; and the city keno representative shall all be prohibited from playing the lottery at any time.

(c) Employees of the operator shall be prohibited from playing the lottery while on duty, and for a period of one hour before and one hour thereafter, and at any other time while in uniform.

(d) For purposes of this section, the term "immediate family" means a person who is related to the member, official, or operator by blood, marriage, or adoption and resides in the same household of the member, official, or operator; or a person who is claimed by the member, official, operator, or spouse of a member, official, or operator as a dependent for federal income tax purposes.

(e) For purposes of this section, the term "city keno representative" means that person who, from time to time, holds the position of city administrator.
(Code 2020, § 5-301; Ord. No. 3270-6/92)

Sec. 28-302. Lottery sales outlet locations; approval required; qualification standards.

(a) The lottery operator who has contracted with the city council to conduct a lottery shall not operate the lottery at a sales outlet location other than the location of the lottery operator without prior approval of the sales outlet location by the city council. The city council shall approve or disapprove

each sales outlet location and individual, sole proprietorship, partnership, limited liability company or corporation which desires to conduct the lottery at its sales outlet location solely on the basis of qualification standards prescribed in subsection (b) of this section.

(b) Any individual, sole proprietorship, partnership, limited liability company or corporation which seeks to have its location approved as an authorized sales outlet location shall:

(1) First obtain a retail liquor license for consumption on the premises pursuant to Nebraska Revised Statutes, ch. 53;

(2) Not have been convicted of, or forfeited bond upon a charge of, or plead guilty to, forgery, larceny, extortion, conspiracy to defraud, willful failure to make required payment or reports to a governmental agency at any level, filing false reports with any such agency, or any similar offense or any other crime, whether felony or misdemeanor, involving gambling activity or moral turpitude;

(3) Not have had a gaming license revoked or canceled under the Nebraska Bingo Act, the Nebraska Pickle Card Lottery Act, the Nebraska Lottery and Raffle Act, or the Nebraska County and City Lottery Act and the rules and regulations adopted and promulgated pursuant to those acts.

(c) The qualification standards shall apply not only to the applicant, but also to each partner if the applicant is a partnership, to each member if the applicant is a limited liability company, and to each officer and director if the applicant is a corporation. Additionally, if the applicant is a corporation, the qualification standards shall apply to each stockholder owning more than ten percent of the stock of such corporation.
(Code 2020, § 5-302; Ord. No. 3807-5/01)

ARTICLE IV. SEXUALLY ORIENTED BUSINESSES

Sec. 28-401. Ordinances saved from repeal.

Nothing in this Code or the ordinance adopting this Code shall affect the validity of chapter 41 of the Code of the city (2020 edition).

Chapter 29

RESERVED

Chapter 30

MANUFACTURED HOMES AND TRAILERS

Sec. 30-101. Water supply.
Sec. 30-102. Waste and sewage disposal.
Sec. 30-103. Sewer connections.

Sec. 30-101. Water supply.

An adequate supply of pure water for each trailer and each service house shall be furnished through a piped distribution system laid at a depth of not less than five feet from the surface of the ground and connected with the city water main. The water distribution system shall be constructed from cast iron pipe. The piping shall be able to supply six to eight gallons per minute at a minimum pressure of 20 pounds per square inch at each coach space outlet, and in individual trailer coach supply lines shall not be less than three-fourth-inch Type K copper terminating with a connect at an appropriate location at each trailer coach space, with a riser extending at least four inches above the ground surface, with two three-fourth-inch valve outlets. Check valves shall not be installed on any riser. The outlets shall be threaded so that a screwed connection using flexible copper tubing may be made from one outlet to the coach's water piping system, leaving the other for use as a hose connection for fire control or other uses. The ground surface around the riser pipe shall be graded so as to divert surface drainage away from the connection. The riser shall be encased in a six-inch cast iron or tile pipe, with the intervening space filled with an insulating material to protect it from freezing. An insulating cover shall be provided, which will encase both valve outlets but not protect connections to the trailer during freezing weather. When the coach space is unoccupied during cold weather, the outlet shall be protected from freezing by draining of the pipes. A shutoff valve or other approved freezeless arrangements shall be placed below frost depth on the service line; it shall in no instance be a stop and waste cock. All necessary precautions shall be taken in laying all water pipes. They shall not be laid in water, nor where they can be flooded by water or sewage during the laying process period. Dirt and other contaminating material shall be excluded from the pipe. Each water supply distribution system providing for a trailer court shall be approved by the plumbing inspector after construction and before it is covered or placed in service.
(Code 2020, § 30-501; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 30-102. Waste and sewage disposal.

Each trailer coach space shall be equipped with at least a four-inch cast iron or tile sewer connection, trapped by a cast iron soil pipe or tile P trap below the frost line and reaching at least four inches above the surface of the ground. The sewer connection shall be protected by a concrete collar, at least three inches deep and reaching eight inches in all directions. The connection between the coach drain and the sewer shall be made watertight by suitable fittings. A threaded or fitted in clamp connection shall be made at the trailer coach drain and at the sewer outlet drain. All joints on the sewer lines shall be made watertight and every effort shall be made to minimize groundwater infiltration into the sewage system. Connections in access holes shall be so constructed as to prevent surface water from entering the sanitary sewers. Manholes shall be provided at every change in direction, at every junction of two or more branch sewers, and at intervals of not more than 300 feet. Cleanouts to grade may be used instead of access holes on four-inch lines. They should be provided wherever a access hole would otherwise be necessary and at intervals of not more than 100 feet. All cleanouts shall be capped with cleanout plugs. Each sewer lateral serving a row of coaches shall be vented at its upper end. Sewer mains shall be designed to handle the estimated sewage flow and shall be vented at its upper end. Sewer mains shall be designed to handle the estimated sewage flow and shall be a minimum of four-inch lines that service each trailer. These

four-inch lines shall be connected to a six-inch main, which empties into the city's sewer system. All material used and installation shall be subject to the approval of the plumbing inspector before installation.
(Code 2020, § 30-502; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 30-103. Sewer connections.

A watertight connection between the trailer drainage system and the trailer park sewer connection shall be made by means of a readily removable semi-rigid or flexible connector.
(Code 2020, § 30-503; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Chapter 31

RESERVED

Chapter 32

NUISANCES

Sec. 32-101. Definitions.
Sec. 32-102. Causing or maintaining nuisance conditions on property or premises; notice to abate; hearing.

Sec. 32-101. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building materials includes any lumber, brick, concrete blocks, windows, doors, panels, trusses, rebar, steel, metal or wood decking, shingles, tar paper, insulation, drywall, or other commonly used building components which are not affixed to any existing structure or portion thereof, and whether usable or unusable.

Firewood includes any wood, logs, timber, branches, scrap lumber, coal, or the like, in whatever shape or form, held, kept, or stored for the purpose of burning same on or off the premises upon which such firewood is found, for either functional or aesthetic purposes.

Garbage means all animal, fruit, or vegetable waste, residue which is produced by preparation, dressing, use, cooking, dealing in or storage of meats, fish, fowl, fruits, vegetables, cereals or grains for consumption. Garbage may also be defined as litter.

Inoperative, as it refers to motor vehicles, includes any motor vehicle which has any condition that would render it in violation of the Nebraska Motor Vehicle Act (Nebraska Revised Statutes, § 60-101 et seq.).

Junk means old scrap rope, rags, batteries, paper, rubber, iron, steel, and other old or scrap material not held for remelting purposes or reuse by an establishment having facilities for remelting or reuse; and dismantled, wrecked, or inoperative automobiles, trucks, tractors, and any other inoperative machinery or equipment, or parts thereof, including motor vehicles or parts thereof kept or used primarily for racing, show, competition, or recreation, whether operative or inoperative, including vehicles commonly referred to as race cars, dragsters, demolition vehicles, dune buggies, or the like, but not including currently licensed motor homes in usable condition. A motor vehicle which does not have affixed thereto a valid current state motor vehicle license, and which is not located upon premises licensed by the state for the sale of new or used motor vehicles, will be presumed to be junked, inoperative, or abandoned within the terms of this chapter.

Litter includes trash, rubbish, refuse, garbage, paper, rags, and ashes; wood, plaster, cement, brick, or stone building rubble; grass, leaves, and worthless vegetation; offal and dead animals; furniture intended for indoor use being placed outside in a front, side or rear yard; and any machine, vehicle, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk.

Person includes any person, partnership, limited liability company, corporation, or association actually responsible for erecting, continuing, using, or maintaining a nuisance, regardless of whether said person is the owner, manager, lessee, or occupant of said building or premises.

Premises includes any platted or unplatted lot or parcel together with any sidewalks, abutting terraces, platted or vacated alleys, and all fixtures and structures located thereon.

Refuse includes ashes and sweepings, paper, cardboard, rags, broken glass, feathers, dishes, broken or empty bottles, crockery, utensils of every kind and nature, pans, pasteboard boxes, lye, poisons, food containers, tin cans, grass cuttings, leaves, broken or cut tree limbs and branches, discarded automobile bodies, inoperative automobiles, parts of automobiles, machinery, parts of machinery, and any other waste matter or material which accumulates in the operation of a household, business, establishment, factory, or shop of any kind or nature.

Weeds include, but are not limited to, bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial peppergrass (*Lepidium draba*), Russian knapweed (*Rhaponticum repens*), Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack grass (*Elymus repens*), perennial sow thistle (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus cathartica*), hemp plant (*Cannabis sativa*), and ragweed (*Ambrosia artemisiifolia*); and rank grass or any deleterious or unhealthful growth. Weeds, grasses, and worthless vegetation does not include vegetation applied or grown on a lot or piece of ground outside the corporate limits of the city but inside the city's extraterritorial zoning jurisdiction expressly for the purpose of weed or erosion control.

(Code 1973, § 24-24; Code 2020, § 18-118; Ord. No. 2885; Ord. No. 3527-3/96; Ord. No. 4091-10/2006; Ord. No. 4393-6/2014)

State law reference—Authority to prevent, abate, etc., nuisances, Nebraska Revised Statutes, § 16-230.

Sec. 32-102. Causing or maintaining nuisance conditions on property or premises; notice to abate; hearing.

(a) A person commits the offense of maintaining a nuisance if the person erects, keeps up or continues and maintains property in any one or more of the following conditions:

(1) The erecting, continuing, using or maintaining of any building or premises for the exercise of any trade, employment, manufacture, business, or other purpose which, by occasioning noxious exhalations, odors, dust, smoke, gas, fumes, noise, water, spray or other substance or residue, becomes injurious and dangerous to the health, comfort or property of individuals or the public;

(2) The depositing or accumulation upon any premises of garbage, refuse, rubbish, brush, trash, offal, manure, stagnant water or any other offensive, unwholesome or unhealthy matter, substance or condition, conducive to the breeding and existence of rats, mice, flies, mosquitoes, bacteria or any other rodents or insects; provided, however, this shall not apply to garbage or refuse stored in any garbage container in good condition with a tight fitting lid;

(3) The deposit or accumulation upon any premises of junk; provided, however, junk may be located upon any premises for which a valid special use permit granted by the city council, for operation of an auto salvage and/or junkyard, is in effect;

(4) The parking or storing of any vehicle in a manner prohibited by section 34-102;

(5) The permitting or maintaining of excessive growth of weeds, lawn and other grasses, or worthless vegetation extending more than six inches above the ground, or to litter or cause litter to be deposited or remain thereon, except in proper receptacles;

(6) The obstructing or encumbering by fences, buildings, structures or otherwise of any of the public highways, streets, alleys or sidewalks of the city;

(7) The deposit or accumulation of building material upon any premises, unless it is stacked in a neat and orderly fashion no less than six inches above ground level, and in no event shall any building material be stored or kept upon any premises outside of an enclosed structure, unless there is in effect for that premises a current building permit issued by the building inspector of the city; and

(8) The deposit or accumulation of firewood upon any premises outside of an enclosed structure, unless it is stacked in a neat and orderly fashion no less than six inches above ground level, and in no event shall any stack of firewood exceed six feet in height above ground level.

(b) Notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by first class mail, postage prepaid, with such mail being conspicuously marked as to its importance; by personal service upon each owner or owner's duly authorized agent and to the occupant, if any, by a member of the police department; or by posting a notice to abate and remove such nuisance on the property. The owner or owner's duly authorized agent and/or occupant of the lot or piece of ground, within five days after receipt or posting of such notice, may request a hearing with the city to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the city clerk. A hearing on the appeal shall be held within 14 days after the filing of the appeal. The hearing officer shall render a decision on the appeal within five business days after the conclusion of the hearing. If the appeal fails, the city may have such work done. If within five days after receipt of such notice, the owner or occupant of the lot or piece of ground does not request a hearing with the city or fails to comply with the order to abate and remove the nuisance, the city may have such work done. The costs and expenses of any such work shall be paid by the owner. If unpaid for two months after such work is done, the city may either:

(1) Levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed; or

(2) Recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(Code 2020, § 18-119; Ord. No. 2885; Ord. No. 3527-3/96; Ord. No. 4393-6/2014)

Chapter 33

RESERVED

Chapter 34

OFFENSES AND MISCELLANEOUS PROVISIONS

Article I. In General

Sec. 34-102. Parking on residential lots.
Sec. 34-103. Advertisements—Posting on publicly owned property.
Sec. 34-104. Advertisements—Painting, posting, etc., on streets, sidewalks, etc.
Sec. 34-105. Advertisements—Signs.

Article II. Offenses Involving Personal Injury

Sec. 34-201. Assault.

Article III. Offenses Involving Property Rights

Sec. 34-301. Unauthorized entry into motor vehicle.

Article IV. Offenses Involving Public Safety

Sec. 34-401. Discharge of firearms and weapons.
Sec. 34-402. Filling of excavations required.
Sec. 34-403. Residency restrictions for sexual predators.

Article V. Offenses Involving Public Peace and Order

Sec. 34-501. Disorderly conduct.
Sec. 34-502. Excessive noise.
Sec. 34-503. Unlawful assembly.
Sec. 34-504. Violent entertainment, unsanctioned sporting events.

Article VI. Offenses Involving Underage Persons

Sec. 34-601. Juvenile curfew.

Article VII. Offenses Involving Governmental Operations

Sec. 34-701. Failure to appear in court.

ARTICLE I. IN GENERAL

Sec. 34-102. Parking on residential lots.

(a) It shall be unlawful for any person to allow a vehicle or trailer to be parked within the front yard in:

(1) Any residential zoning district; or

(2) A permitted residential use which is the principal use of a lot in any other zoning district, unless said vehicle or trailer is parked on a driveway.

(b) It shall be unlawful for any person to allow a vehicle or trailer to be parked within the side yard in:

(1) Any residential zoning district; or

(2) A permitted residential use which is the principal use of a lot in any other zoning district, unless said vehicle or trailer is parked on a paved or other hard surface area within the side yard.

(c) Parking lots for multifamily dwellings, located in a front yard or side yard as part of an approved development plan, shall not be considered a violation of this section.

(d) The following words, terms and phrases, when used in this subsection, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Driveway means a private roadway extending from the public right-of-way to serve a garage, carport, or other area where parking is allowed by this Code, or to connect from one point of a public right-of-way to another point of a public right-of-way.

Front yard means the open space extending the full width of the lot across the front of a lot adjoining a public street.

Hard surface includes concrete, asphalt, crushed rock, gravel or other approved material consistent with the zoning ordinance.

Rear yard means the open space extending the full width of the lot across the back of a lot extended from the rear lot line.

Side yard means the yard between the main building and the adjacent side lot line extending from the front yard to the rear yard.

Trailer means a wheeled cart, wagon or platform designed to be towed behind a vehicle as defined herein.

Vehicle means any self-propelled vehicle which is designed for use upon a public roadway or highway, including trailers.

(Code 2020, § 40-102; Ord. No. 3921-5/2004; Ord. No. 4091-10/2006; Ord. No. 4442-6/2015)

Sec. 34-103. Advertisements—Posting on publicly owned property.

No person, except a duly authorized public officer or employee, shall erect, construct or maintain, paste, paint, print, nail, tack, tape or otherwise fasten or affix, any card, banner, handbill, poster, sign, advertisement, or notice of any kind, or cause or suffer the same to be done, on any curbstone, lamppost, pole, bench, hydrant, bridge, wall, tree, sidewalk or structure in or upon any public street, alley, or upon any other public property, except as may be required or permitted by ordinance or law; and no person shall deface, mar or disfigure any bridge, fence, building or other structure belonging to city, or any tree located in any public property or place, by painting, cutting, scratching or breaking the same, or attaching or affixing anything thereto.
(Code 1973, § 24-1; Code 2020, § 18-101; Ord. No. 4103-12/2007)

Sec. 34-104. Advertisements—Painting, posting, etc., on streets, sidewalks, etc.

It shall be unlawful for any person to paint, print or post, or in any manner place upon any sidewalk, crossing or crosswalk or other way or passage for the use of pedestrians or upon pavement in any street or alley in the city, any placard, sign, advertisement, display bill, letter or kindred matter of any kind or description.
(Code 1973, § 24-2; Code 2020, § 18-102)

Sec. 34-105. Advertisements—Signs.

It shall be unlawful for any person to place or erect, either temporarily or permanently, any sign upon any street, alley, public parking lot, public right-of-way, or other real estate owned by the city unless such person shall have first been authorized to do so by the city council or as provided by ordinance.
(Code 2020, § 18-103; Ord. No. 2973-5/86; Ord. No. 3207-3/91)

ARTICLE II. OFFENSES INVOLVING PERSONAL INJURY

Sec. 34-201. Assault.

It shall be unlawful for any person to intentionally, knowingly, or recklessly cause bodily injury to another person or threaten another in a menacing manner.
(Code 1973, § 24-6; Code 2020, § 18-106)

State law reference—Similar provisions, Nebraska Revised Statutes, § 28-310.

ARTICLE III. OFFENSES INVOLVING PROPERTY RIGHTS

Sec. 34-301. Unauthorized entry into motor vehicle.

It shall be unlawful for any person to enter a motor vehicle belonging to another without the permission of the owner or other person in lawful possession thereof. This section shall not apply to any person entering a motor vehicle for a lawful purpose.
(Code 2020, § 18-151; Ord. No. 4730, § 1, 4-10-2023)

ARTICLE IV. OFFENSES INVOLVING PUBLIC SAFETY

Sec. 34-401. Discharge of firearms and weapons.

It shall be unlawful for any person to discharge, or cause to be discharged, any rifle, gun, pistol, revolver, shotgun, air gun, blank cartridge revolver or any other firearm, or any slingshot loaded with rock or other dangerous missile, or any crossbow or bow and arrow, at any time or under any circumstances within the city or within any park, the property of the city, whether within or without the corporate limits, provided that this section shall not apply to a peace officer in the discharge of the officer's duties; to licensed shooting galleries; to any theatrical performance or exhibition or licensed; to the discharge of any crossbow or bow and arrow when the bolt or arrow does not leave the property from which it is discharged; to the discharge of a shotgun related to cleaning inside the furnace at Whelan Energy Center; or when the same may be necessary for the public or individual defense and safety. This section does not apply to starter's pistols used to start events at track meets or road races within the city.

(Code 1973, § 39-3; Code 2020, § 21-102; Ord. No. 1750; Ord. No. 1836; Ord. No. 4363-8/2013; Ord. No. 4570-2/2019)

State law reference—Authority to regulate or prohibit the discharge of firearms, Nebraska Revised Statutes, § 16-227.

Sec. 34-402. Filling of excavations required.

(a) It shall be unlawful for any person or corporation who owns real estate, or has an interest in real estate, within the limits of the city to leave unfilled any basement or excavation as a result of removal or demolition of such building or house within the city for a period of time exceeding 60 days.

(b) The owner of such open or exposed basement or excavation shall be notified by the city by certified mail that such basement or excavation must be filled within 120 days of the mailing of said notice.

(c) If said owner shall fail to comply with the notice given them, then the city may fill said basement or excavation or hire the same to be filled and assess the cost thereof to the owner of said real estate, and the assessment against said real estate shall constitute a lien thereon.

(Code 1973, § 24-42; Code 2020, § 18-136; Ord. No. 2741)

Sec. 34-403. Residency restrictions for sexual predators.

(a) *Purpose.* It is the intent of this section to serve the city's compelling interest to protect the health, safety and welfare of the children of the city from the risk that sexual predators may reoffend where children congregate on a regular concentrated basis by prohibiting certain sex offenders from establishing a residence around schools and/or licensed day cares.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings prescribed to them in this subsection, except where the context clearly indicates a different meaning:

Child care facility means a facility licensed pursuant to the Nebraska Child Care Licensing Act (Nebraska Revised Statutes, § 71-1908 et seq.).

Reside or *residence* means a place where the sex offender abides, lodges, lives or sleeps for five or more aggregate working days.

School means any public or non-public school accredited or approved by the state which has or includes any or all grades, kindergarten through 12th grade.

Sexual predator means an individual who is required to register under the Sex Offender Registration Act, who has committed an aggravated offense as defined in Nebraska Revised Statutes, § 29-4001.01, and who has victimized a person 18 years of age or younger.

(c) *Residency restrictions.* It shall be unlawful for a sexual predator to reside within 500 feet of the real property comprising a school or child care facility.

(d) *Measurement of distance.* For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the residence to the nearest outer property line of the school or child care facility.

(e) *Penalty for violation.* Any person who violates any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $250.00 nor more than $500.00.

(f) *Exceptions.* A sexual predator residing within 500 feet of the real property comprising a school or child care facility does not commit a violation of this section if any of the following apply:

(1) Resides within a prison or correctional or treatment facility operated by the state or a political subdivision;

(2) Established a residence before July 1, 2006, and has not moved from that residence;

(3) Established a residence after July 1, 2006, and the school or child care facility triggering the restriction was established after the initial date of the sexual predator's residence at that location; or

(4) The sexual predator is a ward under guardianship.

(g) *Reasonable accommodations.* This section does not preclude a sex offender deemed to be disabled under the Fair Housing Act, Rehabilitation Act, or Americans with Disabilities Act from pursuing requests for reasonable accommodations.

(Code 2020, § 18-148; Ord. No. 4093-8/2006; Ord. No. 4750, § 1, 12-11-2023)

State law references—Sex Offender Registration Act, Nebraska Revised Statutes, § 29-4001 et seq.; Sexual Predator Residency Restriction Act, Nebraska Revised Statutes, § 29-4015 et seq.

ARTICLE V. OFFENSES INVOLVING PUBLIC PEACE AND ORDER

Sec. 34-501. Disorderly conduct.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Incite a riot means, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written advocacy of ideas or the expression of beliefs not involving advocacy or any act of violence or assertion of the right to commit any such act.

Public place means any public place to which the general public has access and a right to remain for business, entertainment or other lawful purposes, but is not limited to a place devoted solely to the uses of the public. The term "public place" shall include any portion of the area of any store, shop, restaurant, tavern or other place of business which satisfies the definition of the term "public place" set forth here. The term "public place" shall also include property owned by any state, county or other political subdivision, or public streets, alleys, parking lots, public and private rights-of-way, public grounds, areas or parks.

Riot means a public disturbance involving:

(1) An act of violence by one or more persons, which act shall constitute a clear and present danger or shall result in damage or injury to the property or person of anyone; or

(2) A threat of the commission of an act of violence by one or more persons who are part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat, where the performance of the threatened act would constitute a clear and present danger or would result in damage or injury to the property or person of anyone.

(b) *Disorderly conduct prohibited.* A person shall be guilty of disorderly conduct if, with the purpose of causing public danger, alarm, disorder or nuisance, the person willfully does any one of the following acts:

(1) Exposes their genitals in a public place or on private premises, and under circumstances in which the person knows or reasonably should know that the exposed genitals may readily be observed from either a public place or other private premises, provided, however, this prohibition shall not apply in a public or private restroom;

(2) Urinates or defecates in a public place or on private premises open to or visible to the public; provided this prohibition shall not apply to urinating or defecating in any restroom facility in a manner for which that facility was designed; and

(3) Shines or directs a laser light beam on any law enforcement officer.

(c) *Exemptions.* This section shall not be construed to suppress the right to lawful assembly, picketing, public speaking or other lawful means of expressing public opinion not in contravention of other laws.

(d) *Penalties.* Any person who violates any of the provisions of this section shall be guilty of an offense.

(Code 1973, §§ 24-11, 24-13; Code 2020, § 18-112; Ord. No. 3262-5/92; Ord. No. 3326-5/93; Ord. No. 3527-3/96; Ord. No. 3687-6/99)

State law reference—Authority to suppress disorderly conduct, Nebraska Revised Statutes, §§ 16-227, 16-228.

Sec. 34-502. Excessive noise.

It shall be unlawful for any person within the city to operate any radio, tape player, compact disc player, stereophonic sound system, or similar device which reproduces or amplifies radio broadcasts

or musical recordings in or upon any street, alley, or other public place in such a manner as to be audible to any person at any point or place more than 75 feet from the source. The prohibition set forth herein shall not apply to such activity:

(1) When conducted in connection with an activity or event sponsored by a school, church, or governmental entity;

(2) When conducted in connection with an activity open to the public, such as a carnival, circus, or athletic event; and

(3) If a permit for same has been issued by the city council, or its designee, which permit may include such conditions as the city council, or its designee, shall deem necessary and appropriate; provided, however, such conditions shall be reasonably related to preserving the public peace, and shall not infringe upon the applicant's right to free speech.

(Code 2020, § 18-113.01; Ord. No. 3686-6/99)

Sec. 34-503. Unlawful assembly.

It shall be unlawful for two or more persons to assemble together within the city, upon any sidewalk or street thereof, in front of or adjacent to any store, shop or other place of business, so as to obstruct the public right-of-way along such street or sidewalk, or entrance to such place of business, or so as to obstruct or injure the carrying on of any lawful business in any of the places aforesaid.

(Code 1973, § 24-35; Code 2020, § 18-133)

State law reference—Authority to prevent disorderly assemblies, Nebraska Revised Statutes, § 16-227.

Sec. 34-504. Violent entertainment, unsanctioned sporting events.

(a) No person shall publicize, promote, conduct, sponsor, sanction or engage in any unsanctioned sporting event or a violent form of entertainment on city property.

(b) For the purposes of this section, an unsanctioned sporting event or a violent form of entertainment shall include extreme fighting, ultimate fighting, full-contact fighting, no-holds-barred fighting, tough man contests, mixed martial arts or bare-knuckle fighting.

(c) This section shall not prohibit state or nationally sanctioned boxing matches, or any other contest for which there is a commission or governing body that is recognized by the city as being an authentic and valid commission or governing body.

(d) Any person adjudged guilty of this provision shall be fined as follows:

	Minimum	*Maximum*
First offense	$100.00	$500.00
Second and subsequent offenses	$250.00	$500.00

(Code 2020, § 18-150; Ord. No. 4136-11/2007)

ARTICLE VI. OFFENSES INVOLVING UNDERAGE PERSONS

Sec. 34-601. Juvenile curfew.

(a) It shall be unlawful for any person under the age of 16 years to loiter, idle, wander, stroll, play or be in or upon the public streets, public places, public buildings, places of amusement and entertainment, vacant lots or other unsupervised places, or to ride in or upon, drive or otherwise operate, any bicycle or other vehicle, in, upon, over or through said streets or other public places or unsupervised places of the city on Sunday through Thursday of each week between the hours of 11:00 p.m. and 6:00 a.m. of the following day, and on Fridays and Saturdays between the hours of 12:00 midnight and 6:00 a.m. of the following day.

(b) It is a defense to prosecution under subsection (a) of this section that the person under 16 years of age was:

(1) Accompanied by the person's parent or guardian, or an adult designated by the person's parent or guardian;

(2) On an errand at the direction of the person's parent or guardian, or an adult designated by the person's parent or guardian, without any detour or stop;

(3) In a motor vehicle involved in interstate travel;

(4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;

(5) Involved in an emergency. In this subsection, the term "emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term "emergency" includes, but is not limited to, a fire, a natural disaster, or automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

(6) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;

(7) Exercising first amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

(8) Married or had been married, or had disabilities of minority removed in accordance with law.

(c) It shall be unlawful for the parent, guardian, or other person having the care and custody of a minor person under the age of 16 years to allow or permit such minor person to violate subsection (a) of this section.

(Code 2020, §§ 18-137—18-139; Ord. No. 2862)

ARTICLE VII. OFFENSES INVOLVING GOVERNMENTAL OPERATIONS

Sec. 34-701. Failure to appear in court.

(a) Whoever is charged with a violation of an ordinance of the city, conviction of which would carry a jail sentence, or require payment of a fine, or either, and who shall fail to appear in court when legally required, or to surrender within three days thereafter, shall, upon conviction for willful failure to so appear, be guilty of an offense.

(b) Any person convicted of the offense of failure to appear shall be punished by a penalty that is commensurate with the penalty for the original offense for which said person failed to appear.
(Code 2020, § 18-123; Ord. No. 4638, § 1, 8-24-2020)

Chapter 35

RESERVED

Chapter 36

PARKS AND RECREATION*

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Article II. Park Rules

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Sec. 36-202. Closing hours.
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Article III. Lake Hastings

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Sec. 36-316. Health and conduct rules.
Sec. 36-317. Erection of docks or other structures.
Sec. 36-318. Rules and regulations generally.
Sec. 36-319. Inspection of boats.

***State law reference**—Parks, Nebraska Revised Statutes, § 16-695 et seq.

ARTICLE I. IN GENERAL

ARTICLE II. PARK RULES

Sec. 36-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Parks means and includes any park, playground, swimming pool, recreation center, or any other park or recreational use or facility within or without the limits of the city, which is under the city ownership or control.
(Code 2020, § 23-201; Ord. No. 2870)

Sec. 36-202. Closing hours.

Except as hereinafter provided, all parks shall be open daily to the public during the hours of 6:00 a.m. to 11:00 p.m. It shall be unlawful for any person to occupy or be present in any park during any hours during which said park is not opened to the public.
(Code 2020, § 23-202; Ord. No. 2870; Ord. No. 4636, § 1, 7-13-2020)

Sec. 36-203. Exceptions to closing hours.

The city council or the director of parks and recreation may, upon request by any resident of the city, grant exceptions to the normal park closing hours for special activities, or where special circumstances arise.
(Code 2020, § 23-203; Ord. No. 2870; Ord. No. 4646, § 1, 9-28-2020)

Sec. 36-204. Special closing hours.

(a) Any park may be declared closed to the public by the mayor or the director of parks and recreation at any time, or at regular or stated intervals when necessary, for:

(1) The care and maintenance of the parks; or

(2) The health, safety and welfare of the public; or

(3) The protection or preservation of park property.

(b) When so closed, the director of parks and recreation shall cause notice to be posted at the entrance of said park to notify the public that the park is closed, and when so posted it shall be unlawful for any person to enter said park; and it shall be unlawful for any person to remain in said park after oral notice by the director of parks and recreation, or any police officer of the city, or other duly authorized representative of the director of parks and recreation, that said park is closed, regardless of whether or not any signs have been posted.
(Code 2020, § 23-204; Ord. No. 2870)

ARTICLE III. LAKE HASTINGS

Sec. 36-301. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Boat means any watercraft in or upon or docked or moored in any place in the waterway known as Lake Hastings.

Lake means the surface water area of the lake known as Lake Hastings.

Motorboat means any watercraft propelled in any respect by machinery, including watercraft temporarily equipped with detachable motors, but shall not include a vessel which has a valid marine document issued by the United States Bureau of Customs or any federal agency successor thereto.

Personal watercraft means a class of motorboat less than 16 feet in length which uses an internal combustion engine powering a jet pump as its primary source of motive propulsion and is designed to be operated by a person sitting, standing, or kneeling on the watercraft rather than in the conventional manner of boat operation.

Vessel means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.
(Code 1973, § 18-3; Code 2020, § 24-201; Ord. No. 1840; Ord. No. 3851-2/2002)

Sec. 36-302. Penalties.

Any person who shall violate any provision of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in this Code, and in addition thereto may, in the discretion of the court having jurisdiction over the matter, be denied the privilege of operating any boat on the lake for a period not to exceed two years.
(Code 1973, § 18-22; Code 2020, § 24-219; Ord. No. 1840)

Sec. 36-303. Adoption of rules and regulations of Nebraska State Boat Act.

Any violation of the Nebraska State Boat Act (Nebraska Revised Statutes, § 37-1201 et seq.), as the same may be amended from time to time, shall constitute a violation of this section.
(Code 1973, § 18-2; Code 2020, § 24-102; Ord. No. 2387; Ord. No. 3851-2/2002; Ord. No. 4646, § 2, 9-28-2020)

Sec. 36-304. Establishing of rules by resolution of city council.

The city council, by resolution, may from time to time establish such rules and regulations for the use of the public park area and lake as it may deem advisable, and such rules and regulations shall have the full force and effect of ordinance duly adopted upon the posting of such rules and regulations in a conspicuous place at the city launching ramp. The city, by resolution, may from time to time establish and locate buoys and markers for the regulation of traffic upon the lake, and any violation of the directions or restrictions thereby imposed shall be a violation of this Code.
(Code 1973, § 18-18; Code 2020, § 24-215; Ord. No. 1840)

Sec. 36-305. Responsibility of owner.

The owner of a boat shall be liable for any injury or damage occasioned by the negligent operation of such boat whether such negligence consists of a violation of the provisions of this Code or other ordinances of the city or the statutes of the state or in the failure to observe such ordinary care in such operation as the rules of the common law require. The owner shall not be liable, however, unless such boat is being used with the owner's express or implied consent. It shall be presumed that such boat is being operated with the knowledge and consent of the owner if, at the time of the injury or damage, it is under the control of the owner's wife, father, mother, brother, sister, son, daughter or other immediate member of the family.
(Code 1973, § 18-21; Code 2020, § 24-218; Ord. No. 1840)

Sec. 36-306. Licenses and permits.

(a) No person shall operate any boat or personal watercraft (jet ski) powered by an internal combustion gasoline engine upon Lake Hastings without a permit for said boat. Permits shall be issued by the parks and recreation department upon payment of a fee established by the provisions of the city council fee resolution in effect at the time of the application for the permit.

(b) No person shall operate any boat upon Lake Hastings without any license or certificate required for said boat by state or federal law or regulation, and proof of successful completion of an approved state boaters' safety course or its equivalent. Persons operating a boat upon Lake Hastings shall carry proof of course completion at all times and present proof to any law enforcement officer upon demand.

(c) No person convicted of, or any owner of a watercraft operated by a person convicted of, violating sections 36-308, 36-309, and/or 36-314 shall be allowed to operate upon Lake Hastings for the remainder of the calendar year and the following calendar year.
(Code 1973, § 18-4; Code 2020, § 24-202; Ord. No. 1840; Ord. No. 3322-5/93; Ord. No. 3851-2/2002; Ord. No. 4646, § 3, 9-28-2020)

Sec. 36-307. Applicability of article to exhibition boats.

The provisions of this article shall not be construed to prohibit the running or racing of any exhibition boats, muffled or unmuffled, during a publicly announced, properly authorized and supervised, and adequately patrolled regatta or speed trial or exhibition.
(Code 1973, § 18-6; Code 2020, § 24-203; Ord. No. 1840)

Sec. 36-308. Reckless operation; speed restrictions.

No person shall operate a boat in a careless manner or at an excessive rate of speed so as to endanger, or be likely to endanger, the life or property of any person, having due regard for the presence of other boats or persons or other objects in or on the lake, nor shall any such person operate any boat at a speed which causes waves to damage docks or boats moored to docks along

the lake. All boats shall reduce speed to a maximum of five miles per hour when approaching or leaving the city docks or when within 90 feet of the shoreline; those boats leaving the docks shall have the right-of-way.
(Code 1973, § 18-7; Code 2020, § 24-204; Ord. No. 1840; Ord. No. 3851-2/2002)

Sec. 36-309. Operating under influence of alcohol or narcotics.

No person shall operate a boat while under the influence of intoxicating liquor, narcotic drugs or opiates.
(Code 1973, § 18-8; Code 2020, § 24-205; Ord. No. 1840)

Sec. 36-310. Equipment generally.

No person shall operate a boat which does not meet all applicable equipment requirements of the U.S. Coast Guard and the state.
(Code 1973, § 18-9; Code 2020, § 24-206; Ord. No. 1840)

Sec. 36-311. Sirens, horns, etc.

No person shall use any siren or other noise-producing or noise-amplifying instrument on a boat in such a manner that the peace and good order of the neighborhood is disturbed, provided that nothing in this article shall be construed to prohibit the use of whistles, bells or horns as signals as required by the United States Motorboat Act or other state or federal law for the safe navigation of boats.
(Code 1973, § 18-10; Code 2020, § 24-207; Ord. No. 1840)

Sec. 36-312. Use of search lights.

No person operating a boat shall use search lights indiscriminately or in such a manner as to annoy or disturb other persons or boats.
(Code 1973, § 18-11; Code 2020, § 24-208; Ord. No. 1840)

Sec. 36-313. Lights.

No person in charge of any boat in operation on the lake or moored in any dock shall allow the same to operate or remain during the nighttime unless properly lighted in compliance with applicable U.S. Coast Guard regulations.
(Code 1973, § 18-12; Code 2020, § 24-209; Ord. No. 1840)

Sec. 36-314. Disturbing, endangering, etc., other boats.

No person shall operate a boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger the occupants of any other boat, or throw up a dangerous wake when approaching another boat.
(Code 1973, § 18-13; Code 2020, § 24-210; Ord. No. 1840)

Sec. 36-315. Mooring at private docks without permission.

No person shall moor a boat to a private dock or beach it upon private property without the permission of the owner thereof.
(Code 1973, § 18-14; Code 2020, § 24-211; Ord. No. 1840)

Sec. 36-316. Health and conduct rules.

Persons in charge of or occupying boats docked at or moored to land or docks abutting the lake shall observe all the health and sanitary regulations of the city, and all provisions of this Code or other ordinances of the city relating to the conduct of persons and prohibiting acts contrary to public health, moral safety or public peace. No waste material, refuse, bottles or sewage shall be discarded in the lake or park area adjacent thereto.
(Code 1973, § 18-15; Code 2020, § 24-212; Ord. No. 1840)

Sec. 36-317. Erection of docks or other structures.

No person shall erect or maintain any dock or other structure without securing a permit therefor from the city. No permit shall be issued for any such structure that would protrude more than six feet from the shoreline of the lake. For the purpose of this section, the shoreline of the lake shall be construed to be at a contour level of 1,906 feet.
(Code 1973, § 18-16; Code 2020, § 24-213; Ord. No. 1840)

Sec. 36-318. Rules and regulations generally.

The following rules and regulations for the use and operation of boats upon Lake Hastings shall apply:

(1) *Launching.* All boats shall be launched from the city launching ramps.

(2) *Area of operation.* No boat powered with a motor in excess of 7½ horsepower shall be operated where public notification thereof shall be posted.

(3) *Traffic pattern.* Power boats, when placed in motion, shall proceed to the traffic pattern and follow the same in a counterclockwise direction.

(4) *Age of operators.* No person under the age of 14 years shall operate a motorboat of any class at any time, whether accompanied by an adult or not. No person under 16 years of age shall operate a motorboat over ten horsepower or more, unless operated in a training course under the direct supervision of an adult instructor who is at least 21 years of age. The term "direct supervision" means that the adult is accompanying the student upon the craft. Persons in training may not violate any other state laws regarding age limits or required education.

(5) *Accidents.* The operator of any boat involved in an accident resulting in injury or death to any person or in serious damage to property shall immediately stop such boat at the scene of such accident, shall give the operator's name, address, the name and number of the boat, and the name and address of the owner to the person struck or the operator or occupants of

the watercraft collided with, and shall render to any person injured in such accident reasonable assistance, and shall promptly report such accident to the nearest or most convenient law enforcement agency.

(6) *Restricted areas.* No person shall operate a boat within a water area which has been clearly marked by buoys or some other distinguishing device as a bathing, swimming or other restricted area.

(7) *Insurance.* Each owner or operator of a boat on the lake, as herein defined, shall have in effect at all times of such operation a liability insurance policy in the minimum amount of $10,000.00.

(8) *Water skiing rules.*

a. All ski tow boats shall follow a counterclockwise direction around the lake in the trafficway.

b. When following another boat, the second boat shall stay at a reasonable and safe distance behind the lead boat or skier.

c. When skiing on one ski, the discarded ski or disc shall not be dropped in the ski area trafficway.

(Code 1973, § 18-17; Code 2020, § 24-214; Ord. No. 1840; Ord. No. 1903; Ord. No. 3851-2/2002)

Sec. 36-319. Inspection of boats.

(a) Any law enforcement officer or person with authority to enforce Lake Hastings regulations shall have the authority to inspect any boat in use upon, or preparing for use upon, Lake Hastings, shall have the duty and authority to enforce the provisions of this Code and, in the exercise thereof, shall have the authority to stop and board any vessel subject to this Code.

(b) If any person with authority to enforce this Code observes a boat being used without sufficient life-saving or firefighting devices, or in an overloaded or other unsafe condition as defined in the laws and regulations of the state or city, and in their judgment such use creates an especially hazardous condition, the person may direct the operator to take whatever immediate and reasonable steps would be necessary for the safety of those aboard the vessel, including directing the operator to return to the mooring and to remain there until the situation creating the hazard is corrected or ended.
(Code 1973, § 18-19; Code 2020, § 24-216; Ord. No. 1903; Ord. No. 3851-2/2002)

Chapter 37

RESERVED

Chapter 38

PLANNING

Article I. In General

Sec. 38-101. Director of city planning.

Article II. Planning Commission

Sec. 38-201. Alternate and ex officio members.
Sec. 38-202. Term of office; removal; filling vacancies in office.
Sec. 38-203. Miscellaneous officers; meetings; quorum; rules and regulations; records.
Sec. 38-204. Functions and duties.
Sec. 38-205. Time requirements.
Sec. 38-206. Funds, equipment, etc.; expenditures generally.

ARTICLE I. IN GENERAL

Sec. 38-101. Director of city planning.

There may be a director of city planning, also known as the planning director, who shall be appointed by the mayor by and with the approval of the city council, and who shall be qualified by special training and experience in the field of city planning. If a director of city planning is appointed, the director shall be the regular technical advisor of the planning commission; the director of city planning may also be designated its executive secretary and shall have such other authority, duties and responsibilities under the direction and control of the city council as it may require and establish.
(Code 1973, § 2-64; Code 2020, § 2-604; Ord. No. 1707)

ARTICLE II. PLANNING COMMISSION

Sec. 38-201. Alternate and ex officio members.

The city planning commission may have one alternate member. The mayor may appoint such additional ex officio members of the commission as the mayor, in their discretion, may deem desirable, but such appointments shall be with the approval of a three-fourths' vote of the city council.
(Code 1973, § 2-61; Code 2020, § 2-601; Ord. No. 1707; Ord. No. 4008-3/2005)

Sec. 38-202. Term of office; removal; filling vacancies in office.

The term of each appointed member of the planning commission shall be three years; except that three members of the first commission appointed shall serve for the term of one year, three for the term of two years and three for the term of three years. All members shall hold office until their successors are appointed. All members of the commission may, after a public hearing before the city council, be removed by the mayor by and with the consent of the city council for inefficiency, neglect of duty, malfeasance in office or other good and sufficient cause. Vacancies occurring otherwise than through the expiration of the term shall be filled for the unexpired term by the mayor by and with the approval of the city council.
(Code 1973, 2-62; Code 2020, § 2-602; Ord. No. 1707)

Sec. 38-203. Miscellaneous officers; meetings; quorum; rules and regulations; records.

The city planning commission shall elect its chairman from its members and shall create and fill such other of its offices as it may determine. The term of the chairman shall be one year and until his successor shall have been elected and qualified. The chairman shall be eligible for reelection. Except for the chair, the term of the other officers of the planning commission and their eligibility or non-eligibility for reelection shall be determined and fixed by the commission. The commission shall hold at least one regular meeting in each month, at such time and place as may be fixed by the commission. Special meetings of the commission may be called by the chairperson, or, in the chairperson's absence, by such other officer as may be designated by the commission, or by any three of the appointed members of the commission. A majority of the commission shall constitute a

quorum for the transaction of business. The commission shall adopt rules for the transaction of its business, and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.
(Code 1973, § 2-63; Code 2020, § 2-603; Ord. No. 1707)

Sec. 38-204. Functions and duties.

(a) The planning commission shall conduct at least one public hearing on the area to be proposed for annexation into the city. The commission shall be provided any assistance it deems necessary from any city department, the city administrator and the city attorney in a timely manner so as to comply with the time requirements set forth herein.

(b) The city planning commission shall review all county industrial areas which are located within the city's two-mile zoning jurisdiction and make a recommendation to the mayor and city council of whether they should request review of any of the county industrial areas by the county board.

(c) All plats or replats of land, except administrative replats as described in section 46-107, shall be submitted to the city planning commission for its consideration, and its recommendation shall be submitted to the city council for its official consideration and action. No such plat or replat shall be filed with the register of deeds, as provided by law, until such plat or replat shall have endorsed thereon the fact that it has been first submitted to the commission, and by the commission to the city council, and duly approved by the council.
(Code 1973, § 2-65; Code 2020, § 2-605; Ord. No. 1707; Ord. No. 3104-11/88; Ord. No. 3676-3/99)

Sec. 38-205. Time requirements.

(a) The planning commission shall review areas eligible for annexation whenever requested by the city council. Additionally, the planning commission shall conduct such reviews every three years. The first such review shall begin in July 2002, and the commission's recommendations shall be sent to the mayor and council no later than the first regular city council meeting in February of the following year. In the event the commission has not completed its work prior to said February meeting date, the commission shall request a time extension to complete its work. Request for a time extension shall include the reasons for the request and the date at which time the commission's review and recommendation will be completed.

(b) The planning commission's review of county industrial areas shall be conducted every two years and submitted to the city council by no later than the first regular city council meeting in February in each even-numbered year.

(c) All other matters presented to the planning commission for review shall be submitted to the city council within 90 days after each such matter is first filed with the office of the planning director. The time for application review may be extended at the request of the applicant, or it may be extended by the planning commission or the planning director with the approval of the applicant or the applicant's representative.
(Code 1973, § 2-66; Code 2020, § 2-606; Ord. No. 1707; Ord. No. 3676-3/99)

Sec. 38-206. Funds, equipment, etc.; expenditures generally.

The city council may provide funds, equipment and accommodations necessary for the work of the city planning commission, but the expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for that purpose by the city council, and no expenditure nor agreements for expenditures shall be valid in excess of such amounts.
(Code 1973, § 2-69; Code 2020, § 2-608; Ord. No. 1707)

Chapter 39

RESERVED

Chapter 40

RAILROADS*

Sec. 40-101. Duty to keep crossings, viaducts, etc., safe.
Sec. 40-102. Order to repair or replace crossing.
Sec. 40-103. Automatic lights, signals, etc., to be installed at designated crossings; flaggers; gates.
Sec. 40-104. Crossing guards at crossings.
Sec. 40-105. Draining right-of-way—Required.
Sec. 40-106. Draining right-of-way—Failure to drain.

*__State law reference__—Authority to regulate railroads, Nebraska Revised Statutes, § 16-212.

Sec. 40-101. Duty to keep crossings, viaducts, etc., safe.

Unless otherwise provided by contract made between the railroad and city, it shall be the duty of all railroad companies owning, operating and maintaining a railroad passing through the city to place, keep or maintain crossings, and all places within their right-of-way where the public streets or alleys of the city intersect and cross any of the railroad tracks, in a suitable and safe condition for public travel over and across the same. The term "crossing," as used in this chapter, shall include viaducts and roadways under or over the tracks of any railroad.
(Code 1973, § 30-2; Code 2020, § 16-102)

Sec. 40-102. Order to repair or replace crossing.

If any railroad crossing shall be at any time in bad condition or unsafe or inconvenient for public travel, the mayor and council, upon recommendation of the street commissioner, may, by ordinance, resolution or motion, call upon the proper railroad company to repair or replace the crossing and render the same safe and convenient for public travel. Unless otherwise ordered by the council, all railroad crossing replacements shall be made with steel rails or steel plates. A copy of every such ordinance, resolution or motion shall be served upon the local agent of the railroad company whose duty it is to maintain such crossing; and for a failure or refusal to comply with such resolution within 30 days after the service thereof, as aforesaid, such railroad company shall be deemed guilty of a misdemeanor.
(Code 1973, § 30-3; Code 2020, § 16-103)

Sec. 40-103. Automatic lights, signals, etc., to be installed at designated crossings; flaggers; gates.

When ordered by the mayor and council, approved automatic lights or signals shall be installed at designated crossings. The wig-wag lights and bells shall be kept in good working order at all hours of the day or night so that all persons approaching the crossings will be warned of the danger of approaching trains, engines or cars on the tracks of the company. The mayor and council may also order railroad companies to keep flaggers or maintain gates at designated crossings.
(Code 1973, § 30-5; Code 2020, § 16-105)

Sec. 40-104. Crossing guards at crossings.

Each crossing guard stationed at a railway crossing within the city shall be vested with authority to regulate and control traffic of vehicles at such railroad crossing where the crossing guard is so stationed. It shall be the crossing guard's duty to direct the movement of traffic at such railway crossing in such a manner as will facilitate the movement of traffic, prevent congestion and accidents, and to stop all movement of vehicles at the railway crossing when any engine, car or conveyance of the railway company approaches the railway crossing upon the tracks, by holding a stop signal in a hand extended straight out from the shoulder while facing the street. It shall be unlawful for any person to violate any order or signal of any crossing guard.
(Code 1973, § 30-6; Code 2020, § 16-106)

Sec. 40-105. Draining right-of-way—Required.

It shall be the duty of any railroad company owning, maintaining or operating a railroad within or through the city to construct and keep in repair ditches, drains and culverts along, under and adjacent to its railroad tracks at all places within the city and on its own right-of-way, where the same may be necessary for the escape of water and the proper draining of the territory on either side of the railroads.
(Code 1973, § 30-8; Code 2020, § 16-108)

Sec. 40-106. Draining right-of-way—Failure to drain.

When any such drains, ditches or culverts may be necessary for the escape of water and the proper drainage of the territory on either side of such railroad track, the mayor and council, upon recommendation of the street commissioner, may, by ordinance, resolution or motion, call upon the proper railroad company to construct or repair the drain, ditch or culvert and to place the same in a proper condition for the escape of water for the proper drainage of the territory on either side of the railroads. A copy of every such ordinance, resolution or motion shall be served upon the local agent of the railroad company whose duty it is to construct or keep in repair any such drain, ditch or culvert; and for a failure or refusal to comply with any such ordinance, resolution or motion within 14 days after the service thereof, as aforesaid, such railroad company, its local agent, section supervisor or the employee in charge of the maintenance and way through the city shall be deemed guilty of a misdemeanor.
(Code 1973, § 30-9; Code 2020, § 16-109)

Chapter 41

RESERVED

Chapter 42

SOLID WASTE

Article I. In General

Sec. 42-101. Disposal of grass clippings in storm sewer system or on streets, etc.

Article II. Disposal and Collection

Sec. 42-201. Definitions.
Sec. 42-202. Rules and regulations of solid waste department.
Sec. 42-203. Handling of waste.
Sec. 42-204. Permits required; occupation tax.
Sec. 42-205. Facilities.
Sec. 42-206. Disposal of special waste.
Sec. 42-207. Prohibitions against certain waste.
Sec. 42-208. Unauthorized dumping and littering.
Sec. 42-209. Construction and demolition waste.
Sec. 42-210. Nuisance; enforcement.

ARTICLE I. IN GENERAL

Sec. 42-101. Disposal of grass clippings in storm sewer system or on streets, etc.

It shall be unlawful for any person to place in the city's storm sewer system, whether it be an open ditch or otherwise, any rubbish or grass clippings. No person shall dispose of any rubbish or grass clippings on any vacant lots, and also shall not blow grass clippings onto the streets of the city. (Code 1973, § 24-21.1; Code 2020, § 18-116; Ord. No. 2441)

ARTICLE II. DISPOSAL AND COLLECTION

Sec. 42-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Beneficial fill means the use of uncontaminated sand, gravel, stone, soil, rock, brick, concrete rubble, asphalt rubble, or similar material, or some combination thereof, for the purpose of erosion control, erosion repair, channel stabilization, landscaping, roadbed preparation or other land improvement.

City/county service area means the area consisting of the City of Hastings, and Adams, Clay, Franklin, Kearney, Nuckolls, and Webster counties.

Construction and demolition waste means waste which results from land clearing, the demolition of buildings, roads or other structures, including, but not limited to, beneficial fill materials, wood (including painted and treated wood), land-clearing debris other than yard waste, wall coverings (including wallpaper, paneling and tile), drywall, plaster, non-asbestos insulation, roofing shingles and other roof coverings, plumbing fixtures, glass, plastic, carpeting, electrical wiring, pipe and metals. Such waste shall also include the above-listed types of waste that result from construction projects. Construction and demolition waste shall not include friable asbestos waste, special waste, liquid waste, hazardous waste and waste that contains polychlorinated biphenyl (PCB), putrescible waste, household waste, industrial solid waste, corrugated cardboard, appliances, tires, drums, and fuel tanks.

Hazardous waste means any waste designated or defined as a hazardous waste by NAC title 128, Rules and Regulations Governing Hazardous Waste Management in Nebraska, which for purposes of general definition is a solid waste which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may:

(1) Cause, or significantly contribute to, an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or

(2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Recyclable material means materials which are gathered, collected, or separated for the express purpose of preparation for and delivery to a secondary market for reuse, including materials such as newspaper, corrugated cardboard, magazines, computer printout paper, office paper, glass containers, plastics, tin cans, ferrous metal, and aluminum containers.

Solid waste means any garbage, refuse, or sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, and mining operations, and from community activities; but the term "solid waste" shall not include solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the federal Clean Water Act, as amended, 33 USC 1251 et seq., or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 68 Stat. 923.

Solid waste department means the department under the direction and control of the city engineer which is responsible for administering all waste matters for the city.

Special waste means a solid waste, except waste which is regulated as a hazardous waste, which possesses physical, chemical, or biological characteristics that make it different from general household or construction and demolition waste, and which requires special handling, treatment, or disposal methodologies in order to protect public health, safety, and the environment.

Waste includes all types of waste, including solid waste, wood waste, construction and demolition waste, and yard waste.

Wood waste means all tree debris more than one-half inch in diameter, stumps, pallets, lumber from construction and demolition projects, and any other wood products.

Yard waste means leaves, grass clippings, vegetable or garden debris, shrubbery, or brush or tree trimmings (no more than one-half inch in diameter) that can be converted into compost humus.
(Code 1973, § 15-1; Code 2020, § 9-101; Ord. No. 1684; Ord. No. 3243-1/92; Ord. No. 3312-4/93; Ord. No. 3396-5/94; Ord. No. 3768-10/2000)

Sec. 42-202. Rules and regulations of solid waste department.

The mayor and council shall, from time to time, enact such reasonable rules and regulations as may be deemed expedient to properly regulate and control the collection, hauling, transportation and disposal of waste. Three copies of such rules and regulations shall be filed in the office of the city clerk. Any permitted landfill facility will operate in accordance with the most current regulations of the state department of environmental quality.
(Code 1973, § 15-2; Code 2020, § 9-102; Ord. No. 1684; Ord. No. 3768-10/2000)

Sec. 42-203. Handling of waste.

Except as otherwise provided in this Code:

(1) All solid waste shall be removed from every premises by the owner or occupant thereof, or by a licensed hauler, as often as is necessary, but in no event less than once each week.

(2) No solid waste or recyclable materials shall be burned or buried, except as provided in chapter 18.

(3) All loads of waste transported to the Hastings/Adams County Sanitary Landfill in vehicles shall be covered; provided, however, this requirement shall not apply when the entire load of waste is of such bulk that it is unlikely that any of such waste will blow out of or fall out of the vehicle when being driven at the speed of 55 miles per hour. Violation of this requirement shall subject the driver of the vehicle to double fees at the landfill gate.

(Code 1973, § 15-3; Code 2020, § 9-103; Ord. No. 1684; Ord. No. 2808; Ord. No. 3312-4/93; Ord. No. 3768-10/2000)

Sec. 42-204. Permits required; occupation tax.

(a) No person shall collect, haul, transport, or dispose of any waste for any consideration whatsoever without having obtained a permit to collect and transport waste from the solid waste department.

(b) No person shall collect, haul, transport, dispose of, or process any recyclable materials for any consideration whatsoever without having obtained a permit to collect and transport recyclable materials from the solid waste department.

(c) Application for any permit under this section shall be made upon forms provided by the solid waste department, and no permit shall be issued until the applicant has:

(1) Paid an occupation tax as established in section 48-202 for the category of solid waste hauling/recycling;

(2) Demonstrated to the city solid waste department that all vehicles and equipment utilized in the permitted activity meet standards established by the city;

(3) Furnished a corporate surety bond and a certificate of insurance, as required by the rules and regulations of the city;

(4) Demonstrated to the city solid waste department that applicant will comply with all other rules and regulations of the city which pertain to the permitted activity.

(d) A separate occupation tax shall be charged for each of the activities described in this section, but any person engaging in both activities shall be required to furnish only one corporate surety bond and certificate of insurance, covering both activities.

(e) The obligation to obtain a permit and pay an occupation tax shall not apply to local governmental subdivisions, the state, the federal government, nonprofit organizations, or to persons whose collection and transportation of solid waste is incidental to another primary activity in or near the city, such as lawn care.

(Code 1973, § 15-4; Code 2020, § 9-104; Ord. No. 1684; Ord. No. 3243-1/92; Ord. No. 3312-4/93; Ord. No. 3768-10/2000)

Sec. 42-205. Facilities.

(a) The city council shall, by resolution or motion, designate or permit the use of one or more places for the deposit or disposal of waste. It shall be unlawful for any person to deposit or dispose of any waste within the city or its two-mile zoning jurisdiction, except within said designated or permitted areas. It shall be unlawful for any person to remove any solid waste deposited or disposed at any such facility, except with the permission of the city engineer or a designee.

(b) All hazardous waste and yard waste are banned from the Hastings/Adams County Sanitary Landfill. Wood waste may be deposited or disposed of in the Hastings/Adams County Sanitary Landfill only in areas designated for such purpose by the solid waste department. Any person who deposits or disposes, or causes the deposit or disposal, of hazardous waste or yard waste in the Hastings/Adams County Sanitary Landfill shall be deemed guilty of a misdemeanor. Any person who deposits or disposes, or causes the deposit or disposal, of wood waste in any part of the Hastings/Adams County Sanitary Landfill, which is not designated for such purpose by the solid waste department, shall be deemed guilty of a misdemeanor.
(Code 1973, § 15-6; Code 2020, § 9-105; Ord. No. 1684; Ord. No. 3312-4/93; Ord. No. 3768-10/2000)

Sec. 42-206. Disposal of special waste.

(a) The solid waste department may, in its sole discretion, accept special waste for disposal, but only if said special wastes are accompanied by a special permit from the state department of environmental quality.

(b) No special waste shall be accepted at the sanitary landfill unless the appropriate disposal fees have been paid, as established by the fee resolution then in effect.
(Code 2020, § 9-106; Ord. No. 3127-6/89; Ord. No. 3312-4/93; Ord. No. 3768-10/2000)

Sec. 42-207. Prohibitions against certain waste.

It shall be unlawful for any person to deposit, or cause to be deposited, any waste in the Hastings/Adams County Landfill unless such waste originates from within the city/county service area, or as may be permitted by the city council.
(Code 2020, § 9-107; Ord. No. 3146-10/89; Ord. No. 3526-3/96; Ord. No. 3768-10/2000)

Sec. 42-208. Unauthorized dumping and littering.

(a) Except as provided hereinafter, no person shall throw or deposit any waste upon or into any street right-of-way, alley, container or other property on any premises, public or private, or in any manner which violates section 42-209.

(b) Any person may deposit any waste into a container located on a public or private premises only with the permission of the owner, proprietor, occupant or agent in charge of that premises, and for the purposes of this provision, the city does hereby grant permission to deposit in containers located in its public parks, on its public streets, and in other public facilities, any waste generated in the course of the use of such public park, public street or other public facility. The city does not grant

permission, and it is hereby declared unlawful, for any person to deposit waste into any container located in any public park, public street or other public facility, when such waste was not generated in connection with the use of said public park, public street, or other public facility.

(c) The city shall provide suitable permitted landfill or transfer station areas for the disposal of waste. It shall be unlawful, except as set forth herein, to unload or deposit any waste hauled from any premises within the corporate limits of the city and destined for disposal within the state at any place other than the approved disposal site designated as the landfill or transfer station areas provided by the city. The prohibition herein shall not apply to solid waste processed at a materials recovery facility operated pursuant to a permit issued by the state department of environmental quality.

(d) The police department shall enforce the provisions of this section.
(Code 2020, § 9-108; Ord. No. 3243-1/92; Ord. No. 3312-4/93; Ord. No. 3768-10/2000)

Sec. 42-209. Construction and demolition waste.

It shall be unlawful for any person to deposit, or cause to be deposited, any construction and demolition waste upon lands, premises or property in the city, or within two miles of the limits thereof, except in a construction and demolition landfill existing under a conditional use permit therefor pursuant to the zoning ordinance hereof, except that the following activities are not prohibited by this section, nor shall a conditional use permit be required therefor pursuant to chapter 54 hereof:

(1) The use of dirt, stone, brick or other inorganic compounds for beneficial fill, so long as no excavation of the area to be filled occurs prior to deposit of said material.

(2) The storage of recoverable rubble upon property zoned agricultural, industrial-1 or industrial-2 for a temporary period, not to exceed six months. Storage of recoverable rubble means the placement on land of separate piles or rows of recoverable items consisting of asphaltic concrete, Portland cement concrete, brick or stone for the purpose of storage to allow the removal and recycling of such material. Such piles or rows must be arranged so as to be readily accessible to loading and hauling equipment operated on the same grade as the base of such piles or rows, provided that a person who desires to deposit beneficial fill or store recoverable rubble upon lands, premises or property in the city, or within two miles of the limits thereof, shall first notify the director of the public works division and receive the written authorization of said person, or a designee, before commencing said activity, and, with respect to the storage of recoverable rubble, obtain a surety bond in an amount of not less than $200,000.00, or such larger amount as may be determined by the director of the public works division, based upon the volume of recoverable rubble to be deposited thereon, to ensure compliance with this article, including the removal requirements thereof.

(3) Beneficial fill or recoverable rubble may be placed on lands in a floodplain or wetlands only when placed in conformance with all federal, state and local regulations applicable thereto.
(Code 2020, § 9-109; Ord. No. 3396-5/94; Ord. No. 3768-10/2000)

Sec. 42-210. Nuisance; enforcement.

It shall be unlawful for any person in possession, charge of, or control of any premises to keep, cause to be kept or allow the keeping on any premises within the city of any type of waste or

recyclable materials in such a manner that it will become offensive or deleterious to health or likely to cause disease, and the same is hereby declared a public nuisance. The director of development services, or a designee, is hereby authorized to inspect any premises in the city for the purpose of seeing that the requirements of this section are being complied with. The police department shall enforce the provisions of this article.

(Code 2020, § 9-110; Ord. No. 3243-1/92; Ord. No. 3312-4/93; Ord. No. 3396-5/94; Ord. No. 3768-10/2000)

Chapter 43

RESERVED

Chapter 44

STREETS, SIDEWALKS AND OTHER PUBLIC PLACES*

Article I. In General

Sec. 44-101. Placement of building materials in streets.
Sec. 44-102. Eave and gutter spouts.
Sec. 44-103. Location of gasoline pumps.
Sec. 44-104. Placing harmful liquids on asphalt pavement.
Sec. 44-105. Use of access hole for anchorage.
Sec. 44-106. Mixing of concrete on pavement.
Sec. 44-107. Erection, moving, location, etc., of poles, wires, etc., of public service companies.
Sec. 44-108. Operation of steam engines, heavy machines, etc.
Sec. 44-109. Taking dirt out of street.
Sec. 44-110. Driving stakes in pavement.
Sec. 44-111. Washing of vehicles on paved streets or alleys.
Sec. 44-112. Establishment of grades.
Sec. 44-113. Naming of streets and avenues; numbering of buildings.
Sec. 44-114. Unsafe structures; obstructions prohibited generally; buildings, etc., within streets prohibited.
Sec. 44-115. Obstructions caused by fences, buildings, etc.
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Sec. 44-117. Driving over newly laid pavement.
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Sec. 44-119. Construction of driveways, aprons over curbs, etc.
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Sec. 44-122. Connections to storm sewers.

Article II. Sidewalks and Curbs

Sec. 44-201. Construction of sidewalks.
Sec. 44-202. Duty of property owner to repair, etc.
Sec. 44-203. Ordering of property owner to repair sidewalk.
Sec. 44-204. Construction by abutting property owner.
Sec. 44-205. Procedure upon property owner's failure to construct, reconstruct or repair.
Sec. 44-206. Plans and specifications for construction; contracts for construction.
Sec. 44-207. Petitions for construction.
Sec. 44-208. Permit for construction; materials.
Sec. 44-209. Specifications for crosswalks.
Sec. 44-210. Construction of private curbs.
Sec. 44-211. Removal of snow, sleet, or ice.
Sec. 44-212. Removal of overhanging branches.
Sec. 44-213. Spitting on sidewalks, etc.
Sec. 44-214. Stairways, cellarways, open basements, etc.
Sec. 44-215. Use of space beneath sidewalks.

***State law reference**—Streets, Nebraska Revised Statutes, §§ 16-249, 16-605 et seq., 16-609 et seq.

Sec. 44-216. Power-operated maintenance equipment.
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Article III. Excavations and Cuts

Sec. 44-301. Permit and bond required.
Sec. 44-302. Pipes, conduits, etc., to be separated from sewer lines.
Sec. 44-303. Notice of paving of streets, etc.; excavations prohibited during paving.
Sec. 44-304. Permit to cut curb, paving, etc.; failure to refill properly.
Sec. 44-305. Refilling required.

Article IV. Newsracks

Sec. 44-401. Definitions.
Sec. 44-402. Permitted; application for permit.
Sec. 44-403. Renewal and fee.
Sec. 44-404. Penalty.

ARTICLE I. IN GENERAL

Sec. 44-101. Placement of building materials in streets.

Persons engaged in the erection, construction, reconstruction, wrecking or repairing of any building or the construction or repair of any sidewalk along any street, may occupy the public space with building materials and equipment, if such persons shall make written application to and receive a permit in writing from the street commissioner to do so, provided that no permit for the occupancy of the sidewalk space and more than one-third of the roadway of the public space adjacent to the real estate on which the building is to be constructed, erected, reconstructed, wrecked or repaired shall be granted, and, provided further, that a suitable passageway for pedestrians shall be maintained within the public space included in the permit, which passageway shall be protected and lighted in the manner required by the street commissioner.
(Code 1973, § 33-2; Code 2020, § 25-102)

Sec. 44-102. Eave and gutter spouts.

It shall be unlawful for every person erecting or maintaining any dwelling house or business building within the city, that abuts on any sidewalk or street within the city, to fail to provide suitable guttering and eave spouts to receive the wastewaters that drop on the sidewalks and streets. All eave spouts erected on any dwelling house or business building within the city shall be constructed to drain in the alleys, or the eave spouts shall be buried beneath the sidewalks and drain into the streets, where it is impossible to drain the eave spouts into the alley.
(Code 1973, § 33-3; Code 2020, § 25-103; Ord. No. 3178-5/90)

Sec. 44-103. Location of gasoline pumps.

No gasoline pump shall be located, installed or maintained in the sidewalk space along any street, and the location or maintenance of such gasoline pump beyond the building line or lot line, or the servicing of any motor vehicle while standing beyond the building line or lot line, is hereby prohibited.
(Code 1973, § 33-4; Code 2020, § 25-104)

Sec. 44-104. Placing harmful liquids on asphalt pavement.

It shall be unlawful for any person to place or permit to leak in the gutter or upon any asphalt street in the city any waste gasoline, kerosene, high-lubricating oils or other liquids which are a solvent for asphalt.
(Code 1973, § 33-5; Code 2020, § 25-105)

Sec. 44-105. Use of access hole for anchorage.

It shall be unlawful for any person to use any access hole in the streets and alleys of the city for anchorage, or for any purpose other than that for which it was built.
(Code 1973, § 33-6; Code 2020, § 25-106)

Sec. 44-106. Mixing of concrete on pavement.

It shall be unlawful for any person to mix any concrete or plastering material directly on the pavement, using the pavement as a mixing board for the material.
(Code 1973, § 33-7; Code 2020, § 25-107)

Sec. 44-107. Erection, moving, location, etc., of poles, wires, etc., of public service companies.

Poles, wires, gas mains, pipelines and other appurtenances of public service companies shall be erected or located over, upon or under the streets, alleys and common grounds, or elsewhere, within the city, only after application shall have been made to the city engineer and permission in writing shall have been given by the mayor and council to do so, provided that, in all other cases, the city engineer may issue the requisite permit without council approval. Public service companies granted right-of-way for the erection and maintenance of poles, conduits, gas mains, pipelines and wires, and all appurtenances thereto, for the purpose of transacting their business upon, under and over the streets, alleys and public grounds of the city, shall at all times, when requested by the mayor and council, erect, locate or relocate their poles, wires, gas mains, pipelines and other appurtenances to such places and in such a manner as designated by the mayor and council. Such poles, wires, gas mains, pipelines and other appurtenances shall be removed or relocated by such companies at their own expense, when requested to do so by the mayor and council. Whenever it becomes necessary for the mayor and council to use the ground where the poles, wires, gas mains, pipelines and other appurtenances are located, or whenever reasonable means of ingress or egress to private or public property, or the public safety or convenience requires the relocation of the poles, wires, gas mains, pipelines or other appurtenances of public service companies which now occupy any portion of the public street or alley from lot line to lot line, the mayor and council shall so order by resolution, and the street commissioner shall notify the company or its agents. The company shall, within 24 hours after receiving the notice, at its own expense, cause the poles, wires, gas mains, pipelines or other appurtenances to be removed. The mayor and council shall designate some place as close as possible where the poles, wires, gas mains, pipelines or other appurtenances may be reset or placed. All poles, wires, gas mains, pipelines or other appurtenances shall be erected in such a manner that they will not interfere with the water system, the sewer system, or the wires, lines, equipment or any apparatus on the poles, wires or mains of any public utility of the city located on the same street or alley or with the travel through the streets and alleys of the city, or with the buildings now erected or which may be hereafter erected. When permitted, such pole lines, wires, gas mains, pipelines or appurtenances shall be confined to the alleys where possible. Any gas company having a franchise for underground construction, before doing any work in any street or alley, shall file with the city engineer a map of its proposed construction with a plan and specification of its proposed work, stating the caliber and weight of pipe and other material to be used, location of valves and manner of doing the proposed work, which map, together with the company's application for permit, shall be made matters of public record in the office of the city engineer.
(Code 1973, § 33-8; Code 2020, § 25-108)

Sec. 44-108. Operation of steam engines, heavy machines, etc.

It shall be unlawful for any person to move or operate any steam engine, gas or kerosene tractor or road roller across any curb, gutter, bridge, culvert, sidewalk, crosswalk or crossing in any unpaved

street within the city without first having protected such curb, gutter, bridge, culvert, sidewalks, crosswalk or crossing with heavy plank sufficient in strength to warrant against breaking or damaging of such curb, gutter, bridge, culvert, sidewalk, crosswalk or crossing. It shall be unlawful to run, drive, move, operate or convey over or across or upon any paved street in the city any truck, wagon, vehicle, machine or implement with sharp discs or sharp wheels that bear upon the pavement, or with wheels having cutting edges, or with wheels having lugs or any protruding parts or bolts thereon that extend beyond a plain tire so as to cut, mar, indent or otherwise injure or damage said curb, gutter or pavement, or any vehicle, tractor, machine or implement of such weight of proportions or carrying any load that will cut, mar, indent or otherwise injure or damage any pavement, gutter or curb within the city, provided that, where heavy vehicles, structures and machines move along paved or unpaved streets of the city, the chief of police is hereby authorized and empowered to choose the route over which the moving of such vehicles, structures or machines will be permitted or allowed.
(Code 1973, § 33-9; Code 2020, § 25-109)

Sec. 44-109. Taking dirt out of street.

It shall be unlawful for any person to remove, disturb or take away from any street, avenue, alley or public ground within the city, any dirt, earth, stones or other material forming a part of such street, avenue, alley or public grounds without first having obtained written permission to do so from the city council.
(Code 1973, § 33-10; Code 2020, § 25-110)

Sec. 44-110. Driving stakes in pavement.

It shall be unlawful for any person, without first procuring the consent of the city engineer or street commissioner, to drive any peg or stake of any kind into the pavement in any street or alley of the city.
(Code 1973, § 33-12; Code 2020, § 25-112)

Sec. 44-111. Washing of vehicles on paved streets or alleys.

It shall be unlawful for any person to wash any automobile or other vehicle on any paved street or alley in the city so as to leave dirt, oil, debris or other material upon said street or alley.
(Code 1973, § 33-13; Code 2020, § 25-113)

Sec. 44-112. Establishment of grades.

Every grade upon any street, alley, sidewalk, gutter, or for any other purpose within the city shall be fixed and established with relation to benchmarks and elevations contained in the grade book, three copies of which are now in the custody of the city clerk. The grade book, together with such further elevations as may be ordained by the council from time to time, are hereby incorporated by reference into this section the same as though copied at full length herein.
(Code 1973, § 33-14; Code 2020, § 25-114)

Sec. 44-113. Naming of streets and avenues; numbering of buildings.

The names of the streets and avenues of the city included in the grade book, referred to in section 44-112, are fixed and established as such by this Code, provided that the mayor and council may at any time, by ordinance, rename any street or provide a name for any new street opened in such city. Buildings used for residence or business purposes located along such streets and avenues and numbered as heretofore provided by ordinance, shall retain such numbers, and the plan established for such numbering shall be and remain a part of the records of the office of the city clerk. It shall be the duty of such clerk, upon the erection of any new building in the city, to assign the proper numbers to the building and give notice to the owner or occupant of the same.
(Code 1973, § 33-15; Code 2020, § 25-115)

Sec. 44-114. Unsafe structures; obstructions prohibited generally; buildings, etc., within streets prohibited.

It shall be unlawful for any person within the city to erect or maintain any building or structure in such a manner as to be unsafe, injurious or annoying to the public; or to allow any sidewalk, curbstone, gutter, awning or awning post to be placed or remain in a dangerous condition; or to place or suffer to remain on any sidewalk or street any obstruction injurious to the public use of the same. Any house, barn or shed, building or obstruction of any kind whatsoever, standing in whole or in part on any street, avenue or alley of the city, is hereby declared a nuisance and is prohibited.
(Code 1973, § 33-16; Code 2020, § 25-116)

Sec. 44-115. Obstructions caused by fences, buildings, etc.

It shall be unlawful for any person to obstruct or encumber, by fences, gates, buildings, structures or otherwise, any of the public highways, streets or alleys of the city.
(Code 1973, § 33-17; Code 2020, § 25-117)

Sec. 44-116. Snow, ice, and other material on streets.

No person shall throw, cast, lay, drop or place onto the traveled portion of any public street within the city any snow, ice or other material.
(Code 1973, § 33-18; Code 2020, § 25-118; Ord. No. 3046-1/88)

Sec. 44-117. Driving over newly laid pavement.

No person shall ride or drive any horse or vehicle over or across any pavement newly laid or repaired, across or around which there has been placed a barricade, or at or near which there is a person or sign warning persons against riding or driving over such pavement.
(Code 1973, § 33-19; Code 2020, § 25-119)

Sec. 44-118. Responsibility of abutting owner for space between curbline and lot line.

It shall be the duty of any owner or occupant of any lot abutting upon a street or avenue in the city to keep the space between the lot and curbline on the street free and clear of all weeds, rubbish or other obstructions; and every such owner may, when said space is not necessarily required for

actual travel, improve the same and cultivate the same as a lawn, with grass, ornamental shrubbery and flowers, and when so improved and cultivated, it shall be unlawful for any person to lead, ride or drive any animal or vehicle upon the same, or in any manner to injure or deface the lawn, shrubbery or flowers so planted or cultivated thereon, provided that said improvements shall not interfere with vision in such a manner as to violate the zoning ordinance.
(Code 1973, § 33-20; Code 2020, § 25-120)

Sec. 44-119. Construction of driveways, aprons over curbs, etc.

It shall be unlawful for any person to construct or cause to be constructed in the city any driveway or apron over the curb and corner of the streets and avenues of the city without obtaining a permit therefor from the city engineer. On all streets to be hereafter curbed and guttered and paved it shall be the duty of the city engineer to notify all parties desiring driveways into their premises to furnish the city engineer with the width and desired location of such driveways, which location shall be subject to approval by the city engineer. The cost of all such driveways in excess of the cost of the continuous gutter and curb shall be charged against the lots or real estate so benefited by their use when the levy for such work shall be made.
(Code 1973, § 33-22; Code 2020, § 25-121)

Sec. 44-120. Special assessments for improvements.

The board of equalization, when meeting for the purpose of levying special assessments for street improvements, shall levy assessments against properties within paving district boundaries based on a paving thickness of no more than six inches, and a pavement width of no more than 36 feet. Paving thickness in excess of six inches, and paving width in excess of 36 feet, all as may be required from time to time by engineering design parameters, shall be considered as betterment. The cost of said betterment shall be the responsibility of the city, and it shall be assumed by the city as a general obligation. Any variation in the type of material utilized in construction, as may be determined necessary at the discretion of the city engineer, shall not in any manner be considered as betterment.
(Code 1973, § 33-23; Code 2020, § 25-122; Ord. No. 2905)

Sec. 44-121. Construction of street crossings, crosswalks, etc.

The city council may order and cause to be constructed, under the supervision of the street commissioner, such street, avenue and alley crossings and crosswalks of such material as the council may deem necessary. When petition for the construction of any such crossing by the city is filed by any interested residents of the city in the office of the city clerk, the clerk shall refer same forthwith to the street commissioner, who shall investigate and then submit the petition, together with the commissioner's recommendation for allowance or rejection, to the council for final action.
(Code 1973, § 33-24; Code 2020, § 25-123)

Sec. 44-122. Connections to storm sewers.

The city engineer shall grant permission to construct conduits or pipelines under the public sidewalk and in the streets and alleys to provide access to the storm sewer system of the city, subject, however, to any conditions which the city engineer may reasonably impose as assurance

that only lawful and appropriate discharges are made into the system, and that any discharges are in such amounts as the system is capable of handling. Permission shall also be subject to any fee established in the most recent council fee resolution. Any pipeline or conduit from inside the building, which is connected directly to the city storm sewer below grade, shall be vented within five feet of the building. Whenever any street, alley or sidewalk shall be broken or opened and excavations made for the purpose of laying connections with the storm sewer, the same shall be done at such times and such places as shall be specified by the city engineer, and in conformity with this Code and other ordinances of the city. The surface of any street, alley or sidewalk which shall be opened in providing such storm sewer connections shall be promptly restored to its original condition according to specifications provided by the office of the city engineer.
(Code 2020, § 30-603; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

ARTICLE II. SIDEWALKS AND CURBS

Sec. 44-201. Construction of sidewalks.

(a) Whenever any person shall apply for a permit to construct a building on a lot or parcel of land zoned R-1, R-2, R-3G, or R-3, said permit shall not be granted unless the plans and specifications therefor shall provide for the construction, at the expense of the owner of said property, of sidewalks along all public streets adjacent to said property, and sidewalks shall thereafter be constructed on said property in the place noted on the plans and specifications therefor, said construction to be completed not later than the six months after final inspection by the city.

(b) All new or reconstructed sidewalks along any public street shall be constructed along and contiguous with the property line; provided, however, exception to this requirement may be granted by the city engineer upon receipt of a written request for waiver prior to commencement of construction. For the purposes of this section, a sidewalk shall be deemed to be reconstructed when at least 75 percent of a previously existing sidewalk is replaced.
(Code 2020, § 25-201; Ord. No. 3536-6/96; Ord. No. 3845-12/2001)

Sec. 44-202. Duty of property owner to repair, etc.

Every owner of any lot or piece of land within the city shall at all times keep and maintain the sidewalk along and contiguous to the lot, or pieces of land, as the case may be, in good and proper repair, and in a condition reasonably safe for travel for all travelers thereon. In case the owner of any lot or land abutting on any street or avenue or part thereof shall fail to construct or repair any sidewalk in front of the owner's lot or land, within the time and in the manner as directed and required by this article, after having received due notice to do so, the owner shall be liable to the city for all damages or injury to the city, its agents, employees or representatives occasioned by reason of the defective or dangerous condition of any sidewalk, and the mayor and council shall have power to cause such sidewalk to be constructed or repaired and assess the costs thereof against such property.
(Code 1973, § 33-25; Code 2020, § 25-202)

Sec. 44-203. Ordering of property owner to repair sidewalk.

Whenever the street commissioner or the city council shall deem it necessary that any sidewalk shall be repaired, replaced or reconstructed, the street commissioner shall notify the owner of the lot or piece of land along and contiguous to which such sidewalk is situated, to repair the same within a reasonable time, as determined by the city engineer, but said time shall be not less than 24 hours and not more than 30 days from and after the giving of such notice. Oral notice to the owner shall be deemed sufficient. If the owner is not found by the street commissioner, then a written notice left in the house situated on such lot or piece of ground, or posted upon the premises, shall be sufficient, and the time limit shall begin to run from the leaving or posting up of such notice, as the case shall be.
(Code 1973, § 33-26; Code 2020, § 25-203)

Sec. 44-204. Construction by abutting property owner.

Whenever the mayor and the city council shall deem it necessary that a sidewalk shall be constructed in front of any lot or piece of ground in the city in a place where there is no sidewalk, or that an existing sidewalk be widened, they shall so order and the street commissioner shall thereupon give written notice to the owner of such lot or piece of ground of the work or improvement to be done, and such owner so notified shall be allowed a reasonable time, as determined by the city engineer, but said time shall be not less than 24 hours and not more than 30 days from the service of the notice in which to complete the same. Such notice shall be given by delivering the same to the owner in person or by leaving it at the owner's usual place of residence in the city, or if the owner is a nonresident of the city, by publication of such notice one time in a legal newspaper published in and of general circulation in the city. The notice shall notify such owner of the passage of such resolution and of the time limit from and after the service of notice or from day of publication, in the event of notice in that manner, in which to complete the sidewalk, or cause the same to be completed.
(Code 1973, § 33-27; Code 2020, § 25-204)

Sec. 44-205. Procedure upon property owner's failure to construct, reconstruct or repair.

If any owner shall neglect or refuse, or shall have failed, after notice has been given, as provided in this article, to construct, widen, replace, repair or reconstruct any sidewalk within the time limit in the notice given in such case, and whose duty it is made by this article to construct, widen, replace, repair or reconstruct such walk, the street commissioner shall proceed at once without further notice to such owner or persons to have such sidewalk constructed, repaired, rebuilt or reconstructed, as the case may be, and the expense of such work shall be assessed to such lot or piece of land, and collected as provided by law.
(Code 1973, § 33-29; Code 2020, § 25-205)

Sec. 44-206. Plans and specifications for construction; contracts for construction.

(a) All concrete sidewalks and all curbing laid, constructed or reconstructed along any street or avenue in the city shall be in conformity with such plans and specifications as may be prepared by the city engineer and adopted and approved by the mayor and council. If a property owner desires to construct the curbing or sidewalk at other than the regularly prescribed location, grade or

elevation, or the curbing of other than the regularly prescribed type of construction, the city engineer shall submit the plans and specification to the council, who shall determine whether approval therefor shall be granted or denied. When approval is granted for construction of curbing or sidewalk, the city engineer, or other engineer employed by the city, shall make a survey and set stakes indicating the location, grade and elevation of the curbing or sidewalk, and it shall be unlawful for any person to construct or cause to be constructed such curbing or sidewalk at any other location, grade or elevation than so designated. All sidewalks and curbs shall be built and constructed on the established grade or elevation. The survey shall be made and stakes set by the city engineer within ten days after being directed to do so.

(b) Whenever the city shall construct curbing or construct, widen, replace or reconstruct any sidewalk as hereinbefore provided, notice specifying the work to be done and calling for bids for doing the work and furnishing the necessary material and labor shall be published in at least one issue of a legal newspaper published in and of general circulation in the city. The bids shall be filed within ten days after date of first publication and shall be open at the next regular or special meeting of the council, who shall award the work to the lowest responsible bidder.
(Code 1973, § 33-30; Code 2020, § 25-206)

Sec. 44-207. Petitions for construction.

Upon the petition of any freeholder, the mayor and council may order permanent sidewalks built in accordance with this article, upon the freeholder making, executing and delivering to the city an agreement to pay for the same and that the cost of the same until paid shall be a perpetual lien upon the real estate along which the freeholder desires such sidewalk to be constructed, and giving and granting to the city the right to assess and levy the costs of the same against the real estate and promising to pay the same with interest. The total cost of such improvement shall be levied, allocated, financed, and specially assessed as provided by law.
(Code 1973, § 33-31; Code 2020, § 25-207)

Sec. 44-208. Permit for construction; materials.

All sidewalks shall be constructed of concrete, iron or a combination of such materials, and in conformity with such specifications as are adopted and incorporated by reference in the grade book. The city engineer may reject the use of any materials that do not comply with such requirements and specifications, or any material that is lacking in quality, and it shall be unlawful to construct any sidewalks from any material so rejected. Such specifications shall precisely provide for width, slope, distance from lot lines, forms, grading and sub-base, base, wearing, surface, expansion joints and other general conditions.
(Code 1973, § 33-32; Code 2020, § 25-208)

Sec. 44-209. Specifications for crosswalks.

All crosswalks shall be built and maintained by the city and shall be of the same material and built in the same general manner as sidewalks, but of such width as the city engineer shall in each case determine, and of such elevation as to allow free drainage of the surface water in its usual and natural course.
(Code 1973, § 33-33; Code 2020, § 25-209)

Sec. 44-210. Construction of private curbs.

It shall be unlawful for any person to construct, build or place, or cause to be constructed, built or placed, any curbing of cement, concrete, iron, stone, brick or other similar substance across the space where a crossing is or may hereafter be placed, except on plans approved by the street commissioner and by a three-fourths' vote of the council and approved by the mayor and placed under the direction of the street commissioner.
(Code 1973, § 33-34; Code 2020, § 25-210)

Sec. 44-211. Removal of snow, sleet, or ice.

It shall be unlawful for the occupant of any lot or the owner of any vacant lot within the city to allow snow, sleet, or ice to accumulate on the sidewalks contiguous thereto, or to permit any hard-trodden snow, sleet, or ice to remain upon the sidewalk. Such sidewalk shall be cleaned within 24 hours after the cessation of the storm or snowfall. In the event of a declared snow emergency, sidewalks shall be cleaned with 24 hours from when the snow emergency is cancelled.
(Code 1973, § 33-35; Code 2020, § 25-211; Ord. No. 4616-10/2019)

Sec. 44-212. Removal of overhanging branches.

The owner or occupant of any lot, piece or parcel of ground abutting or adjacent to any sidewalk over which extend the branches of any trees shall at all times keep the branches or limbs thereof trimmed to the height of at least 71/2 feet above the surface of the walk. Whenever the limbs or branches of any tree extend over sidewalks contrary to the provisions of this section, so as to interfere with the lighting of the street from street lamps or with the convenience of the public using the sidewalk, the council at any regular, stated or special meeting shall pass a resolution ordering the owner or occupant to cut or remove the obstructions within three days after having received a copy thereof from the street commissioner stating that the city will do so and charge the costs thereof to the owner or occupant as a special assessment for improvements as herein provided, if the resolution is not complied with.
(Code 1973, § 33-36; Code 2020, § 25-212)

Sec. 44-213. Spitting on sidewalks, etc.

It shall be unlawful for any person to spit upon any sidewalk or crosswalk, or upon the walk, steps, approaches or stairway leading to any public building or place of public gathering in the city.
(Code 1973, § 33-38; Code 2020, § 25-214)

Sec. 44-214. Stairways, cellarways, open basements, etc.

It shall be unlawful for any person to construct or maintain any opening below grade for access purposes in any sidewalk, street, or other public right-of-way, including, but not limited to, any stairway, open cellarway, or open basement way or open entrance thereto without the prior consent of the city council, provided that all such openings now existing are hereby permitted to remain from and after the effective date of the ordinance from which this article is derived. Any such opening, whether now existing or hereafter installed, shall be protected with railing, fencing, or other means

or devices prescribed by the city engineer. The city engineer shall establish standards for protecting the public from injury or harm from such openings. Any such openings may be ordered closed at any time by the city council, and in the event of such order, the owner or person in possession of the premises benefitted by such opening shall cause the same to be closed forthwith in a professional manner.
(Code 1973, § 33-40; Code 2020, § 25-215; Ord. No. 3715-10/99)

Sec. 44-215. Use of space beneath sidewalks.

No person shall be allowed to keep or use the space beneath the sidewalk lying between lot line and curbline. This restriction shall not apply to any use of sidewalk space described in this section which was in existence on December 1, 1988, but if any use of said space shall be discontinued or abandoned after that date, then said discontinued or abandoned use shall become subject to the prohibition set forth in this section.
(Code 1973, § 33-41; Code 2020, § 25-216)

Sec. 44-216. Power-operated maintenance equipment.

Nothing contained in this article shall prohibit the operation of powered equipment upon the sidewalks of the city for the purpose of maintaining, cleaning, or removing snow and ice therefrom by any person.
(Code 1973, § 33-42; Code 2020, § 25-217; Ord. No. 2047)

Sec. 44-217. Obstructions in sidewalk space.

(a) It shall be unlawful for any person within the city to erect, maintain or suffer to remain on any public sidewalk, or on any portion of the area between the lot line and the curbline of any street, any stand, vehicle, merchandise, machinery, bicycle not in a bicycle rack, or any other obstruction injurious to, inconvenient to, or inconsistent with the public use of that area, provided a reasonable time shall be allowed to remove goods, wares and merchandise being received and shipped; and further provided that any merchant may occupy sidewalk space for the purpose of conducting sales from the sidewalk area, and displaying goods thereon, subject to the following:

(1) The merchant may place tables, racks, wares, and displays of merchandise, extending outward from the business premises onto the public sidewalk, so long as at least the outer five feet in width of the sidewalk remains unobstructed at all times to allow normal pedestrian use.

(2) The merchant may not delegate, assign, rent, lease, or sell this privilege to others.

(3) This privilege shall exist only on Tuesdays and Saturdays, and at such other times as the city council may approve.

(b) The city council may grant exceptions to the prohibitions contained herein on a case-by-case basis.
(Code 1973, § 33-44; Code 2020, § 25-219; Ord. No. 2994-10/86)

ARTICLE III. EXCAVATIONS AND CUTS*

Sec. 44-301. Permit and bond required.

No person shall excavate or open any street, alley or other grounds in the city without obtaining a permit to do such work from the city engineer. No permit shall be issued until a bond is filed with the city clerk in an amount to be fixed by the city engineer with two good and sufficient sureties, or an approved surety company, conditioned that such person will indemnify and keep harmless the city from any and all liability from accidents and injuries caused by the opening of the street.
(Code 1973, § 33-45; Code 2020, § 25-301)

Sec. 44-302. Pipes, conduits, etc., to be separated from sewer lines.

No gas pipe, water pipe, underground electric lines or telephone conduit shall be laid in the same trench with the sewer pipe in any street, alley or public grounds in the city, or nearer than three feet to any sewer pipe.
(Code 1973, § 33-46; Code 2020, § 25-302)

Sec. 44-303. Notice of paving of streets, etc.; excavations prohibited during paving.

Whenever a street or alley or a part thereof is to be put under contract for paving or repaving, the city engineer shall notify the owners in fee simple of real estate abutting such street or alley, and their tenants or lessees, and also all gas, electric service and telephone companies and water consumers, by publication or otherwise, of the purpose of the city to pave, and that all gas, water, sewer and underground connections must be made prior to the paving or repaving of the street or alley. The notice shall be published one time in a legal newspaper at least 20 days prior to the beginning of the operation by the party having the work under construction, and the notice shall state at what date connection must be made and excavation completed. After expiration of such time, permits for excavation will not be issued nor will excavation be allowed until after the completion of the pavement in the street or alley and the formal and final acceptance thereof by the proper officials of the city.
(Code 1973, § 33-47; Code 2020, § 25-303)

Sec. 44-304. Permit to cut curb, paving, etc.; failure to refill properly.

(a) No curb cut shall be made for any purpose whatsoever until a curb cut permit is obtained from the office of the city engineer. The fee to be paid to the city engineer for the issuance of such curb cut permit shall be as set forth in the most recent council fee resolution.

(b) All curb cuts shall be made by, or under the direction and control of, the city engineering department. The applicant shall be assessed a charge for making such curb cut, at the rate as set forth in the most recent council fee resolution, which charge shall be in addition to the curb cut permit fee.

***State law reference**—Authority relative to excavations, Nebraska Revised Statutes, § 16-232.

(c) When the applicant is ready to close the curb cut opening, such party shall inform the city engineer for the purpose of giving the engineer the opportunity to inspect the closing. In the event the party shall fail to fill and close the same in a satisfactory manner, the city engineer may order the street commissioner to do the work and charge the cost thereof to the party who obtained such permit. When the application is for a curb cut for the purpose of a private drive, it shall be a part of the consideration for the permit that the applicant agree to pave with concrete the surface of the way for which the curb cut is applied, from the gutter line to the sidewalk fronting the property, provided that, if there is no sidewalk, then the applicant shall pave between the gutter line and the property line.
(Code 1973, § 33-48; Code 2020, § 25-304; Ord. No. 1656; Ord. No. 2775)

Sec. 44-305. Refilling required.

It shall be unlawful for any person to make an excavation in any street of the city for any purpose whatsoever without thoroughly tamping and refilling the same in such a manner as the city engineer shall prescribe and direct.
(Code 1973, § 33-49; Code 2020, § 25-305)

ARTICLE IV. NEWSRACKS

Sec. 44-401. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Newsrack means any type of unmanned device placed upon any public right-of-way for the vending of, or free distribution of, newspapers, news periodicals or advertising literature.
(Code 2020, § 25-401; Ord. No. 2838)

Sec. 44-402. Permitted; application for permit.

Notwithstanding any provisions of the Code to the contrary, and subject to the provisions of this article, upon the issuance of a permit by the city clerk, newsracks may be allowed within the public right-of-way abutting property in the C-1, C-2 or C-3 zoning districts only. An application for a permit shall be filed with the city clerk upon a form prescribed by the clerk for such purpose. The application shall be accompanied by a fee as set forth in the most recent council fee resolution. Such application shall be reviewed by the city engineer, who shall recommend issuance by the city clerk unless the engineer finds that the requested newsrack would in any way:

(1) Interfere with pedestrian traffic; or

(2) Violate any provision of the Code.
(Code 2020, § 25-402; Ord. No. 2838)

Sec. 44-403. Renewal and fee.

All permits shall be due and payable on June 1 each year, and all permits shall expire on the May 31 following issuance. After the initial approval of a permit by the city engineer for a specific location, renewal of such permits may be made for one year by application to the city clerk. The annual permit fee shall be in an amount as set forth in the most recent council fee resolution.
(Code 2020, § 25-403; Ord. No. 2838)

Sec. 44-404. Penalty.

The location of any newsrack upon public right-of-way without an appropriate permit shall be a misdemeanor punishable by a fine of not more than $100.00. Each day that a violation of this article continues shall constitute a separate and distinct offense, and shall be punishable as such.
(Code 2020, § 25-404; Ord. No. 2838)

Chapter 45

RESERVED

Chapter 46

SUBDIVISIONS

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ARTICLE I. IN GENERAL

Sec. 46-101. Purposes of article.

In accordance with the Nebraska Revised Statutes, and in order to promote the welfare of the public, this chapter shall have the following purposes with respect to the division of land:

(1) To implement the comprehensive plan and any other official plan, program or policy developed under the guidance of that plan by applying broad, long-range planning and community design standards as the division of land occurs.

(2) To promote good civic design in the arrangement, improvement and relationship of open spaces, community facilities, blocks, streets and lots.

(3) To allow urban design standards and development patterns to support different contexts, land uses and character areas identified in the comprehensive development plan.

(4) To evaluate individual development applications as segments of the entire community, allowing for public and private investments to be coordinated across areas and over time.

(5) To prevent the premature division of land that, by its permanence, may negatively impact efficient long-term growth and development of the community.

(6) To ensure that all blocks and lots are served by necessary infrastructure and services, including utilities, transportation, storm drainage, public safety and community facilities.

(Code 2020, § 38-101; Ord. No. 4233-11/2009)

Sec. 46-102. Jurisdiction.

This chapter applies to all land within the corporate limits of the city, and all unincorporated land within two miles of the corporate limits of the city.

(Code 2020, § 38-102; Ord. No. 4233-11/2009)

Sec. 46-103. Duties of owner or developer generally.

In the subdivision or re-subdivision, the owner or developer shall exercise due regard to the purposes of this chapter, and in particular the alignment and location of streets; to adequate surface drainage; to safe and balanced movement of traffic and other modes of transportation; and to provide for roadway surface, utilities and recreation as identified in this chapter.

(Code 2020, § 38-103; Ord. No. 4233-11/2009)

Sec. 46-104. Annexation of subdivided land; authorized.

The mayor and city council may, by ordinance, except as provided in Nebraska Revised Statutes, §§ 13-111—13-1121c, and amendments thereto by law, at any time include within jurisdiction of this chapter, lots, tracts, streets, or highways that are deemed to be in accordance with the comprehensive plan.

(1) *Ordinance of acceptance.* If a majority of all the members of the city council vote for the annexation under this section, an ordinance shall be prepared and passed by the city

council declaring the annexation of such territory to the corporate limits of the city and extending the limits accordingly. An accurate map or plat of such territory and the dedication of public areas and facilities, certified by the surveyor and acknowledged and proved as provided by law in such cases, shall at once be filed in the office of the register of deeds of the county, together with a certified copy of the ordinance declaring such annexation, under the seal of the city.

(2) *Status of inhabitants.* All additions to the city which have been approved and accepted, or which may be laid out in accordance with the provisions of this chapter, shall be and become part of the city for all purposes. The inhabitants of such additions shall be entitled to all rights and privileges, and be subject to all laws or regulations of the city.

(Code 2020, § 38-104; Ord. No. 4233-11/2009)

Sec. 46-105. Plats; delinquent taxes and assessments.

(a) No plat subdividing real estate within the jurisdiction of this chapter shall be signed by the city engineer and surveyor or filed with the register of deeds unless accompanied by written statements of the county treasurer and the city treasurer certifying that there are no delinquent taxes or assessments against the real estate being subdivided.

(b) Prior to the submission of the preliminary plat application, the applicant shall contact the development services department and schedule a preapplication meeting with city staff to discuss the application. The preapplication meeting shall take place a minimum of seven calendar days prior to the submission deadline. At the time of the preapplication meeting, the applicant shall provide the information required in section 46-202(b).

(Code 2020, § 38-105; Ord. No. 4233-11/2009)

Sec. 46-106. Prohibited acts.

It shall be unlawful for the owner of land, their agent or representative to subdivide land into two or more parts for purposes of building development, whether immediate or future, within jurisdiction of this chapter without first having obtained acceptance and approval in accordance with the provisions of this chapter. Persons violating the provisions of this chapter shall be guilty of a misdemeanor.

(Code 2020, § 38-106; Ord. No. 4233-11/2009)

Sec. 46-107. Improper subdivisions; waiver of objections.

Pursuant to the authority granted the city council in Nebraska Revised Statutes, § 76-2,110, the city council does hereby waive notice to the city of, or any objections it may have to, any and all conveyances purporting to subdivide real estate within, and two miles beyond, the corporate limits of the city, which were filed on record in the office of the register of deeds of the county, on or before May 29, 1984, where such conveyances, or the recording thereof, have failed to comply with any requirement relating to subdivision approval. All such conveyances are hereby validated.

(Code 2020, § 38-107; Ord. No. 4233-11/2009)

Sec. 46-108. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Corporate limits mean the original plat of the city, together with all other plats, lands, lots, subdivisions and outlots or parcels of ground annexed or contiguous thereto, filed and recorded in the office of the register of deeds of the county as additions thereof, and not heretofore or hereafter vacated or otherwise disconnected as provided by law.

Extrajurisdictional area means the area on the official zoning maps of the city over which the city exercises land use control, extending two miles beyond the corporate limits, and which is identified on the map by section lines, half-section lines or quarter-section lines. The jurisdictional area may be adjusted with changes to corporate limits.

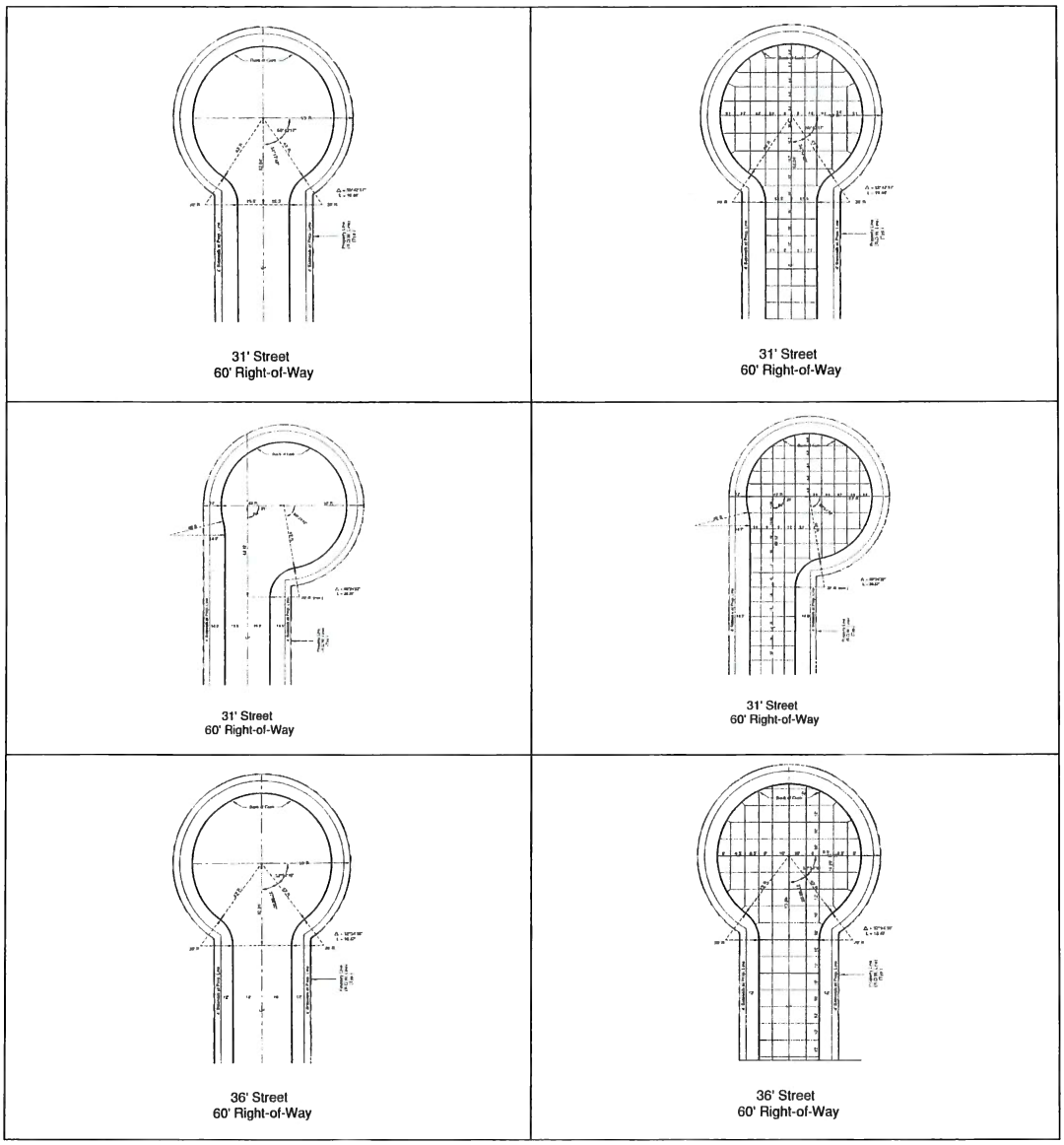
Floodplain means those lands within the zoning jurisdiction of the city which have been, or may hereafter be, covered by floodwater, which lands shall be within areas designated as 100-year frequency flood areas or one percent annual frequency flood in official studies previously completed or to be completed in the future by the U.S. Corps of Engineers, or other studies completed by state agencies or the Federal Insurance Administration Agency on file with the city clerk.

Subdivision means the division of a lot, tract, parcel or acreage of land into two or more sites, or other divisions of land for the purpose, whether immediate or future, of ownership or building development, except that the division of land shall not be considered to be a subdivision when the smallest parcel of land created is more than ten acres in area, or a previously subdivided, recorded lot which can be split into two parcels in compliance with ordinance.

Watercourse, drainageway, channel or *stream* means a natural or human-made depression in which a current of surface water runoff flows following precipitation.
(Code 1973, § 34-1; Code 2020, § 38-108; Ord. No. 2687; Ord. No. 4233-11/2009)

Sec. 46-109. Figures.

Typical Street Sections



31' Street
60' Right-of-Way

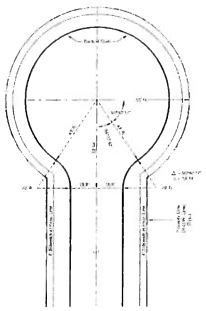
31' Street
60' Right-of-Way

31' Street
60' Right-of-Way

31' Street
60' Right-of-Way

36' Street
60' Right-of-Way

36' Street
60' Right-of-Way



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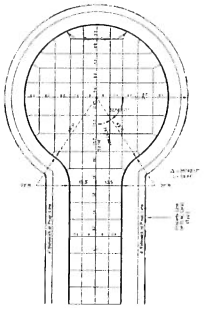

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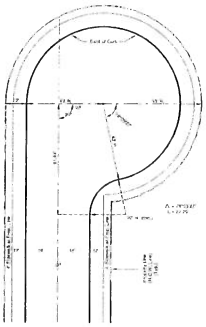
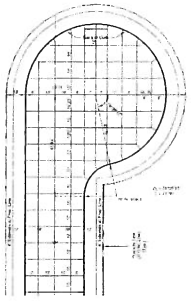
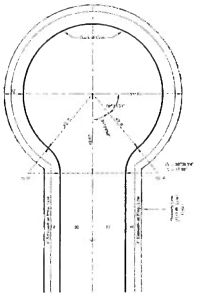
60' Right-of-Way



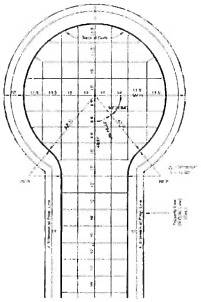
36' Street
60' Right-of-Way



36' Street
60' Right-of-Way



40' Street
60' Right-of-Way



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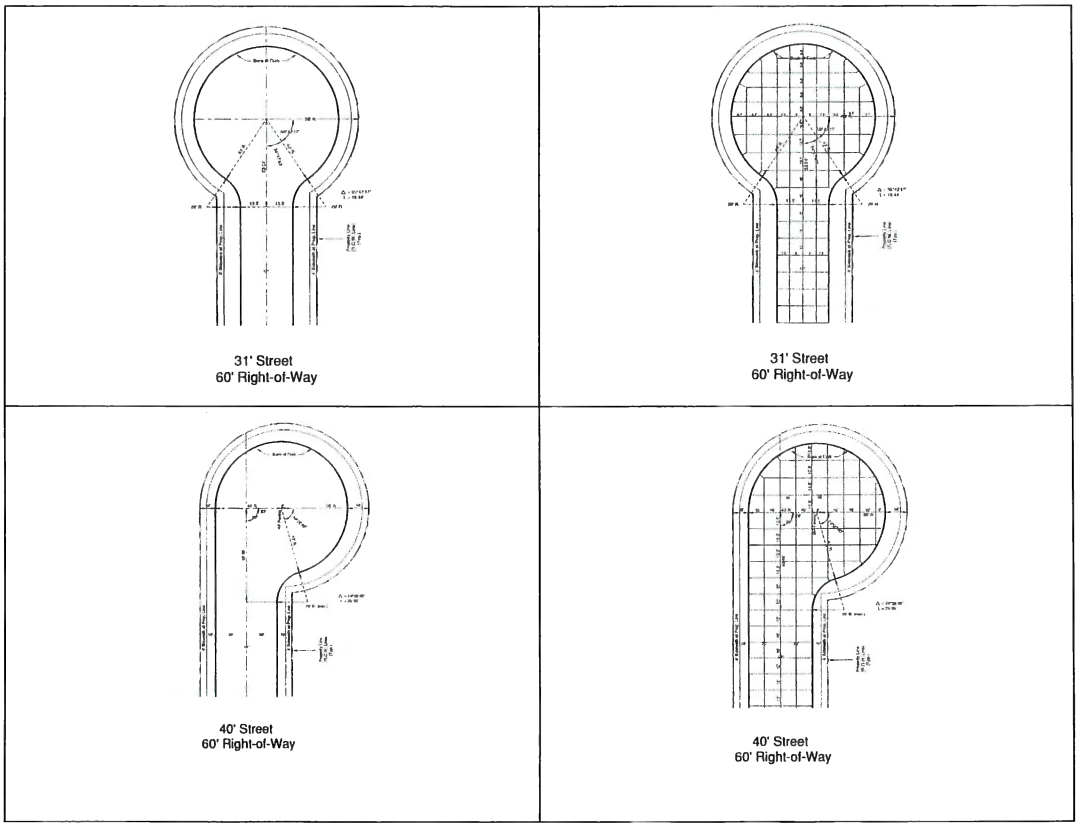
60' Right-of-Way



(Code 2020, ch. 38, app. A)

ARTICLE II. APPLICATIONS AND PROCEDURES

Sec. 46-201. Approval of subdivision plats.

(a) No plat of or instruments affecting the subdivision of real property shall be recorded or have any force and effect unless the same be approved by the city council. The city council shall hold no public meeting, nor take any action upon any plat or instrument affecting a subdivision, until it has received the recommendation of the planning commission.

(b) A combined preliminary and final plat may be considered by the planning commission and the city council when the following conditions are met by the proposed plat:

(1) The proposed plat contains three or fewer lots;

(2) All property in the proposed plat is in common ownership; and

(3) There are no liens against any property in the proposed plat.

(Code 1973, § 34-4; Code 2020, § 38-201; Ord. No. 2687; Ord. No. 2882; Ord. No. 4233-11/2009; Ord. No. 4627, § 1, 6-8-2020)

Sec. 46-202. Preliminary plat.

(a) *Intent.* Preliminary plat procedures are intended to determine whether the proposed division of land will comply with the long-range comprehensive development plan for the city, will meet the design standards of the subdivision regulations, and will result in buildable lots capable of meeting the existing or proposed zoning standards, and any other policies and laws that may relate to development specific property that are contained in other applicable laws or regulations.

(b) *Submittal requirements.* Ten prints of a preliminary plat of any proposed subdivision shall be submitted to the planning commission at least 15 working days before the meeting at which approval is asked. The preliminary plat shall be drawn at a scale no smaller than 100 feet to the inch, unless otherwise specified. The preliminary plat shall show or be accompanied by the following information:

(1) The proposed name of the subdivision and names of adjacent subdivisions, and the legal description.

(2) The names of the owner and the engineer, surveyor responsible for the survey and design.

(3) planning commission and city council approval block/signature block.

(4) The location of boundary lines and their relation to established section lines, and legal description of the parcel to be subdivided or fractional lines.

(5) The location and width of existing and proposed streets, roads, lots (approximate dimensions), alleys, sidewalks, or trails, building lines, easements, parks and other features of the proposed subdivision. The plat shall show an outline of adjacent properties for a distance of at least 200 feet, and how the streets, alleys, sidewalks or highways in the proposed subdivision will connect with those adjacent which are of record.

(6) A topographic survey showing physical features of the property, including watercourses, ravines, bridges, culverts, present structures and other features of importance to lot and street layout. The approximate acreage of the property shall be indicated. Topography of the tract may be required if deemed essential to the design of the subdivision and the location, method and system of surface water drainage. Sanitary sewer facilities and water distribution systems shall be identified, including sewer and water pipe sizing to be identified on the preliminary plat.

(7) Approximate gradients of streets and sidewalks. All grades shall be based on city datum.

(8) Designation of the proposed uses of land within the subdivision, whether for residential, commercial, industrial or public use, such as parks, schools, fire stations, churches, etc., plus zoning of adjacent tracts.

(9) Centerline profiles of proposed streets may be required by the city engineer. See section 46-109.

(10) A landscape plan.

(11) North arrow, scale and date.

(12) All street names shall be determined by the city surveyor or director of development services in order to maintain conformity with current streets, and to eliminate redundancy or conflicts for emergency services.

(13) A grading plan identifying:

a. Grades of all lots and improvements in the subdivision.

b. The internal subdivision drainage and resulting runoff.

c. The drainage area and resulting runoff from land outside the subdivision area which discharges water into or through the subdivision.

d. Proposal as to how the computed quantities of surface water runoff will be handled, and detention areas.

e. A map showing internal drainage areas and resulting runoff.

f. A copy of drainage calculations.

(c) *Approval.* Approval of the preliminary plat by the city council does not constitute acceptance of the subdivision, but is merely an authorization to proceed with preparation of the final plat for record. No grading of streets or construction shall be done on the subdivision before the final plat is approved by the planning commission and by the city council.
(Code 1973, § 34-5; Code 2020, § 38-202; Ord. No. 2687; Ord. No. 2839; Ord. No. 4233-11/2009; Ord. No. 4627, § 2, 6-8-2020)

Sec. 46-203. Final plat.

Prior to the submission of the final plat application, the applicant shall contact the development services department and schedule a preapplication meeting with city staff to discuss the application. The preapplication meeting shall take place a minimum of seven calendar days prior to the submission deadline. At the time of the preapplication meeting, the applicant shall provide the information required in subsections (2)a through j of this section.

(1) Intent. Final plat procedures are intended to create an accurate public record for the sale of lots, to guarantee construction of all public improvements according to the standards in the subdivision regulations, and to ensure that all lots are buildable lots according to the appropriate zoning prior to recording.

(2) Submittal requirements. After the preliminary plat has been approved by the city council, a final plat for record shall be prepared and submitted to the planning commission for recommendation by that body and approval by the city council. Five prints of the plat shall be submitted to the office of the commission at least 15 working days prior to the meeting at which approval is asked. The final plat shall be to a scale of 100 feet to the inch, unless specified otherwise, and shall show or be accompanied by the following information. All plats are required to be on mylar, not vellum, when submitted.

a. The name of the subdivision and adjacent subdivisions, the names of streets (to conform wherever possible to existing street names), and the numbers of lots and blocks, in accordance with a systematic agreement.

b. An accurate boundary survey of the property with bearings and distances referenced to section or fractional section corner, and showing (in dotted lines) the lines of immediately adjacent streets and alleys with their width and names.

c. Location of lots, streets, sidewalks, public highways, alleys, parks, trails and other features, with accurate dimensions in feet and decimals of feet, with the length and radii of all curves, and with all other information necessary to duplicate the plat on the ground.

d. Location and dimension of utility or other easements.

e. Dedication of all streets, public highways, alleys, parks and other land intended for public use, signed by the owner, and by all other parties who have a mortgage or lien interest in the property, together with any restrictions or protective covenants which are to apply to lots, it being noted that restrictions or protective covenants exceeding zoning or subdividing standards are for the benefit of the subdivision and homeowners. Compliance is therefore a responsibility of the subdivision ownership.

f. A waiver of claim by the applicant for damages occasioned by the establishment of grades or the alteration of the surface of any portion of the streets and alleys to conform to the grades as established.

g. Certification by a registered land surveyor to the effect that the plan represents a survey made by the surveyor, and that all the necessary boundary survey monuments are correctly shown thereon.

h. North arrow, scale and date.

i. A report of title given by an abstracter or attorney licensed to do business in the state, certified to the date of the original consideration of the final plat by the city council, specifying the names and addresses of all persons or entities owning or having any interest in the real estate included in the proposed plat, as shown in the records at the county courthouse. For the purposes of this subsection, the term "owner" shall include any ownership interest arising by virtue of a deed, lease, contract, lien, mortgage, deed of trust, court order, or other similar instrument, or arising by operation of law.

j. All plats, when being submitted to the development services department, shall bear the signatures of the individuals listed in the ownership report in subsection (2)i of this subsection. Said plats shall also bear the signatures of the county treasurer and the city treasurer. The applicant shall, at the time the plat is submitted, advance to the development services department the funds necessary to file the plat with the county register of deeds.

k. The location of building lines on front and side streets.

(3) All figures and letters shown shall be plain, distinct, and of sufficient size to be easily read, and shall be of sufficient density to make a lasting and permanent record.

(4) When more than one sheet is used, a key map showing the entire subdivision at smaller scale with block numbers and street names, shall be shown on one of the sheets, or on a separate sheet of the same size.

(5) The commission shall not recommend the platting of a residential subdivision or an individual lot with a front foot width and square foot land area less than the requirements of the zoning ordinance.

(6) Any plat approved by the city council shall be delivered to the planning director at the time of approval. The planning director shall thereupon file the plat with the county register of deeds within five business days of receipt/approval.

(Code 1973, § 34-6; Code 2020, § 38-203; Ord. No. 2687; Ord. No. 2839; Ord. No. 3071-7/88; Ord. No. 4233-11/2009; Ord. No. 4627, § 2, 6-8-2020)

Sec. 46-204. Administrative plats.

(a) *Intent.* Administrative plat procedures are intended to provide expedited review and approval for minor adjustments to legal boundaries and title of property for proper recording where no public infrastructure is anticipated in association with the application or future anticipated development, and the patterns of ownership and development have otherwise been determined in accordance with the city's long-range comprehensive development plan.

(b) *Applicability.* A plat effecting a further subdivision of existing lots and blocks may be approved by the city engineer whenever all required public improvements have been installed, no new dedication of public rights-of-way or easements are involved, and such subdivision complies with all requirements of this Code concerning minimum areas and dimensions of such lots and blocks. Such plat need not be reviewed by the planning commission or the city council.

(c) *Administrative plat requirements.* Any administrative plat shall comply with applicable provisions of ordinance of this Code as the city engineer shall reasonably deem appropriate. A fee for filing such plat shall be charged in an amount equal to that established for a final subdivision plat.

(Code 2020, § 38-204; Ord. No. 2882; Ord. No. 4233-11/2009; Ord. No. 4627, § 2, 6-8-2020)

Sec. 46-205. Filing fee.

The mayor and city council shall adopt, by resolution, a schedule of fees to be paid by all persons submitting a subdivision plat for approval by the city planning commission, the mayor and council or the city engineer. Such fees shall be paid at the time of filing the application.

(Code 1973, § 34-7; Code 2020, § 38-205; Ord. No. 2687; Ord. No. 3024-7/87; Ord. No. 4233-11/2009; Ord. No. 4627, § 2, 6-8-2020)

ARTICLE III. PLANNING AND COMMUNITY DESIGN STANDARDS

Sec. 46-301. Blocks and street networks.

(a) *General street networks.* In general, streets shall be laid out in a network that meets the following parameters, based on centerlines of planned and existing streets:

(1) Arterial streets shall occur every one-half mile to one mile;

(2) Collector streets shall occur every 1,000 feet to one-half mile; and

(3) Local streets shall occur every 300 feet to 1,000 feet.

(b) *Exceptions.* Exceptions may be made due to extreme topography or natural conditions or similar significant barrier to connectivity. In no case shall blocks be platted for development exceeding 1,320 feet in any direction.

(c) *Arrangement of lots/blocks.* In case a tract is subdivided into larger blocks than normal building lots, such blocks shall be arranged to permit the opening of future streets and logical re-subdivision.

(d) *Relation to existing streets and land.* The system of streets designated for the subdivision, except in unusual cases, shall connect with streets already dedicated in adjacent subdivisions and, where no adjacent connections are platted, shall in general be the reasonable projection of streets in nearest subdivided tracts, and shall be continued to the boundaries of the tract subdivided, so that other subdivisions may connect therewith. Unless otherwise recommended by the planning commission, provision shall be made for the extension of existing dead-end streets. Off-center street intersections with an offset of less than 200 feet will not be approved except in unusual cases. Streets with reverse curves shall have a tangent between curves.

(e) *General street arrangement.* Proposed streets shall conform to existing topography as nearly as possible, in order that drainage problems may be reduced. Streets should, wherever possible, follow valleys so as to form a collection system for surface water. Surface drainage across residential lots or along the side or rear lot lines shall be avoided wherever possible. Where such surface drainage on residential lots is necessary, easements shall be provided and the commission may require installation of pipe, masonry or rip-rap flumes, or such other protective devices in order that adjacent or surrounding property, or the welfare of the public, shall not be endangered and maintenance will be kept at a minimum. Sizes of pipe and other drainage structures shall be computed with sufficient accuracy to ensure their adequacy, particular attention being given to the drainage areas of surrounding land.
(Code 1973, § 34-9; Code 2020, § 38-301; Ord. No. 2687; Ord. No. 4233-11/2009)

Sec. 46-302. Parks and public facilities.

Suitable sites for parks, schools, colleges, hospitals, playgrounds, fire stations or other public requirements shall be carefully considered and indicated on the preliminary plan, so that they can be compared with the comprehensive city plan, and it can be determined which of such sites, if any, should be indicated on the final plat, and when and in what manner such areas will be acquired by the public body.
(Code 1973, § 34-14; Code 2020, § 38-302; Ord. No. 2687; Ord. No. 4233-11/2009)

Sec. 46-303. Streets, alleys, trails and sidewalks.

(a) *Major streets; compliance with comprehensive plan.* See the figures shown in section 46-109.

(1) For the purpose of facilitating the movement of traffic, certain streets are designated by the major street plan as major streets. A map showing these major streets will be on file in the office of the development services department and reference shall be made to this system of major streets before any preliminary plan is approved.

(2) When a proposed subdivision abutting a major street, or is bounded by a line that will in the future lie in a major street, or is divided by a major street, is shown on the major street plan, then the owner of that subdivision shall dedicate, without charge, any land within such subdivision that is necessary to provide conformity with the major street plan, such dedication to be shown on the preliminary plan and final plat.

(b) *Width and gradient.* The minimum width of a street right-of-way shall be 60 feet, and the minimum gradient shall be 0.5 percent.

(c) *Dead-end streets.* Except in unusual cases, no dead-end streets will be approved unless such dead-end streets are provided to connect with future streets in adjacent land; but culs-de-sac may be permitted where the form or contour of the land makes it difficult to plat with connecting streets. Such culs-de-sac shall provide proper access to all lots, shall not exceed 600 feet in length, and a turnaround shall be provided at the closed end, with an outside radius of at least 55 feet. Except in unusual cases, culs-de-sac will not be permitted where the turnaround is not clearly visible from the entrance to the street.

(d) *Alleys.* Except in unusual cases, alleys or loading courts shall be provided in business blocks. Alleys are optional in residential districts, but should be used for residential formats with narrow lots or building sites, so that vehicle access and parking facilities may be located behind the building lines and streetscapes. Alleys shall have a minimum width of 20 feet of paving for commercial uses, and 20 feet right-of-way with 12 to 16 feet paving for residential uses. In case of intersecting alleys, a cutoff shall be required of at least five feet measured from the point of intersection of the alley lines, the resultant connecting lot line to be at least five feet in length.

(e) *Sidewalks, trails and streetscape.* All streets shall have sidewalks in the public right-of-way. Sidewalks shall be a minimum of four feet wide on local streets and five feet wide on collector or arterial streets. Trails shall be a minimum of eight feet to a maximum of ten feet. Sidewalks shall be on both sides of the street and located at the right-of-way line. The remaining portion of the right-of-way shall be reserved for a tree terrace separating the sidewalk from moving traffic in the roadway. The tree terrace shall be at least six feet wide; except where on-street parking is permitted to support commercial uses, the sidewalk may be expanded to the roadway edge and trees may be planted in a five-foot by five-foot tree well included in the expanded sidewalk area. All sidewalks and trails shall be constructed as part of the roadway paving project.
(Code 2020, § 38-303; Ord. No. 4233-11/2009)

Sec. 46-304. Lots and blocks.

All portions of the subdivision which are not dedicated as public rights-of-way or other public grounds shall be designated as lots or blocks.

(1) *Lots.* All property anticipated for development, either immediate or future, that shall be platted as lots shall meet the required zoning standards for the current or proposed zoning for the property specified in the city zoning ordinance.

(2) *Blocks.* Any property not designated for development, such as common open space or other community amenities, shall be designated as a block with ownership and maintenance responsibilities identified on the plat.

(3) *Lot lines.* All rectangular lots and all other lots, so far as practicable, shall have the side lines at right angles to the street on which the lot faces, or radial to curved street lines. Lots with double frontage are undesirable and should be avoided in most cases.

(4) *Utility easements.* Where alleys are not included in a plat, easements ten feet in width, or of such width as determined necessary by the city engineer, shall be provided on each side of rear or side lot lines, or where necessary for the proper location or relocation of public utilities; provided, however, the requirements of this section may be waived by the city engineer and the manager of the city's utilities where they deem appropriate. If necessary for the extension of water or sewer lines, or similar utilities, or for surface drainage, easements of greater width may be required along lot lines or across lot lines. Easements shall connect with any established easements in adjoining property. Easements for sewer or water lines shall be approved by the manager of the city's utilities.

(5) *Building lines.* Building lines shall be shown on all lots intended for residential use, and other classifications as required on lots intended for office, commercial, or industrial use, and shall provide at least the setback required by the zoning regulations.

(Code 1973, §§ 34-11, 34-12; Code 2020, § 38-304; Ord. No. 2687; Ord. No. 2882; Ord. No. 4233-11/2009)

ARTICLE IV. ENGINEERING AND TECHNICAL STANDARDS

Sec. 46-401. Required improvements.

(a) *Generally.* Except as provided herein below, the owner or developer of a tract to be subdivided shall install, at its own expense, satisfactory curbs, gutters, streetlights and sidewalks on all property abutting streets or roadways; pavement on roadways; and all water and sanitary and storm sewer lines within the subdivision which are necessary to serve the subdivision. Installation of the improvements described in this subsection shall be in accordance with the specifications of the city. Water and sewer lines installed will require the approval of an on-the-job inspector before acceptance by the city. The cost of providing this inspection will be the responsibility of the owner or developer of the tract to be subdivided. Sewer lines shall have flow elevations as directed by the city, provided the requirement that the owner or developer install improvements at its own expense may be satisfied by compliance with any city council or public works department policy pertaining to funding of improvements. Streetlights shall be installed within six months from the time streets are opened for traffic.

(1) In a subdivision of lots, located within one mile of the city limits but not adjacent or contiguous to city limits, the requirements for public sewer and water installations, curbs and gutters, sidewalks and trails, plus concrete paved road may be waived only by the city council after a recommendation by the planning commission, and recommendation from the public works department or a waiver of sanitary sewer and water.

(2) In a subdivision of lots located more than one mile from the city limits, the requirements for public sewer and water installations, curbs, gutters, streetlights and sidewalks/trails, plus concrete paved road, may be waived only by the city council, after a recommendation by the planning commission, and the following be accomplished:

a. Individual water supply and waste disposal systems may be installed when no public water supply system or public sanitary sewer system are available to the property, but such individual systems must be installed in compliance with applicable city ordinances.

b. Subdivision streets, other than county roads, shall be constructed and surfaced with Portland cement concrete or asphaltic concrete, in accordance with specifications of the city engineer. Curb, gutter and sidewalk may be omitted.

(b) *Pavement.* Portland cement concrete or asphaltic concrete may be used for the roadway surface. Curb and gutter shall be of Portland cement concrete. All curb and gutter and roadway surface shall comply with the specifications of the city. Stormwater runoff shall be adequately handled through inlets, catchbasins or other drainage constructions in accordance with a drainage plan.

(c) *Sidewalks/trails.* All sidewalks/trails shall be constructed of Portland cement concrete. Sidewalks shall comply with the specifications of the city.

(d) *Inspection.* The city engineer shall make three inspections of all pavement construction:

(1) First inspection: to check compaction of subgrade before subbase is applied.

(2) Second inspection: to check sub-base for compaction, material, sizes, thickness, etc., before prime coat is applied.

(3) Final inspection: after roadway is completed.

(4) Twenty-four hours' notice shall be given to the city engineer regarding any requested inspection.

(e) *Bond provisions.* After a plat has been duly approved by the planning commission and council, as required in these rules, and after said plat has been duly recorded with the register of deeds as required by law, construction may begin on buildings within the subdivision. No building permit shall be issued for a building within such subdivision until the owner or developer has extended all required improvements to and in front of such lot, provided for such improvements pursuant to any city council or public works department policy pertaining to funding of improvements as permitted in subsection (a) of this section, or furnished a surety bond conditioned upon the completion of all required improvements in compliance with the specifications of the city. Such surety bond shall be in an amount to be calculated by the city engineer. Such calculation shall be reasonable and shall not be less than the estimated actual cost of the installation of the required improvements.

(1) The surety bond described in this subsection (e) shall guarantee the proper installation of the required improvements for the entire block upon which a lot, for which a building permit is requested, fronts. Such installation shall be completed within two years of the effective

date of the bond unless the city council, after recommendation of the planning commission, gives special permission to the developer to extend the period for a specific time. In case installation of required improvements is not completed as specified, the city may proceed to construct, reconstruct or install all or any portion of the required improvements using proceeds from the surety bond. Any excess money shall be refunded to the guarantor.

(2) Upon final inspection and approval by the city, such surety bond or unused portion thereof shall be released, provided the owner or developer shall first furnish or cause to be furnished a surety bond conditioned upon the endurance of the improvements, excluding normal wear and damage beyond the control of the owner. Said guarantee shall remain in effect for a period of one year from the date of final approval. The amount of such maintenance bond shall not be less than 20 percent of the amount of the bond guaranteeing the installation. If, at the end of one year following the date of final approval, there has appeared to be no failure due to faulty or substandard construction of required improvements, then said maintenance bond shall be refunded in full.

(Code 1973, § 34-15; Code 2020, § 38-401; Ord. No. 2687; Ord. No. 3279-10/92; Ord. No. 3754-11/2000; Ord. No. 3827-8/2001; Ord. No. 4042-9/2005; Ord. No. 4233-11/2009)

Sec. 46-402. Urban public street design standards.

(a) *General.*

(1) This standard shall apply to all public streets located within the city or located within an area to be annexed upon subdivision approval.

(2) The design of public streets in the city generally conforms to the minimum design standards of the state board of public roads classifications and standards, a policy on geometric design of highways and streets of the American Association of State Highway and Transportation Officials (AASHTO). Details of street construction shall conform to the city standard specifications for municipal construction and the city's standard plans.

(b) *Policies.*

(1) *General.* The city street system is designed to promote the safe and efficient movement of vehicular and pedestrian traffic from point of origin to point of destination and to provide an infrastructure element which can be readily maintained.

(2) *Intersections with major streets.* Where control of access permits, the intersections of collector streets with major streets shall be spaced approximately one-half mile apart, with the intersection location dependent upon maintaining the required sight distances. Intersections of local streets with major streets, where permitted, shall be approximately one quarter mile apart, with the intersection location dependent upon maintaining the required sight distances. Block length of local streets shall not exceed 600 feet in length.

(3) *Provisions for future extensions.* In new developments, streets which are intended to be extended beyond the limits of the development shall be paved to those limits and shall be designed to provide for the proper handling of surface drainage, storm runoff and the future projection of the street and utilities into the adjacent property. The developer shall be

responsible for obtaining and paying the costs for any easements required to permit grading or construction of approved temporary drainage measures beyond the limits of the development.

(4) *Reviewing agencies.* All plans for construction of public street improvements shall be reviewed and approved by the public works and utilities department. Approval signature blocks shall be provided on all plan submissions. Signature blocks shall include city engineer/public works director and director of engineering, or other authorized agent for the city's utilities. Work shall not commence on subdivision development by consultants or contractors until this approval has been granted by said agencies.

(c) *Design and construction.*

(1) *Design speed.* The following design speeds shall be applied for the design of public streets:

Street Classification	*Design Speed*
Local streets	25 mph
Collector streets	30 mph
Major streets	Determined by public works or traffic study

(2) *Sight distances.* Unobstructed sight distances, as set forth in section 46-109, shall be provided at all street intersections and alley accesses for vehicular and pedestrian traffic safety. Fences, walls, signs or other obstructions shall not be placed in the public street, and shall not be placed in the sight triangles, as set forth in section 46-109, except that chain-link fences free from shrubbery and vines may be placed on private property within the sight triangles at uncontrolled or yield-controlled intersections.

(3) *Horizontal street alignment.*

a. *Intersections.*

1. *Angle of intersection.* Streets shall intersect as near as possible at right angles. In no case shall the angle of intersection vary more than ten degrees from a right angle.

2. *Intersection separation.* Where the streets do not continue through the intersection (T-type) a minimum separation of at least 200 feet, as measured between the centerlines, shall be maintained.

3. *Intersections on curvilinear streets.* Where a curvilinear street intersects another, a straight tangent section shall be required at the approach to the intersection. The length required for this tangent is dependent upon the radius of the approaching curve. The minimum length of this tangent, as measured from the right-of-way of the intersected street to the point of curvature, shall be as shown in the following table:

Centerline Radius	*Minimum Tangent Length*
100 ft.	110 ft.
150 ft.	100 ft.
175 ft.	90 ft.

Centerline Radius	*Minimum Tangent Length*
200 ft.	80 ft.
225 ft.	75 ft.
250 ft.	70 ft.
275 ft.	65 ft.
300 ft.	60 ft.
350 ft.	50 ft.
400 ft.	20 ft.
450 ft. and over	No tangent required

4. *T-type intersections on horizontal curves.*

   (i) T-type intersections may be permitted along the outside of any horizontal curve provided the minimum sight distances are provided, based on the design speed of the intersected curved street, and that the minimum approach tangent length is provided in the case of a curvilinear approaching street.

   (ii) T-type intersections may be permitted along the inside of a horizontal curve, provided that the centerline radius of the curve is 525 feet or greater, and that the minimum sight distances, based on the design speed of the intersected curved street, and the minimum approach tangent length, in the case of a curvilinear approaching street, are provided.

b. *Curvilinear alignment.*

   1. *Horizontal curves.* All changes of horizontal alignment between intersections shall be connected by circular curves. The minimum centerline radius for curves on local streets shall be 100 feet. The minimum centerline radius for collector streets shall be 385 feet. The minimum centerline radii for curves on major streets shall be determined by the public works department.

   2. *Tangents between horizontal curves.* A straight tangent having a minimum length of at least 100 feet shall be provided between adjacent non-compound horizontal curves where the sum of the radii of the curves is less than 600 feet.

c. *Culs-de-sac.* Geometry and details of standard symmetrical and offset type culs-de-sac for the various property line radii are shown in the figures of section 46-109. Length of culs-de-sac shall not exceed 600 feet in length, including bulb of said cul-de-sac.

   1. Center island. Center islands are not recommended.

   2. A curbed center island having a diameter of 30 feet may be placed at the center of the cul-de-sac. The center island shall be landscaped using approved plant materials not exceeding a maximum mature height of 24 inches and certain designated street trees conforming to the requirements of the design standards for street trees. Trees placed in the center island shall be trimmed up to six feet above the ground and maintained for traffic sight clearance. Landscape maintenance, including replacement, and the maintenance of the center island curb, by written agreement between the city and the appropriate parties, shall be the

responsibility of the abutting property owners, a homeowners' association, or other private entity. Landscaping plans shall include a program for maintenance and replacement of trees and plant material, and shall be approved by the department of public works and the city parks and recreation department. All landscaping shall be installed within two planting seasons following the paving construction.

(4) *Vertical street alignment.*

a. *Longitudinal grades.*

1. *Minimum.* The minimum longitudinal grade for all public streets shall be 0.5 percent to provide for adequate surface drainage. Flatter grades must receive approval from the director of public works.

2. *Maximum.* The maximum longitudinal grade shall be 8.0 percent for local streets and 7.0 percent for collector streets. Maximum grades for major streets shall be determined by the department of public works department.

b. *Vertical curves.*

1. Changes in longitudinal grades shall be designed using parabolic vertical curves. Where the algebraic difference between the two grades expressed in percent is 1.0 or less, no curve is required. The minimum length of vertical curves necessary to provide adequate safe stopping sight distance shall be determined using the following formula:

$$L = K A$$

Where:

L = Minimum length of curve as measured in a horizontal plane.

K = A measure of curvature, values of which are set forth in the following table.

A = The algebraic difference between the grades of the tangents to the curve expressed in percent.

Design Speed (mph)	*K-Value Crest Curves (Feet)*	*K-Value Sag Curves (Feet)*
25	20	30
30	30	35
35	40	45
40	60	55
45	80	68
50	110	80
55	150	103

2. For vertical curves connecting flatter grades, care shall be taken to provide adequate slope for drainage. Generally, K is less than 165 (50 metric) for both sag and crest curves. The length of the vertical curve shall be kept as close as practicable to the minimum length as determined by the above procedure.

c. *Intersection approaches.*

1. *Major streets.* The grade of any street approaching a major street shall not exceed three percent within 130 feet of the closest curbline of the intersected roadway.

2. *Collector streets.* The grade of a local street approaching a collector street shall not exceed three percent within 70 feet of the closest curbline of the intersected roadway.

3. *Local streets.* The approach grades of all intersecting local streets which continue through the intersection shall not exceed three percent within 70 feet of the closest curbline of the intersected roadway. At T-type intersections, the grades of the through street may exceed three percent.

4. *Unimproved major streets.* Where new developments abut major streets which are not yet improved to major street standards, approach grades, intersections and abutting property grading should be designed to accommodate the future grades of the major street. The grades and alignment of the major street shall be approved by the public works department.

(5) *Roadway right-of-way and roadway width.*

a. The following table sets forth minimum right-of-way widths for the city:

ROW Widths	
Arterial street, 5 lane design (expressway)	100 ft.
Arterial street	80 ft.
Collector street	70 ft.
Residential street	60 ft.
Frontage street	60 ft.
Alley	20 ft.
Commercial or industrial parks	80 ft.
Private roads/streets	50 ft.

b. The following table sets forth standard roadway widths, as measured to the back of the curbs, for streets located within residential and commercial/industrial zoning districts:

Street Classification	*Zoning*	*Roadway Width*
Local	Residential	31 ft. with parking
Local	Residential	36 ft. with parking
Local	Commercial/industrial	37 ft. with parking
Collector	Residential/agricultural/commercial	40 ft. no median
Collector	Residential	2—21 ft. roadways with median
Local, permanent turnaround (cul-de-sac)	Residential	43 ft. outside radius
Local, permanent turnaround (cul-de-sac)	Commercial industrial office	No parking, 49.5 ft. outside radius. With parking, 55.5 ft. outside radius

Street Classification	*Zoning*	*Roadway Width*
Major street	All	Determined by public works department

c. In locations where the roadway width changes, those changes shall be accomplished using a tapered section. The minimum length of that taper shall be determined by multiplying the offset of the roadway edge by the design speed. Tapers shall not extend through intersections.

(6) *Street grading cross section.*

a. Generally, streets shall be graded to provide slope to the roadway from the building lines on either side of the street. This section will provide capacity in the street to carry excess runoff from major storms. Slopes from the top of curb to one foot back of the sidewalk line shall be two percent, except at those locations where it is necessary to allow for storm drainage overflow away from the roadway. In such case, the area may be sloped away from the top of curb at a grade not exceeding two percent. The slope from the sidewalk to the building line should be not less than two percent. In areas where existing conditions might require that the sideslope to back of the sidewalk exceed two percent in order to achieve uniformity, the public works department may approve a steeper slope not to exceed eight percent.

b. Excavation for streets, construction of embankments and roadway subgrade preparation and compaction shall conform to the requirements of the city's standard specifications for municipal construction.

(7) *Roadway cross section.*

a. *Pavement crown.*

1. Except at intersections, roadway paving shall be designed with the top of the curbs level from one side to the other. On local and collector street roadways with no medians, the roadway surface shall have a transverse slope (crown) of two percent from the gutter line to the roadway centerline. Where medians are present, the roadway surface shall have a transverse slope as shown on the current edition of the standard plans of the city. Deviations from this cross slope shall be approved by the public works department.

2. Pavement slopes and details for major streets shall be determined by the public works department, generally conforming to the current edition of the standard plans of the city.

b. *Curbs.* Concrete curbs shall be placed on both sides of all roadways. Curbs on local and collector streets may be either combined curb and gutter or integral curb, and shall conform to the requirements of the city's standard specifications for municipal construction and the details shown on the city's standard plans. Curb type and details for major streets shall be determined by the public works department.

c. *Roadway paving.* Roadways shall be surfaced with either Portland cement concrete pavement or asphaltic pavement. Minimum roadway pavement or base thickness for

the various street classifications is shown in the following tables for the various pavement types. If the anticipated average daily truck traffic exceeds the limits set forth in the tables, the public works department may require greater surfacing thickness.

Table 46-402-1. Portland Cement Concrete Pavement (47B)

Street Classification	*Zoning*	*Thickness*
Local	Residential ADTT [a] greater than 50	6 in.
Local	Commercial/industrial ADTT [a] greater than 300	8 in.
Collector	Residential ADTT [a] greater than 50	8 in.
Collector	Commercial/industrial ADTT [a] less than 300 but greater than 800	9 in.
Major street	All	Determined by public works department

Table 46-402-2. Asphaltic Concrete Pavement

Street Classification	*Zoning*	*Thickness*
Local	Residential	8 ½ inches
Major street	All	Determined by public works department

2 ½-inch surface course on six-inch asphaltic concrete base

[a] ADTT = average daily truck traffic

(excluding two-axle trucks with four wheels)

(8) *Alley pavement.* Where permitted, the entire width of the alley shall be paved with Portland cement concrete pavement of the same minimum thickness as set forth in Table 46-402-1 and without curbs. Design and construction shall conform to the requirements of the city's standard specifications for municipal construction and the details shown on the city's standard plans.

(9) *Intersection geometry.*

a. At intersections, the curbs of intersecting roadways shall be connected by circular curves having radii as shown in the following table (as measured to back of curb):

Street Classification	*Zoning*	*Radius*
Local	Residential	20 ft.
Local	Commercial/industrial	30 ft.
Collector	Residential	20 ft.
Collector	Commercial/industrial	30 ft.
Major street	All	Determined by public works department

b. At intersections of local or collector streets with major streets, additional right or left turning lanes, medians, tapered roadway sections or other special features may be required to accommodate anticipated traffic. At the intersection of two major streets, additional lanes, larger radii, three centered curves or other special features may be required. The public works department will provide the specific design requirements at these locations on an individual basis.

(10) *Lateral obstacle clearance.* Minimum obstacle clearance for curbed sections shall be two feet as measured from the back of the curb to the face of the obstacle. Minimum obstacle clearance for non-curbed sections shall be eight feet as measured from the edge of the driving lane to the face of the obstacle. Traffic control devices conforming to the standards of the manual on uniform traffic control devices will be allowed in the obstacle clearance zone.

(11) *Temporary turnarounds.* Where required, temporary turnarounds shall be constructed in conformance with the details shown on the city's standard plans. Direct access to the temporary turnaround from abutting properties will not be permitted.

(12) *Sidewalks.* Sidewalks through open spaces and pedestrian walk easements, which are required by subdivision approval or special permits, shall be constructed as a part of the roadway paving project. Sidewalks in the public streets shall be constructed as required by subdivision approval.

a. *Alignment.*

1. Where the sidewalk is located in the public street, the sidewalk shall generally be aligned parallel to the right-of-way line with the edge of the sidewalk located on that line or approved by the public works department. The longitudinal sidewalk grade shall generally be parallel to the roadway curb grade. Sidewalks located in pedestrian easements shall be centered in that easement, or as approved by the public works department.

2. Sidewalks not located in the public street shall be constructed with smooth and aesthetically appropriate horizontal and vertical alignments which are free of abrupt changes, and which generally blend with finish grading contours for the surrounding area. Normally, longitudinal grades for these sidewalks should not exceed five percent. Longitudinal grades not exceeding eight percent may be used for short distances to overcome greater elevation differentials.

b. *Street approach ramps.* Street approach ramps shall conform to current ADA requirements and standards of the city.

c. *Cross section.*

1. Sidewalks shall be at least four feet wide and shall have a transverse slope of two percent in the direction of the natural surface drainage, or as approved by the public works department. Sidewalks shall be constructed of Portland cement concrete and shall have a minimum thickness of four inches. Sidewalks on collector streets shall be at least five feet wide.

2. Sidewalk construction shall conform to the requirements of the city standard specifications for municipal construction.

(13) *Drainage facilities.* Storm sewers, open channels, culverts, inlets and other drainage facilities and appurtenances shall conform to the requirements of the drainage criteria manual of the city.

(14) *Roundabouts.*

a. *General.* Roundabout intersections, as set forth herein, are generally to be used in residential and commercial-industrial districts as traffic calming devices or for aesthetic purposes. They may be used for intersections having three to five approaching streets. Use of roundabouts on major streets shall be subject to special considerations, and will require specific approval and be subject to specific design considerations determined by the department of public works.

b. *Access not permitted.* Access directly to the roundabout from abutting properties shall not be permitted.

c. *Roundabout spacing.* Roundabouts shall be spaced at least 900 feet apart as measured from center to center.

d. *Angle between approaching streets.* The angle between the centerlines of any two streets approaching the roundabout shall not be less than 70 degrees.

e. *Roundabouts on curvilinear streets.*

1. Where a roundabout is located on curvilinear streets, a straight tangent section shall be required at the approach to the roundabout. The minimum length of this tangent, as measured from the outside curb radius of the roundabout to the point of curvature on the approaching street, shall be as shown in the following table:

Centerline Radius	*Minimum Tangent Length*
150 ft.	100 ft.
175 ft.	90 ft.
200 ft.	80 ft.
225 ft.	75 ft.
250 ft.	70 ft.
275 ft.	65 ft.
300 ft.	60 ft.
350 ft.	50 ft.
400 ft.	20 ft.
450 ft. and over	No tangent required

2. Roundabouts may be placed along a horizontal curve, provided that the centerline radius of the curve is 525 feet or greater, and that the minimum sight distances, based on the design speed of the approaching streets, are provided.

f. *Grades.* The grade of any roadway approaching a roundabout shall not exceed three percent within 70 feet of the outside curb radius of the roundabout. The grades across the roundabout shall not exceed three percent.

g. *Geometry.* In general, roundabouts in residential districts shall be designed to accommodate the turning radius of a standard AASHTO bus design vehicle, and roundabouts in commercial industrial districts shall accommodate a standard AASHTO WB-50 design vehicle.

h. *Right-of-way.* The right-of-way for the roundabout shall have a minimum radius equal to the radius of the outside curbline of the roundabout, plus 16.5 feet.

i. *Splitter islands.* Splitter islands shall have a minimum area of 80 square feet.

j. *Curbs.* Concrete curbs shall be placed on both sides of the rotary roadway and around the splitter islands. Curbs may be either combined curb and gutter or integral curb, and shall conform to the requirements of the city's standard specifications for municipal construction and the details shown on the city's standard plans.

k. *Roadway cross-slope.* The transverse slope of the rotary roadway paving shall not exceed three percent.

l. *Landscaping.* The center island of the roundabout may be landscaped using approved plant materials not exceeding maximum mature height of 24 inches and certain designated street trees conforming to the requirements of the design standards for street trees. Trees placed in the center island shall be trimmed up to six feet above the ground and maintained for traffic sight clearance. Notwithstanding the above, no plant material having a maximum mature height in excess of six inches shall be placed within four feet from the back of the curb. Landscape maintenance and replacement, by written agreement between the city and the appropriate parties, shall be the responsibility of the abutting property owners, a homeowners' association or other private entity. Landscaping plans shall include a program for maintenance and replacement of trees and plant material and shall be approved by the department of public works and the city parks and recreation department. All landscaping shall be installed within two planting seasons following the paving construction.

m. *Sidewalks.* Pedestrian traffic across the rotary roadway and center island is to be discouraged. Crosswalks on the approach roadways shall be located at least 25 feet back from the yield line or outside radius of roundabout.

n. *Signs.* The roundabout shall have the required traffic control signs, as determined by the department of public works, in place prior to opening to traffic.

(Code 2020, § 38-402; Ord. No. 4233-11/2009)

Sec. 46-403. Private roadway design standards.

(a) *General.* This standard shall apply to all private roadways located within the zoning jurisdiction of the city.

(b) *Policies.* Reviewing agencies. All required permits for construction of private roadway improvements shall be obtained from the city development services department and all plans for that construction shall be reviewed and approved by the public works department.

(c) *Design and construction.*

(1) *Design speed.*

a. The following design speeds shall be applied for the design of private roadways:

Location	*Design Speed*
Private roadway, urban	25 mph
Private roadway, rural	30 mph

b. This standard shall apply to all private roadways located within the zoning jurisdiction of the city.

(2) *Sight distances.* Unobstructed sight distances, as set forth in section 46-109, shall be provided at all street intersections and alley accesses for vehicular and pedestrian traffic safety. Fences, walls, signs or other obstructions shall not be placed in the public street, and shall not be placed in the sight triangles, as set forth in section 46-109, except that chain-link fences free from shrubbery and vines may be placed on private property within the sight triangles at uncontrolled or yield-controlled intersections.

(3) *Horizontal roadway alignment.*

a. *Intersections.*

1. *Angle of intersection.* Roadways shall intersect as near as possible at right angles. In no case shall the angle of intersection vary more than ten degrees from a right angle.

2. *Intersection separation.* Where the roadways do not continue through the intersection (T-type) a minimum separation of at least 120 feet, as measured between the centerlines, shall be maintained.

3. *Intersections on curvilinear roadways.*

(i) Where a curvilinear roadway intersects another, a straight tangent section shall be required at the approach to the intersection. The length required for this tangent is dependent upon the radius of the approaching curve. The minimum length of this tangent, as measured from the near edge of the pavement of the intersected roadway to the point of curvature, shall be as shown in the following table:

Centerline Radius	*Minimum Tangent Length*
100 ft.	110 ft.
150 ft.	100 ft.
175 ft.	90 ft.
200 ft.	80 ft.
225 ft.	75 ft.
250 ft.	70 ft.
275 ft.	65 ft.
300 ft.	60 ft.
350 ft.	50 ft.

Centerline Radius	*Minimum Tangent Length*
400 ft.	20 ft.
450 ft. and over	No tangent required

(ii) This standard shall apply to all private roadways located within the zoning jurisdiction of the city.

4. *T-type intersections on horizontal curves.*

(i) T-type intersections may be permitted along the outside of any horizontal curve, provided the minimum sight distances are provided, based on the design speed of the intersected curved roadway, and that the minimum approach tangent length is provided in the case of a curvilinear approaching roadway.

(ii) T-type intersections may be permitted along the inside of a horizontal curve, provided that the centerline radius of the curve is 525 feet or greater, and that the minimum sight distances, based on the design speed of the intersected curved roadway or street, and the minimum approach tangent length, in the case of a curvilinear approaching roadway, are provided.

b. *Curvilinear alignment.*

1. *Horizontal curves.* All changes of horizontal alignment between intersections shall be connected by circular curves. The minimum centerline radius for curves on private roadways within the city (urban) shall be 100 feet. The minimum centerline radius for private roadways outside the city (rural) shall be 385 feet.

2. *Tangents between horizontal curves.* A straight tangent having a minimum length of at least 100 feet shall be provided between adjacent non-compound horizontal curves where the sum of the radii of the curves is less than 600 feet.

(4) *Vertical street alignment.*

a. *Longitudinal grades.*

1. *Minimum.* The minimum longitudinal grade for all private roadways shall be 0.5 percent to provide for adequate surface drainage.

2. *Maximum.* The maximum longitudinal grade shall be eight percent.

b. *Vertical curves.*

1. Changes in longitudinal grades shall be designed using parabolic vertical curves. Where the algebraic difference between the two grades expressed in percent is one or less, no curve is required. The minimum length of vertical curves necessary to provide adequate safe stopping sight distance shall be determined using the following formula:

$$L = K A$$

Where:

L = Minimum length of curve as measured in a horizontal plane.

K = A measure of curvature, values of which are set forth in the following table.

A = The algebraic difference between the grades of the tangents to the curve expressed in percent.

Design Speed (mph)	*K-Value*	*K-Value Sag Curves (feet)*
25	20	30
30	30	35

2. For vertical curves connecting flatter grades, care shall be taken to provide adequate slope for drainage. Generally, K is less than 165 (50 metric) for both sag and crest curves. The length of the vertical curve shall be kept as close as practicable to the minimum length as determined by the above procedure.

c. *Intersection approaches.*

1. *Public streets.* The grade of a private roadway approaching a public street shall not exceed three percent within 50 feet of the closest right-of-way line of the intersected street. All vertical curves shall be located completely beyond this approach platform.

2. *Private roadways.* The approach grades of all intersecting private roadways which continue through the intersection shall not exceed three percent within 60 feet of the centerline of the intersected roadway. At T-type intersections, the grades of the through street may exceed three percent.

(5) *Roadway width.*

a. The following table sets forth minimum widths, as measured to the back of the curbs, for private roadways:

Roadway Use	*Roadway Width*
General access	28 ft.
Access to less than 30 residential parking spaces	21 ft.
Access to residential lots of one or more acres	20 ft. w/4 ft. shoulders

b. In locations where the roadway width changes, those changes shall be accomplished using a tapered section. The minimum length of that taper shall be determined by multiplying the offset of the roadway edge by the design speed.

(6) *Roadway cross section.*

a. *Pavement crown.* Except at intersections, roadway paving should be designed with the top of the curbs level from one side to the other. On private roadways with no medians, the roadway surface should have a transverse slope (crown) of three percent from the gutter line to the roadway centerline. Where medians are present, the roadway surface shall have a transverse slope of three percent across the entire roadway on each side of the median. Roadways without curbs shall have a transverse paving slope (crown) of two percent from the edge of the paving to the roadway centerline, and transverse shoulder slopes of six percent.

b. *Curbs.* Concrete curbs shall be placed on both sides of all roadways.

c. *Roadway paving.* Roadways shall be surfaced with any of the following surface types:

1. Portland cement concrete.

2. Asphaltic concrete.

3. Brick pavers.

4. Pervious asphaltic concrete with sub-drainage.

5. Open concrete paving blocks.

6. Other surfacing as approved by the public works department.

(7) *Intersection geometry.*

a. At intersections, the curbs of intersecting roadways shall be connected by circular curves having a minimum radius of 20 feet (as measured to back of curb).

b. At intersections of private roadways with major streets, the minimum radius shall be 30 feet. Additional right or left turning lanes, medians, tapered roadway sections or other special features may be required to accommodate anticipated traffic. The public works department will provide the specific design requirements at these locations on an individual basis.

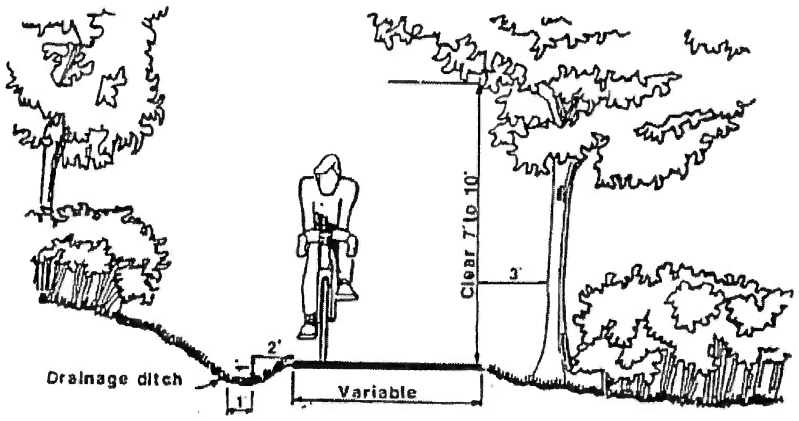
(8) *Drainage facilities.* Storm sewers, open channels, culverts, inlets and other drainage facilities and appurtenances shall conform to the requirements of the drainage criteria manual of the city.

(9) *Traffic control devices.* Roadway signage, pavement markings and other traffic control devices for private roadways shall conform to the current version of the Federal Highway Administration's Manual on Uniform Traffic Control Devices.

(Code 2020, § 38-403; Ord. No. 4233-11/2009)

Sec. 46-404. Design standards for hiker, biker trails.

(a) *Clearing.* Any vegetation, except grasses, should be cleared a minimum of three feet from the edge of the bike route surfacing. Overhead clearance should be maintained for a ten-foot minimum. All dead branches and trunks should be removed from above the trail. All vegetation, including roots, on the subgrade should be removed down to bare earth.



Typical Section Showing Clearing and Drainage

(b) *Drainage.* Drainage should be properly handled to prevent washouts, and to avoid ground saturation beneath the trail. The trail should be sloped to provide runoff, and ditches should be provided where necessary. Underdrains may be necessary in very wet places to prevent frost action with resultant heaving. In special instances, catchbasins and drains may be needed.

(c) *Pavement.*

(1) Bases and sub-bases need to be adequately prepared to protect the surface. Removal of topsoil, stumps and roots, and compaction of subgrade to city standards will normally be adequate. In wet or otherwise poor conditions, crushed stone or fly ash may be necessary for stability. General construction standards of the city shall apply.

(2) Pavement shall be constructed of ten-foot wide 47B concrete, six-inch-thick minimum. Eight-foot in width may be approved by the public works department if existing landscaping or vegetation causes difficulty in achieving design section.

(3) These minimum standards may be superseded by FHWA requirements for federally funded trails.

(d) *Sight distances.* The sight distance to any hazard or potential hazard must be a minimum of 50 feet at ten miles per hour; that allows four seconds to react to any obstacle or hazard. If this sight distance cannot be provided, warning signs must be posted.

(e) *Grade.* Bike paths shall not exceed a five-percent grade (except for very short distances). If difficult grade problems cannot be overcome, measures should include the provision of rest stops or lower grade switchbacks. Table 46-404 shows some suggested relationships between grade and grade-lengths:

Table 46-404. Grade and Grade Length Criteria

Bikeway Gradient	*Desirable*	*Normal Length*	*Maximum Length*
10.0%	Not recommended	33 ft.	66 ft.
5.0	Not recommended	131 ft.	262 ft.
4.5	82 ft.	167 ft.	334 ft.
4.0	102 ft.	203 ft.	410 ft.
3.5	148 ft.	295 ft.	590 ft.
3.3	148 ft.	295 ft.	590 ft.
2.9	200 ft.	400 ft.	800 ft.
2.5	262 ft.	525 ft.	1,050 ft.
1.7	590 ft.	1,180 ft.	—
1.5	—	2,100 ft.	—

(f) *Radius of curvature.*

(1) In these standards, a design speed of 20 miles per hour is recommended for bike paths. The following simple linear equation which related curve radius to design speed at the relatively low speeds bicycles normally travel will be used to arrive at radius of curvature:

$$R = 1.25 v + 1.4$$

Where:

V = speed in miles per hour.

R = Curve radius in feet.

(2) This equation allows for a minimum R of 58 feet at a V of 20 miles per hour. Since biker paths in the parks are used for both pedestrians and bicycles, a maximum of 0.06 foot per floor superelevation will be used. Figure 46-404-2 (standard superelevation for bikeways, source: State of Oregon) will be used to determine superelevation up to the maximum allowable.

Plot of V = tan 0 + ∫

qR 1 ∫ tan 0

Where:

V = velocity, ft./sec.

q = acceleration due to gravity, ft./sec.

R = radius of curvature, ft.

∫ = coefficient of friction on dry pavement equals 0.4.

tan 0 = superelevation rate, ft./ft.

(3) Curvature shall be based on a normal design speed of 20 miles per hour. Within limits shown, either the radius or the superelevation may be varied to fit individual situations. The dependent variable may be selected from the adjacent chart. Descending grades in excess

of seven percent will have a design speed of 30 miles per hour. Climbing grades in excess of three percent may use a 15-miles per hour design speed. The descending grade determines the design speed on two-way bikeways.

(4) Bike paths with curves of radii of less than 100 feet will be widened in accordance to the attached methodology in Figure 46-404-3. Maximum widening is limited to four feet.

(5) When widening reaches four feet (Δ is greater than 96.4 degrees), that width shall be carried on a radius of R-4 through the central portion of the curve (Δ is greater than 96.4 degrees) as shown on the right.

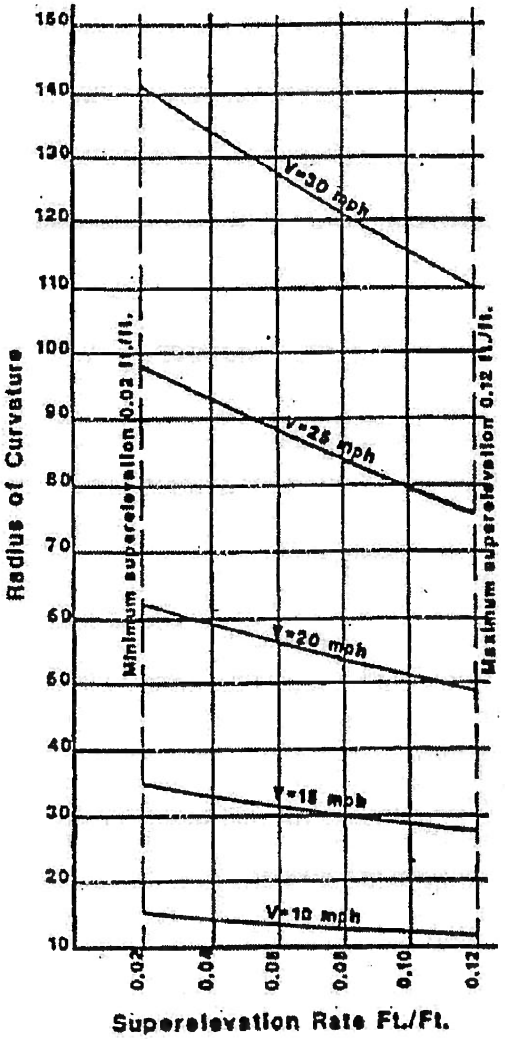


Figure 46-404-2. Standard Superelevation For Bikeways

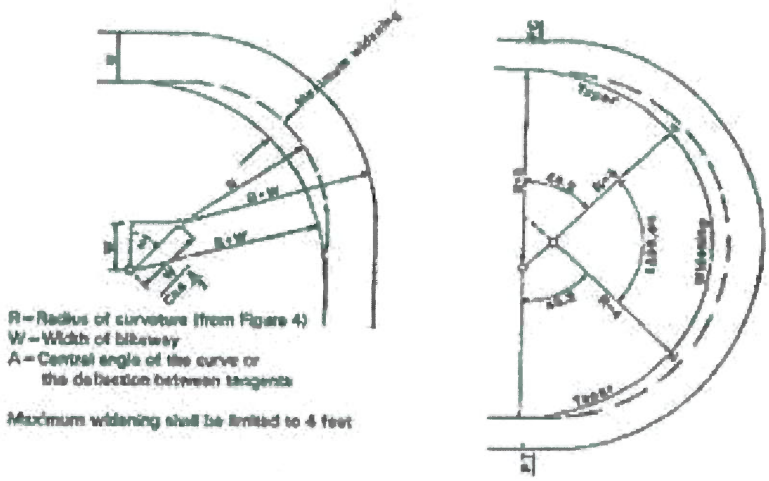


Figure 46-404-3. Curve Widening

(g) *Width of path.* Minimum width is ten feet; this will allow a cyclist in one direction to meet and pass a cyclist going in the opposite direction.

(h) *Bridges.* The width of bridges will need to be the minimum width of the path, or as approved by the public works department.

(i) *Bike path graphics.*

(1) *Route signing.*

a. All bikeway signing shall conform to the manual on uniform traffic control design.

b. Adequate signing should be deployed at all decision points along a bikeway. This includes both signs informing the cyclist of directional changes and confirmatory signs to ensure that route changes have been correctly perceived.

(2) *Bike pedestrian and roadway crossing signs.*

a. Warning signs indicating to motorists that bicycles should be anticipated, and to cyclists that motor vehicles or pedestrians may be encountered, should be installed on the approaches to points of potential conflict and at high-activity areas. Included are:

1. Points where a bikeway crosses a roadway or sidewalk.
2. At bikeway starts and terminations, or transition areas involving potential conflict movements.
3. At intense-activity areas, such as the vicinity of parks, schools, recreational facilities and community centers.

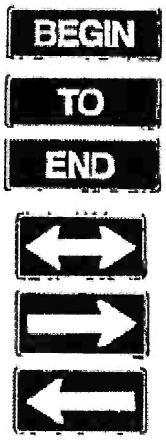
b. Motorist-directed warning signs on urban streets should be placed at least a half-block in advance of the conflict point, and in all circumstances such signing, whether directed to motorists or cyclists, should be placed sufficiently in advance of the conflict point to permit appropriate perception and reaction.

1. Additional cyclist-directed warning signs may be installed as required to warn cyclists of specific hazardous conditions.

MOTOR VEHICLE DIRECTED AND WARNING SIGNS

Black on Yellow Background

BIKE ROUTE DESIGNATION SIGNS (White on green Background)



TYPICAL BIKEWAY SIGNING

Message Plates

To be mounted above the official marker to designate the beginning and ending if the bike route, and to trailblaze that bikeway.

Directional Plates

To be mounted below the official market to guide cyclists along the bikeway and to trailblaze the bikeway.

CYCLIST DIRECTED WARNING SIGNS
(Black on yellow background)

TYPICAL BIKEWAY SIGNING

2. This standard shall apply to all private roadways located within the zoning jurisdiction of the city.

(Code 2020, § 38-404; Ord. No. 4233-11/2009)

Sec. 46-405. Driveway design standards.

(a) *General.*

(1) This standard shall apply to all residential and commercial driveways located within the city, and commercial driveways located outside the city limits but within the zoning jurisdiction of the city.

(2) Construction of any driveway shall require and be subject to the conditions of a driveway permit issued through the department of development services. Requirements for permit applications are covered herein.

(b) *Policies.*

(1) *General.* It is the policy of the city to promote the maximum safe and efficient travel of persons on the public right-of-way, and to preserve the maximum capacity of the roadway to accommodate such travel.

a. The issuance, denial, modification and revocation of driveway approach permits, and the ordering of the removal, reconstruction, relocation, or alteration of any driveway approach, may be used to implement this policy.

b. Driveway approaches shall be designed so that under the specific conditions for the property:

1. Reasonable access from the roadway is afforded.

2. Horizontal separation from other approaches and roadway intersections is the maximum attainable.

3. The area and number of points where conflicts between vehicles using the approach, through vehicles using the roadway and pedestrians using the sidewalks, is kept to a minimum.

4. Speed differential between vehicles using the approach and vehicles on the roadway is kept as low as possible.

5. The driver entering or leaving the approach has the maximum unobstructed view of other vehicles using the roadway.

6. The maximum safety and efficiency of the right- and left-turning vehicles using the approach is afforded.

7. The frequency at which vehicles must stop or substantially reduce speed on the roadway because of actions of vehicles entering or leaving the driveway approach is kept to a minimum.

8. The maximum safety, efficiency and capacity of the roadway is promoted.

(2) *Costs of construction.* The owner of the property served by the driveway approach shall pay all costs for constructing the driveway approach; required additional turn lanes; pavement widening; median construction or reconstruction; alteration of access holes, storm sewer inlets, water valves or fire hydrants; relocation of power poles or light poles; and alteration

of any other public utilities affected by the construction of the driveway approach. The street department will address asphalt replacement adjacent to driveway approach at no cost to applicant.

(3) *Number of driveway approaches.* Guidelines for the number of driveway approaches to be permitted are as follows:

a. For single- and two-family dwelling units, only one driveway approach per dwelling will be permitted unless the application meets the requirements for a circular driveway as set forth in Figure 46-405-D-1. One additional driveway approach for a property may be granted on a non-major street when a site drawing and written request indicating the justification for such additional drive is submitted and such request is approved by the director of public works or designated representative.

b. Only one two-way commercial driveway approach or one pair of one-way commercial driveway approaches should be permitted to a property having less than 400 feet of frontage and taking access from a major street.

c. Commercial driveway access to a major street from adjoining properties having a total frontage of less than 200 feet should be consolidated where possible. Jointly used driveways are encouraged along major streets to obtain maximum spacing of driveway approaches. These joint use driveways should provide at least a 50-feet deep access easement between the property owners.

d. For property located on a corner, commercial driveway access should be limited to one driveway approach. If the property is located at the intersection of a major street and a local or collector street, the driveway approach should be located on the local or collector street to reduce potential conflicts. If desirable horizontal separation of the driveway approach from the intersection and other approaches is attainable, and the land use warrants additional access, access to both streets may be permitted.

(c) *Design.*

(1) *General.*

a. Driveways used for commercial or industrial purposes, except those leading to loading docks or vehicle access doors, shall be designed such that vehicles can leave and enter the roadway in a forward motion.

b. Driveways to residential properties which have more than three garage units or parking stalls shall be designed such that vehicles can leave and enter the roadway in a forward motion.

(2) *Location.* Driveways shall be located to provide maximum separation from other drive approaches and roadway intersections to minimize impeding vehicle traffic on the roadway. Minimum and standard dimensions for driveway approach separation, clearances from roadway intersections, and offsets at T-intersections or median openings are shown on Figure 46-405-D-2. The minimum values shown in this figure are the smallest dimensions which shall be permitted. The standard values shall be used to the extent possible within the property frontage.

(3) *Sight distance.* Unobstructed sight distances, as set forth in section 46-109, shall be provided at all driveway approaches for vehicular and pedestrian traffic safety. Fences, walls, signs or other obstructions shall not be placed in the public street and shall not be placed in the sight triangles, as set forth in section 46-109. Chain-link fences shall not be allowed in front yards.

(4) *Driveway approach geometry.* Driveway throat widths, return radii or tapers, and angles are shown in Figure 46-405-2 for the various land uses and street classifications. Typical driveway approach details are shown in Figure 46-405-3.

(5) *Driveway approach grades.*

a. The driveway approach surface shall meet the sidewalk at sidewalk grade. The sidewalk grade shall be established by the public works department or in conformance with approved subdivision layout plan. Normal sidewalk cross-slope through the driveway approach shall be two percent. Where the walk abuts the curb, the cross-slope shall not exceed two percent. No more than eight percent slope (ADA) into the street from the outside edge of sidewalk (nearest to street) will be permitted.

b. The owner or the owner's representative shall notify the street superintendent and request grade stakes for the driveway approach and inspection of the work before concrete is poured. The public works department and/or development services department shall be notified at least two working days in advance to give time to schedule any inspections. Work done without prior inspection shall be removed if the completed construction is not in accordance with terms of the permit.

(6) *Driveway approach cross section and construction.*

a. Driveway approaches on paved roadways shall be surfaced with concrete from the roadway edge to the property line. The minimum thickness of driveway approaches for single- or two-family dwellings is six inches from the roadway edge back to the property line.

b. The minimum thickness of commercial driveway approaches is six inches from the roadway edge to the property line. The public works department may require a greater thickness for commercial driveways depending on the geometry of the approaches, anticipated traffic volumes and number of trucks using the driveway.

c. Along roadways improved with a rural-type cross section and parallel ditch, a drainage culvert shall be installed under the driveway approach. The length, size, grade and location of the culvert shall be determined by the public works department. The culvert is to be purchased by the property owner and installed by the city.

d. Driveway approaches shall be constructed in conformance with city standard specifications for municipal construction.

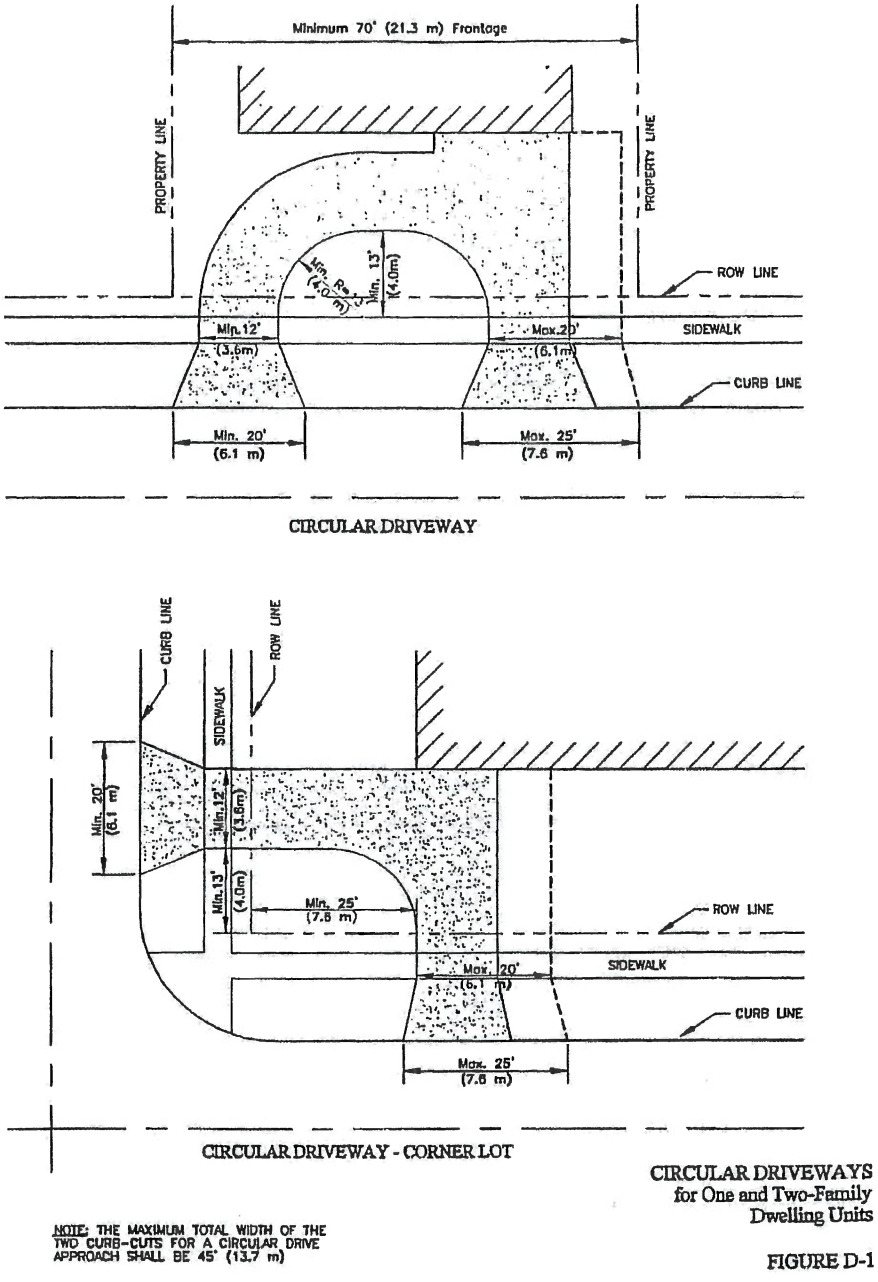
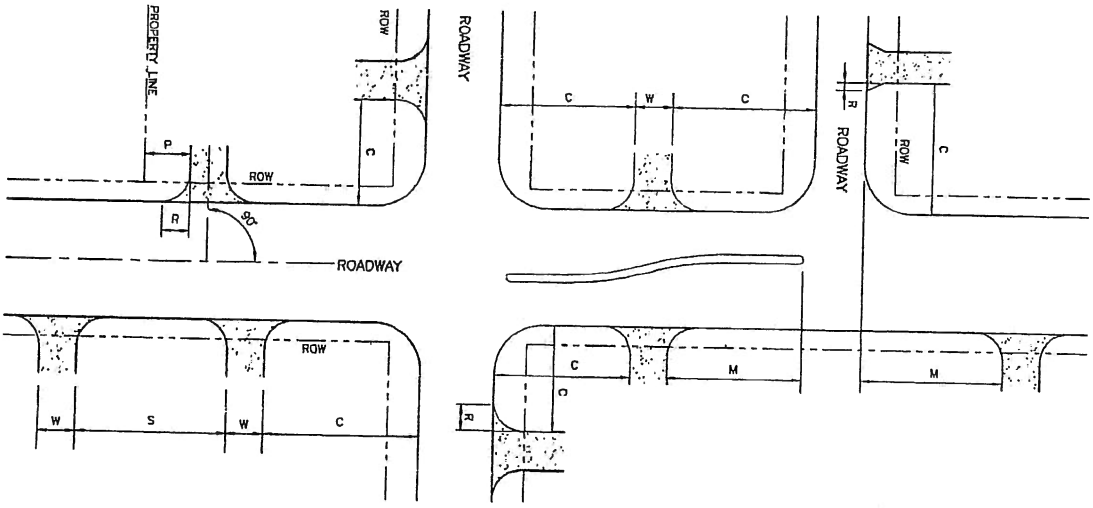


Figure 46-405-D-1. Circular Driveway Details



DRIVEWAY DIMENSIONS

	THROAT WIDTH - W		RETURN RADIUS - R	
	TWO-WAY	ONE-WAY	MAJOR ST.	LOCAL/COLL
Single or Two-Family	10' to 25'	-	2.5' to 5'	2.5' to 5'
Multiple Dwelling				
Less than 20 Stalls	20' to 25'	15' to 20'	15'	15'
20 or More Stalls	25'	15' to 20'	15' to 20'	15'
Commercial				
Less than 150 veh/hr	25' to 35'	15' to 20'	15' to 20'	15'
150 veh/hr or more	30' to 40'	20' to 22'	25'	20' to 25'
Truck Access	30' to 40'	20' to 25'	25'	20' to 25'

DRIVEWAY SPACING & CLEARANCES

ELEMENT	ROADWAY CLASSIFICATION			
	MAJOR STREET		LOCAL/COLLECTOR	
	MINIMUM	STANDARD	MINIMUM	STANDARD
Driveway Separation - S				
Commercial	30'	150' Min.	20'	50'
Single or Two-Family	5'	150' Min.	5'	50'
Intersection Clearances - C				
Major - Major	55'	150' Min.	-	
Major - Local/Collector	55'	150' Min.	55'	150'
Local/Collector-Local/Coll		150' Min.	42'	55'
T-Intersection or Median Opening Offset - M	75'	75'	-	-
Property Line Offset - P	R	30'	R	10'

Figure 46-405-D-2

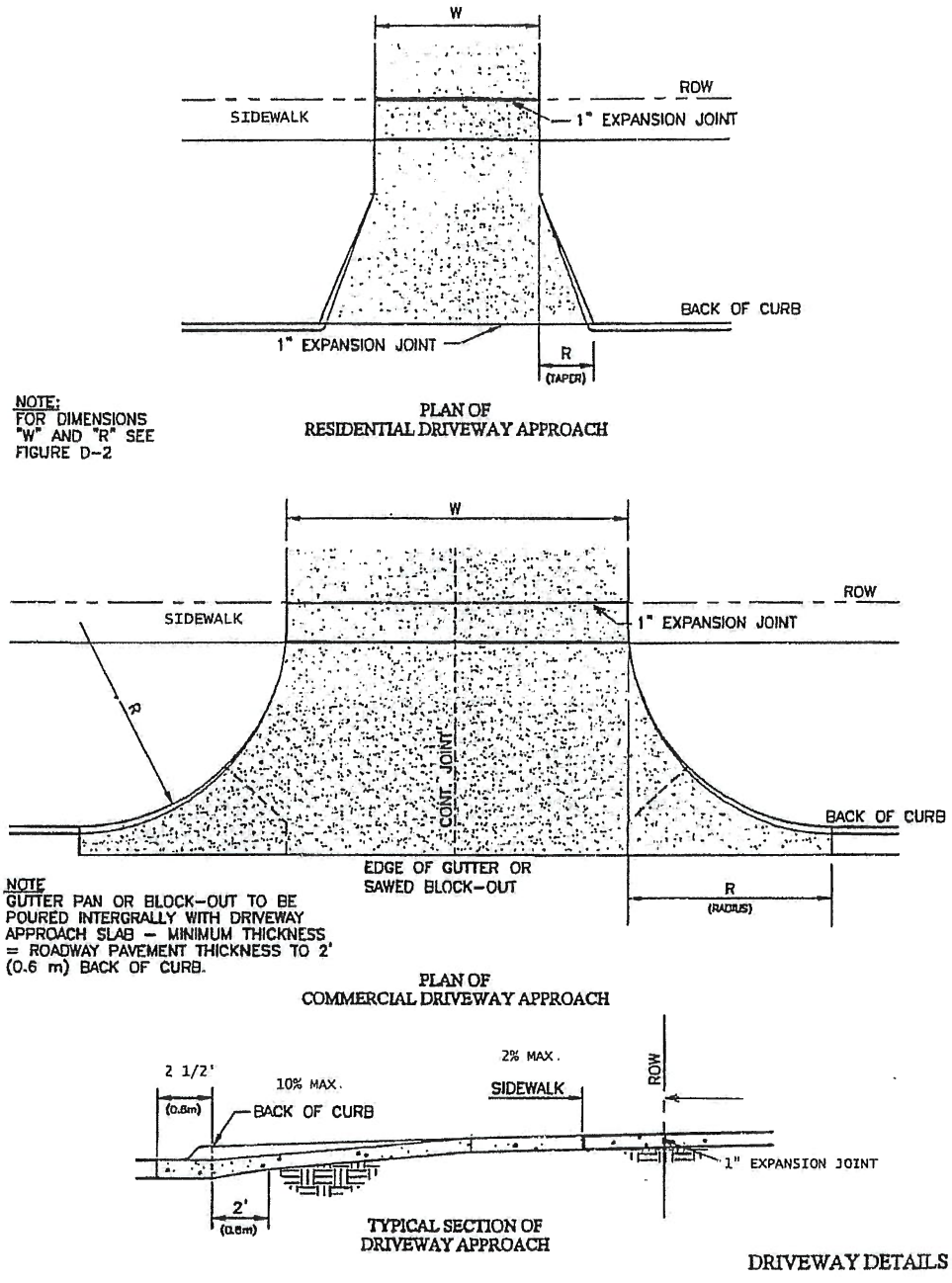


Figure 46-405-D-3. Driveway Details

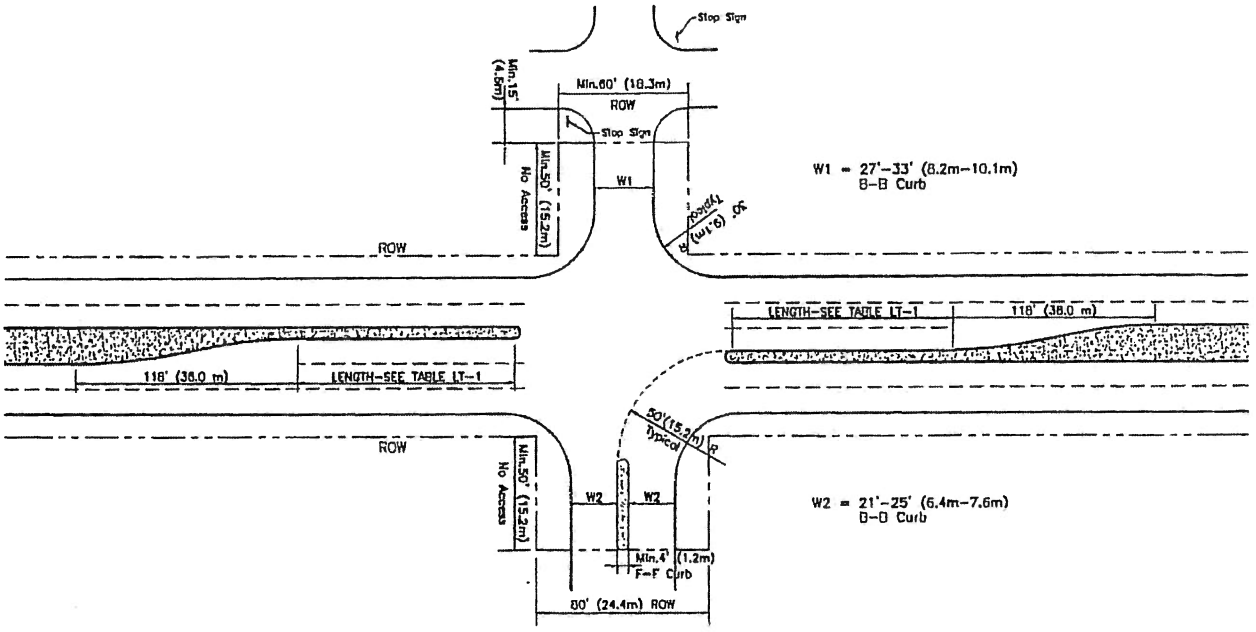


Figure 46-405-D-4

(7) *Internal circulation.*

a. In order to protect through traffic movement on the roadway, driveways shall project into the property a sufficient distance to provide for the normal turning radius of the types of vehicles to be accommodated. Driveway approach approval will be withheld if parking lots do not conform to the parking lot design standards and do not provide adequate circulation and waiting vehicle storage of drive-in facilities on the property. On-property waiting vehicle storage requirements for the various types of drive-through facilities are shown in Table 46-405-1:

Table 46-405-1. Waiting Vehicle Storage Requirements

Type of Use	*Min. Waiting Vehicle Storage*
Financial institution, electronic teller	2 vehicles per lane[a]
Financial institution, personal teller	4 vehicles per window or kiosk[a]
Car wash, self service	4 vehicles per bay at entrance[a] ; 1 vehicle per bay at exit
Car wash, automatic/conveyor	300 ft. per bay at entrance[a]; 2 vehicles per bay at exit
Drive-through restaurant	5 vehicles per window[a]
Drive-through coffee shop	
Driver-side service	4 vehicles per lane[a]

Type of Use	*Min. Waiting Vehicle Storage*
Passenger-side service	2 vehicles per lane[a]
Drive-through pharmacy	2 vehicles per lane[a]
Service stations	
Service islands	2 vehicles per pump lane[a]
Service bay	1 vehicle per bay[a]
Quick lube/oil change	2 vehicles per bay[a]
Starting gate design (4 or more pump islands side by side, 18 ft. apart)	1 vehicle per lane[a]
Gated parking lot entrance	1 vehicle per gate
Garage unit or overhead door (major streets only)	1 vehicle per door

[a] Storage requirements are in addition to vehicle being served.

b. Required vehicle storage shall not block driveways or required parking stalls and shall not be located in side, front or rear yards where parking stalls are prohibited. Each vehicle storage unit shall be 22 feet long.

(8) *Additional turning lane requirements.* Additional turning lanes, widening or other special treatments to the roadway may be required if the public works department determines that the projected driveway and roadway traffic volumes warrant such additional construction. Specific details of the required construction shall be determined by the public works department.

(d) *Additional requirements.*

(1) *State highways and federal aid system.*

a. Construction of driveways on state highways and streets covered by federal aid agreements within the city must be reviewed and approved by the state department of roads.

b. The streets covered by such agreements are shown on a map on file in the public works department. The public works department will forward a copy of the site plan to the permits and right-of-way division of the state department of roads for their review prior to approval by the city.

c. Applications for driveways on state highways inside and outside of the city limits shall be made directly to the state department of roads.

(2) *Driveways outside city limits.*

a. Applications for construction of residential or farm driveways on county-maintained roads outside of the city limits but within the zoning jurisdiction of the city shall be approved by the county highway superintendent.

b. Applications for construction of commercial driveways outside of the city limits but within the zoning jurisdiction of the city shall be approved by the public works department and the county highway superintendent.

(3) *Tree removal permits.* Prior to approval of any driveway approach permit which may require removal, relocation or trimming of any tree located within the public street right-of-way, the applicant shall obtain permission for such tree work from the city parks and recreation department.

(e) *Median openings.*

(1) *General.* Requirements and procedures for obtaining access to an existing or proposed median opening on public streets in the city are as follows:

a. A written application outlining the request for a median opening, or access to a new or proposed median opening, shall be submitted to the public works department along with three copies of a one inch equals 20 feet scale drawing of the proposed median opening or access, showing in detail the adjacent property including buildings, parking stalls and driveways. Traffic data and documentation shall also be submitted which address the following:

1. *Justification.*

(i) Develop the volume of traffic that will be generated by the development served by the median opening and how that traffic will be distributed to this and to other points of access.

(ii) Identify which traffic movements are affected and develop the volumes of those movements.

(iii) Identify available alternate accesses and circulation routes.

(iv) Establish the volume/capacity impacts with and without the break. Impacts at other break locations and at affected nearby intersections must also be considered.

2. *Location/geometry.*

(i) Based on the projected volumes, how much left-turn storage is required?

(ii) Can left-turn storage be constructed both directions from the break without affecting left-turn storage for other nearby intersections?

(iii) Is the break location likely to require signalization in future? If so, how will signalization affect the capacity of the roadway, turn storage requirements, detector placement, etc.?

(iv) If the break location is not signalized, are there adequate gaps in the roadway traffic to allow crossing and turning movements?

(v) Does the proposed median break meet the sight distance requirements set forth in section 46-109?

3. *Compatibility with other land uses.*

(i) Is the proposed break compatible with current and proposed land uses on the opposite side of the street?

(ii) Are all adjacent owners in agreement on the location of the median break, internal circulation routes and other points of access?

b. The design of the median opening and associated driveways shall follow the design guidelines shown in Figure 46-405-2 and Table LT-1.

c. Construction in streets covered by federal aid agreements must also be approved by the state department of roads and federal highway administration. The public works department will coordinate the reviews with the state department of roads.

d. If the proposed driveway will permit exiting traffic to turn left, the property owners on both sides of the street abutting the proposed median opening shall dedicate a minimum 50 feet deep by 60 feet wide right-of-way stub prior to approval of the median opening.

e. The property owners shall submit a development plan showing their intent to dedicate public access easements across their property to directly adjoining lots not having direct access to a median opening. The location and alignment of the easements shall provide reasonable vehicular access during the existence of the median opening, and be approved by the public works department. All public access easements shall be drafted by the applicant and approved by the city attorney and city surveyor.

f. After the concept and design of the proposed median opening has been approved by the city, state department of roads and federal highway administration as required, an executive order authorizing construction of the median opening will be prepared by the public works department and forwarded to the mayor and council for review and approval.

g. All costs related to the design and construction of the median opening and associated driveways shall be the responsibility of the applicant.

h. Median openings will be considered only in roadway sections where adequate left-turn storage can be provided without adversely affecting storage for existing median openings or future median openings to other public streets.

i. The above policies do not apply to the state or federal highway system. Those roads are under the direct jurisdiction of the state department of roads.

(2) *Design.* Details of median opening geometric requirements are shown in Figure 46-405-4. The length of the required left-turn storage lane is determined by the following formula and Table LT-1:

$$M = (DHV)(I) \div 3600$$

Where:

M = Average number of vehicles per interval

DHV = Design hour volume of left-turning vehicles

I = Interval equals 90 seconds with signal equals 60 seconds without signal

Example:

Given:

DHV = 486 left-turning vehicles with signal

M = (486)(90) ÷ 3600 = 12.2 = Average number of vehicles per interval from Table LT-1:

The 95 percent probability maximum number of vehicles turning left during the same interval = 19

Thus: length of turn lane storage = (19)(25 ft.) = 475 ft. = (19)(7.62 m.) = 144.8 m.

Table LT-1. Left Turn Lane Length

Average Number of Vehicles per Interval M	*95% Probability Maximum Number of Vehicles During Same Interval*	*Length of Left Turn Lane*
0.1 to 0.3	2	150 ft. min.
0.4 to 0.8	3	150 ft. min.
0.9 to 1.3	4	150 ft. min.
1.4 to 1.9	5	150 ft. min.
2.0 to 2.6	6	150 ft.
2.7 to 3.3	7	175 ft.
3.4 to 4.0	8	200 ft.
4.1 to 4.7	9	225 ft.
4.8 to 5.4	10	250 ft.
5.5 to 6.2	11	275 ft.
6.3 to 7.0	12	300 ft.
7.1 to 7.8	13	325 ft.
7.9 to 8.6	14	350 ft.
8.7 to 9.4	15	375 ft.
9.5 to 10.2	16	400 ft.
10.3 to 11.0	17	425 ft.
11.1 to 11.8	18	450 ft.
11.9 to 12.6	19	475 ft.
12.7 to 13.4	20	500 ft.
13.5 to 14.2	21	525 ft.
14.3 to 15.0	22	550 ft.
14.3 to 15.0	22	550 ft.

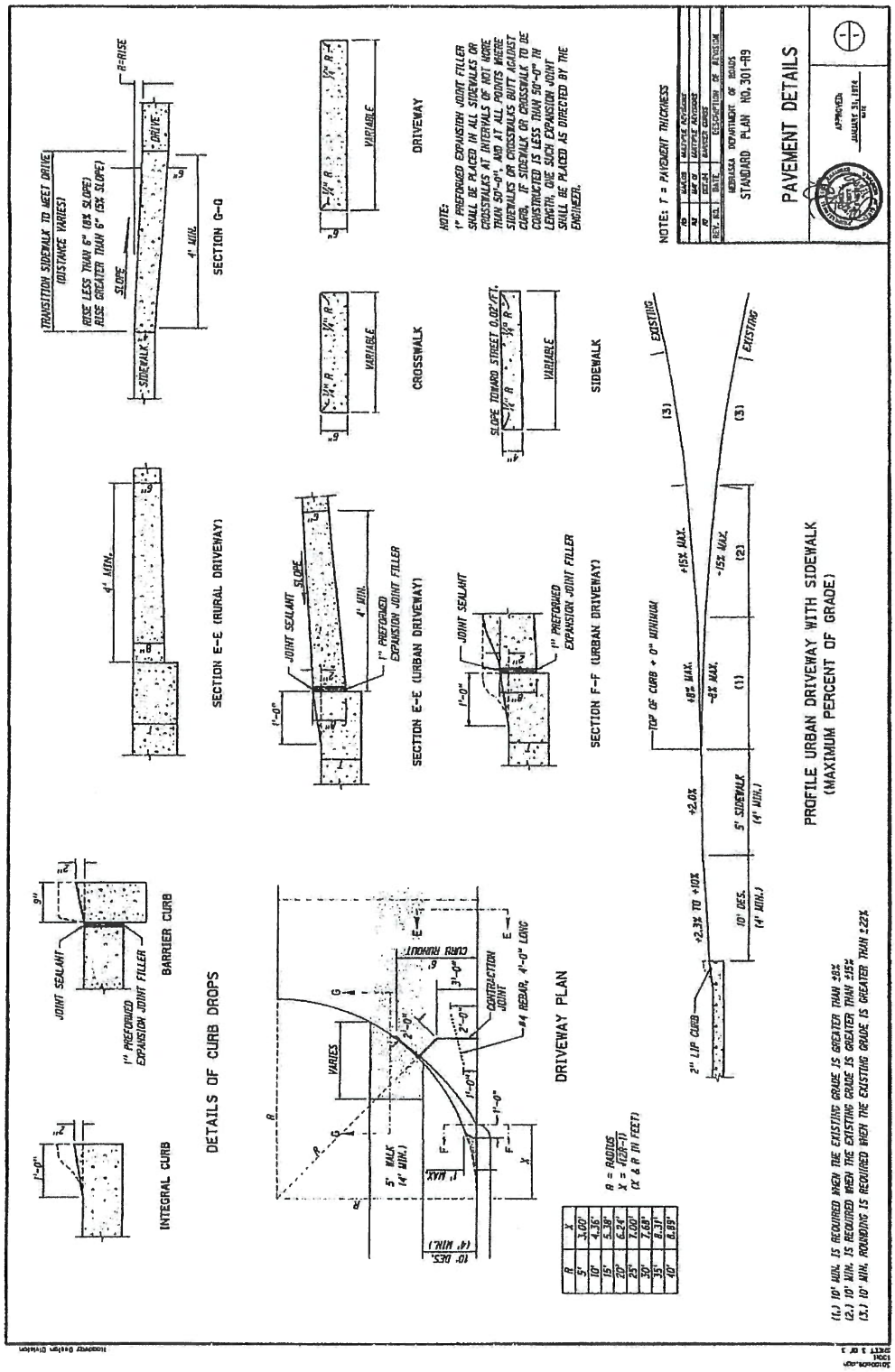


Figure 46-405-4. Details of Curb Drops.

(f) *General instructions for driveway permit application.*

(1) *General.*

a. Applications for driveway permits are made to the city development service department.

b. The application shall include the address and legal description of the property served by the proposed driveway approach; the property owner's name; length of proposed curb cuts; and the name, signature and telephone number of the representative of the property owner authorized to make decisions concerning the driveway approach binding on the property owner.

(2) *Application for driveways serving single-family and two-family dwellings.* Application for driveway permits for single- and two-family dwelling units may be approved by the development services department when it is determined that the site plan drawn on the application is in conformance with these standards and the regulations of the city. Only one such driveway may be approved for each dwelling unit, unless the application meets the requirements for circular drives as illustrated in Figure 46-405-1. One additional driveway for a single buildable lot may be approved on non-major streets when a written request and drawing, as set forth herein, is submitted indicating the justification for such additional driveway and when the same is approved by the director of public works.

(3) *Application for driveways in conjunction with building activity.* Application for driveways in conjunction with building activities shall be filed at the time of application for the associated building permit. The issuance of the driveway permit and payment of fees, however, need not coincide with the issuance of the building permit.

(4) *Multifamily, commercial and industrial uses.* Applications for driveway permits for all driveways, other than single- or two-family dwellings, shall include three copies of a site plan which shows the following items:

a. Scale drawing (one inch equals 20 feet) with north arrow indicated.

b. Property lines and setback lines of property served, with dimensions.

c. Building and structure lines (note overhead or drive-in door locations).

d. Parking lot layout, with dimensions of aisles and stalls.

e. Parking lot barriers.

f. Adjacent roadways and sidewalks.

g. The proposed driveways, with dimensions.

h. Location of physical features of the property (e.g., trees, poles, inlets, access holes, valves, utilities, existing drives or curb cut locations, and service connections, within the public right-of-way).

i. Proposed traffic volume and vehicle type using the driveways.

j. Curb shall be ground, or total removal and replacement shall be determined by the street superintendent or authorized representative.

(Code 2020, § 38-405; Ord. No. 4233-11/2009)

Chapter 47

RESERVED

Chapter 48

TAXATION

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ARTICLE I. IN GENERAL

ARTICLE II. OCCUPATION TAX GENERALLY

Sec. 48-201. Levied; disposition of revenue.

For the purpose of raising revenue, there is hereby levied an occupation tax upon each occupation carried on within the city, as specified and enumerated in this article. Every person carrying on the occupation specified in this article within the city shall pay to the city clerk annually the sum hereinafter named, as a tax upon the occupation. All money shall be paid over forthwith to the city clerk, who shall credit the same to the general fund of the city. The money shall be and remain under the control of the council for such use and purpose as other money belonging to the general fund.
(Code 1973, § 13-21; Code 2020, § 5-201)

Sec. 48-202. Occupations taxed; schedule of rates.

In addition to all other occupation taxes set forth in this Code, there is hereby levied an occupation tax upon each and every occupation within the city, as hereinafter enumerated:

(1)	Electrical contracting:	$100.00
(2)	Food service:	
	a. Food service establishment:	$100.00
	b. Limited food service establishment:	$40.00
	c. Temporary food service establishment:	$40.00
(3)	Garbage hauling, commercial:	$200.00
(4)	Gasfitter and installer contracting:	$100.00
(5)	Kennel or pet shop:	$50.00
(6)	Liquor (see section 8-109).	
(7)	Lottery: four percent of gross receipts.	
(8)	Pawnbroker:	$50.00
(9)	Plumbing contracting:	$100.00
(10)	Solicitor, door-to-door:	$100.00
(11)	Supervised home:	$200.00
(12)	Trailer court or mobile home court:	$100.00
(13)	Sale of permissible fireworks:	$300.00
(14)	Water conditioner installer and contracting:	$100.00
(15)	Lawn sprinkler contracting:	$100.00

(16) Utility contractor: $100.00

(Code 1973, § 13-22; Code 2020, § 5-202; Ord. No. 3237-11/91; Ord. No. 3310-4/1993; Ord. No. 3643-5/1998; Ord. No. 3645-6/1998; Ord. No. 3701-8/1999; Ord. No. 3874-9/2002; Ord. No. 4181-5/2008; Ord. No. 4248, 2-23-2010)

Sec. 48-203. Occupations taxed—When due.

(a) All occupation taxes shall be due and payable in full on May 1 of each year, with the following exceptions:

(1) The occupation tax for Class C liquor licenses shall be due on November 1 of each year.

(2) The occupation tax for bingo games shall be due on October 1 of each year.

(3) The occupation tax for food service establishments shall be due on July 31 of each year and delinquent after July 31 of each year. A penalty in the amount of ten percent shall be added to delinquent occupation tax payments.

(b) All occupation taxes shall be paid at the office of the city clerk. No occupation taxes shall be prorated for partial years, nor shall any occupation tax be refunded unless paid by mistake or oversight.

(Code 2020, § 5-202.01; Ord. No. 3237-11/91; Ord. No. 3643-5/98; Ord. No. 3678-3/99)

Sec. 48-204. Interstate or government business.

The occupation tax levied by this article is not levied upon any business or occupation which is interstate, or which is done or conducted by any department of the government of the United States, the state, the city or the officers of either as such in the course of its or their official duties, or by any county or subdivision of the state or its officers as such.

(Code 1973, § 13-23; Code 2020, § 5-203)

Sec. 48-205. Penalties; liability of agents, managers, etc.

Any person who shall refuse or neglect to pay the occupation tax levied in this article, or who shall transact any such business or engage in any such occupation without having complied with the provisions of this article, shall, upon conviction thereof, be punished as provided in this Code, and in default of payment thereof, shall be adjudged to stand committed to the county jail until such tax, fine and the costs of prosecution are paid or otherwise discharged according to law, provided that every suit brought under this section shall be in the name of the city, and may be commenced by a warrant and arrest of the person against whom the suit is brought, or that such suit may be commenced by a common summons, and, provided further, that whenever any of the enumerated businesses or occupations in section 48-202 shall be conducted by an agent for a corporation or a nonresident, such agent shall be subject to arrest and punishment under the provisions of this section, if their principal shall not have complied with the provisions of this article.

(Code 1973, § 13-24; Code 2020, § 5-204)

ARTICLE III. TELECOMMUNICATIONS OCCUPATION TAX

Sec. 48-301. Tax required.

All telecommunications companies offering communications services for hire to businesses or residences located within the city are hereby required to pay to the city, as an occupation tax, equal to the amount of four percent on all gross receipts, excluding receipts from sales of equipment, repairs and installations, advertising revenues, and interstate toll charges.
(Code 2020, § 5-205; Ord. No. 3025-7/87; Ord. No. 4129-5/2007)

Sec. 48-302. Tax exceptions.

The telecommunications occupation tax shall not apply to the following named governmental entities:

(1) The city.

(2) Public School District 18.

(3) The county.

(4) The state.

(5) United States government.
(Code 2020, § 5-206; Ord. No. 3025-7/87)

Sec. 48-303. Payment of tax.

Telecommunications companies shall compute the occupation tax on a monthly basis. The occupation tax for each month shall become due and owing 30 days after the last day of the month in which service is billed by the telecommunications company; provided, however, those telecommunications companies owing an average of less than $100.00 per month may pay the tax quarterly rather than monthly. The tax owed by telecommunications companies paying quarterly shall become due and owing 30 days after the last day of each calendar quarter.
(Code 2020, § 5-207; Ord. No. 3025-7/87; Ord. No. 3659-11/98)

Sec. 48-304. Reporting; examination of records.

All telecommunications companies shall, at the time they make their payments of the occupation tax levied pursuant to this article, file with the city clerk a full, complete and detailed statement of the gross receipts subject to such occupation tax, which statement shall be duly verified and sworn to by the manager in charge of the business of the particular company in the city or by a higher managerial employee of such company. The city shall have the right at any time to inspect, through its officers, agents or representatives, the books and records of any telecommunications company for the purpose of verifying any report submitted pursuant to the requirements of this section.
(Code 2020, § 5-208; Ord. No. 3025-7/87; Ord. No. 3659-11/98)

Sec. 48-305. Delinquent payments.

Any occupation tax not paid when due shall bear interest at the rate of 14 percent per annum from the date due until paid.
(Code 2020, § 5-209; Ord. No. 3025-7/87)

ARTICLE IV. LODGING OCCUPATION TAX

Sec. 48-401. Levy of lodging occupation tax.

Each person, firm, or corporation engaged in the business of operating a hotel providing lodging in the city shall pay an occupation tax in the amount of three percent of the basic rental rates charged per occupied room per night.
(Code 2020, § 5-210; Ord. No. 3684-6/99; Ord. No. 4127-4/2007)

Sec. 48-402. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Hotel means any facility in which the public may, for a consideration, obtain sleeping accommodations in any space ordinarily used for accommodations. The term "hotel" shall include hotels, motels, tourist hotels, campgrounds, courts, lodginghouses, inns, bed and breakfasts, and nonprofit hotels; but the term "hotel" shall not be defined so as to include hospitals, sanitariums, nursing homes, chronic care centers, or dormitories or facilities operated by an educational institution and regularly used to house students.
(Code 2020, § 5-211; Ord. No. 3684-6/99)

Sec. 48-403. Occupied room defined; exceptions.

(a) The term "occupied room" shall mean any space ordinarily used for sleeping accommodations and for which any occupant has, for consideration, obtained the use or possession, or the right to use or possess, for a period not to exceed 30 continuous days. The term "occupied room" shall include camping space, trailer space, or recreational vehicle space. The term "occupied room" does not include a function room such as a ballroom, banquet room, reception room, or meeting room, provided it is not used as temporary sleeping accommodations.

(b) The term "occupied room" shall not mean, and no occupation tax imposed by this article shall be measured or collected for:

(1) Complimentary or other sleeping accommodations for which no consideration is charged; or

(2) Sleeping accommodations for which the consideration is paid by a person not subject to the sales and use tax imposed by the Nebraska Revenue Act of 1967, as it is amended from time to time.

(Code 2020, § 5-212; Ord. No. 3684-6/99)

Sec. 48-404. Collection.

The tax imposed by this article shall be collected by the hotel operator from the occupant of each room to which the tax applies. The tax may be shown as an add-on to the charge for occupancy of the rooms and shall be collectible at the time the lodging is furnished, regardless of when the charge for the occupancy is paid. The operator shall remain responsible for payment of all taxes imposed, whether or not the taxes are actually collected from the guests.
(Code 2020, § 5-213; Ord. No. 3684-6/99)

Sec. 48-405. Records.

Every hotel operator subject to this article shall maintain written records accurately and completely evidencing the number of rooms occupied each month, the dates such rooms were occupied, and the basic rental rates collected per occupied room. Such records shall be maintained for a period of one year after the occupation tax is due. Upon 72 hours' notice, every hotel operator shall make available to the city administrator the records described herein.
(Code 2020, § 5-214; Ord. No. 3684-6/99)

Sec. 48-406. Due date.

The tax imposed by this article shall be due and payable on the first day of each calendar month next succeeding the month during which the room was occupied. All taxes not paid by the 25th day of the month in which they are due and payable shall be deemed to be delinquent. All taxes not paid by the delinquent date shall bear interest at the rate set forth in section 48-305.
(Code 2020, § 5-215; Ord. No. 3684-6/99)

Sec. 48-407. Use of proceeds.

The revenues generated by the occupation tax imposed by this article shall be deposited into the museum fund and used for the operation, maintenance, and promotion of services, programs, and activities conducted by and within museum facilities. Said revenues may also be used for any of the purposes set forth in Nebraska Revised Statutes, § 13-315.
(Code 2020, § 5-216; Ord. No. 3684-6/99)

Chapter 49

RESERVED

Chapter 50

TRAFFIC AND VEHICLES

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ARTICLE I. IN GENERAL

Sec. 50-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a highway intended to provide access to the rear or side of lots or buildings, and not intended for the purpose of through vehicular traffic.

Alley entrance means the extension of the alley from the lot line to the street curbline.

Arterial street means a street designated as such by resolution duly adopted by the city council.

Authorized emergency vehicle means such fire department vehicles, police vehicles, rescue vehicles, and ambulances as are publicly owned, such other publicly or privately owned vehicles as are designated by the director of motor vehicles, and such publicly owned military vehicles of the National Guard as are designated by the adjutant general pursuant to Nebraska Revised Statutes, § 55-133.

Automatic traffic signals means any signal electrically or mechanically controlled by which traffic is alternately directed to stop and proceed.

Crossing guard means any person stationed upon a railway crossing for the purpose of directing traffic, whether employed by the city or by the railway company as a crossing guard.

Crosswalk means:

(1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of such roadway measured from the curbs or, in the absence of curbs, from the edge of the roadway; or

(2) Any portion of a roadway at an intersection or elsewhere distinctly designated by competent authority and marked for pedestrian crossing by lines, signs, or other devices.

Curb means the lateral boundaries of that portion of a street designated for the use of vehicles, whether marked by curb stones or not so marked.

Driver means every person who drives or is in actual physical control of a vehicle.

Highway means the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Intersection or *street intersection* means the area embraced within the prolongation or connection of the lateral curblines or, if there are no lateral curblines, the lateral boundary lines of the roadways of two or more highways which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. When a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate

intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection. The junction of an alley with a highway shall not constitute an intersection.

Motorcycle means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, excluding tractors and electric personal assistive mobility devices. The term "motorcycle" includes an autocycle.

Motor vehicle means every self-propelled land vehicle not operated upon rails, except bicycles, mopeds, self-propelled chairs used by persons who are disabled, and electric personal assistive mobility devices.

Official traffic signs means all signs, markings and devices, other than signals, not inconsistent with this article, placed or erected by authority of the city council or a public body having jurisdiction for the purpose of building, directing, warning or regulating traffic.

Owner, with respect to a vehicle, means one who has the right to possess, use, and convey something, a person in whom one or more interests are vested.

Park or *parking* means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

Private driveway means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

Railroad crossing means that part of any street at which the tracks of a railroad shall cross the street, and to include that part of the street within 25 feet of the outside of such track.

Residential district means the territory contiguous to and including a highway not comprising a business district when the property on such highway, for a distance of 300 feet or more, is in the main improved with residences or residences and buildings in use for business.

Right-of-way means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision, unless one grants precedence to the other.

Sidewalk or *sidewalk space* means that portion of a highway between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

Stop, when required, means a complete cessation of movement.

Street or *highway* means the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Traffic means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street, alley or public way for purposes of travel.

Truck means any motor vehicle designed, used, or maintained primarily for the transportation of property.

Vacant lot means a parcel of land on which there are no building improvements.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved solely by human power or used exclusively upon rails or tracks.
(Code 1973, § 21-1; Code 2020, § 15-101; Ord. No. 4435-4/2015; Ord. No. 4535-11/2017)

Sec. 50-102. Enforcement of article; authority of police and street superintendent.

The police department and the street superintendent, in the manner directed in this article, 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 pedestrian, animal and vehicular traffic of every kind in streets, parks, and on bridges in the city, provided that the driver of any vehicle shall stop upon signal from any police officer of the city.
(Code 1973, § 21-2; Code 2020, § 15-102; Ord. No. 4435-4/2015)

Sec. 50-103. Obedience to police officers.

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.
(Code 1973, § 21-5; Code 2020, § 15-104; Ord. No. 4435-4/2015)

Sec. 50-104. Temporary emergency regulations.

The chief of police is hereby empowered to make and enforce temporary regulations to cover emergencies.
(Code 1973, § 21-6; Code 2020, § 15-105; Ord. No. 4435-4/2015)

Sec. 50-105. Destroying, disregarding, etc., traffic summons prohibited.

It shall be unlawful for any person to tear up or destroy any parking tag placed upon any vehicle by any police officer of the city, or to disregard the summons contained on such tag and fail to appear in court as directed by such tag.
(Code 1973, § 21-7; Code 2020, § 15-106; Ord. No. 4435-4/2015)

ARTICLE II. ADMINISTRATION AND ENFORCEMENT (RESERVED)

ARTICLE III. TRAFFIC CONTROL SIGNS, SIGNALS, DEVICES AND MARKINGS

Sec. 50-301. Regulation of traffic or parking.

The regulation of traffic or parking as authorized and set forth in this article may be exercised by the mayor and city council by ordinance, resolution or motion.
(Code 1973, § 21-27; Code 2020, § 15-201; Ord. No. 1751; Ord. No. 2673; Ord. No. 2807; Ord. No. 4435-4/2015)

Sec. 50-302. Placing traffic control devices.

The city council may provide for the placing of traffic control devices for the purpose of regulating, directing, prohibiting, warning or guiding traffic and the parking of vehicles upon the streets, alleys and public ways of the city. The placing of such traffic control devices shall be considered as establishing precepts extending the provisions of this article. For the purposes of this article, the term "traffic control device" means any sign, signal, marking, or other device placed or erected by authority of the city council for the purpose of regulating, directing, prohibiting, warning or guiding traffic and the parking of vehicles upon the streets, alleys and public ways of the city.
(Code 1973, § 21-27.1; Code 2020, § 15-202; Ord. No. 2807; Ord. No. 4435-4/2015)

Sec. 50-303. One-way streets.

The city council may designate any street or alley as a one-way street or alley, and, upon the erection of signs giving notice thereof, vehicular traffic shall move only in the indicated direction, and movement of traffic in the opposite direction is hereby prohibited.
(Code 1973, § 21-27.2; Code 2020, § 15-203; Ord. No. 2807; Ord. No. 4435-4/2015)

Sec. 50-304. Traffic lanes.

The mayor and city council may authorize and direct the marking of traffic lanes upon the roadway of any street or highway where the regular alignment of traffic is necessary.
(Code 2020, § 15-204; Ord. No. 4435-4/2015)

Sec. 50-305. Designation of crosswalks.

The city council may establish, designate and maintain or cause to be maintained, by appropriate devices, markers or lines upon the surface of the street, crosswalks at intersections where there is particular danger to pedestrians crossing the street, and at such other places as it may deem necessary.
(Code 1973, § 21-32; Code 2020, § 15-205; Ord. No. 4435-4/2015)

Sec. 50-306. Defacing or interfering with prohibited.

It shall be unlawful for any person willfully to deface, injure, remove, obstruct or interfere with an official traffic sign or signal.
(Code 1973, § 21-33; Code 2020, § 15-206; Ord. No. 4435-4/2015)

Sec. 50-307. Painting of curbs.

It shall be the duty of the city engineer or street superintendent to cause the curb space to be painted and keep the same painted, as provided in this article. No person shall paint the curb of any street, or in any manner set aside or attempt to prevent the parking of vehicles in any street or part thereof, except at such places where the parking of vehicles is prohibited by the provisions of this

chapter. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the city through its proper officers, at the direction of the mayor and city council.
(Code 1973, § 21-35; Code 2020, § 15-207; Ord. No. 4435-4/2015)

ARTICLE IV. GENERAL RULES OF VEHICLE OPERATION

Sec. 50-401. Driving in sidewalk space.

No person shall drive any vehicle upon a sidewalk, except upon a permanent or duly authorized temporary driveway.
(Code 1973, § 21-38; Code 2020, § 15-301; Ord. No. 3121-4/89; Ord. No. 4435-4/2015)

Sec. 50-402. Engine braking prohibited.

It shall be unlawful within the city limits for any operator of a motor vehicle with a total gross vehicle weight rating of 7,000 pounds or more, including its towed unit, to attempt to retard the forward movement of said vehicle by initiating a device commonly known as engine brakes or compression brakes to contain the engine's compression, thus rapidly slowing the engine's revolutions per minute.
(Code 2020, § 15-304; Ord. No. 3699-7/99; Ord. No. 4435-4/2015)

Sec. 50-403. Speed limitations generally.

Except when a special hazard exists that requires lower speed for compliance with Nebraska Revised Statutes, § 60-6,185, the limits set forth in this section and Nebraska Revised Statutes, §§ 60-6,187, 60-6,188, 60-6,305, and 60-6,313, shall be the maximum lawful speeds, unless reduced pursuant to law or ordinance, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits:

(1) 25 miles per hour in any residential district;

(2) 20 miles per hour in any business district;

(3) 50 miles per hour upon any highway that is gravel or not dustless surfaced;

(4) 55 miles per hour upon any dustless-surfaced highway not a part of the state highway system;

(5) 65 miles per hour upon any four-lane divided highway not a part of the state highway system;

(6) 65 miles per hour upon any part of the state highway system other than an expressway, a super-two highway, or a freeway;

(7) 70 miles per hour upon an expressway or a super-two highway that is part of the state highway system;

(8) 70 miles per hour upon a freeway that is part of the state highway system, but not part of the national system of interstate and defense highways; and

(9) 75 miles per hour upon the national system of interstate and defense highways.
(Code 1973, § 21-64; Code 2020, § 15-309; Ord. No. 4435-4/2015)

Sec. 50-404. Speed limits in certain zones.

It is hereby determined upon the basis of engineering and traffic investigations that the speed permitted by section 50-411 upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and sign posting of such streets as through streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

(1) Burlington Avenue:
   a. "J" Street north to "C" Street: 35 miles per hour.
   b. "C" Street north to Chicago, Burlington and Quincy Viaduct: 30 miles per hour.
   c. Chicago, Burlington and Quincy Viaduct north to Fourth Street: 25 miles per hour.
   d. Fourth Street north to Eighth Street: 30 miles per hour.
   e. Eighth Street north to Eighteenth Street: 35 miles per hour.

(2) Second Street from Baltimore Avenue, west to the corporate limits of the city: 35 miles per hour.

(3) Route of U.S. Highways No. 34 and 281, within the corporate limits of the city:
   a. Eighteenth Street north to 1,200 feet north of 42nd Street: 45 miles per hour.
   b. 1,200 feet north of 42nd Street to Lochland Road: 55 miles per hour.
   c. Lochland Road 1,476 feet north to city limits: 65 miles per hour.
   d. "M" Street north to the intersection of "J" Street and Baltimore Avenue: 40 miles per hour.

(4) Route of U.S. Highway No. 6 within the corporate limits of the city:
   a. The west corporate limits of the city east to Baltimore Avenue: 45 miles per hour.
   b. Baltimore Avenue east and then continuing north to 300 feet south of "D" Street: 40 miles per hour.
   c. 300 feet south of "D" Street north and then continuing east to Second Avenue: 35 miles per hour.
   d. Second Avenue east to the east corporate limit of the city: 40 miles per hour.

(5) Route of U.S. Highways No. 34 and 281 northeast bypass from Old U.S. Highway No. 281 east to Second Avenue: 50 miles per hour.

(6) 12th Street:
   a. West corporate limits of city to Highland Drive: 50 miles per hour.
   b. Highland Drive east to Brentwood Avenue: 45 miles per hour.
   c. Brentwood Avenue east to Marian Road: 35 miles per hour.

d. Marian Road east to Burlington Avenue: 30 miles per hour.

e. Burlington Avenue east to Elm Avenue: 25 miles per hour.

f. Elm Avenue east to 698 feet east of Elm Avenue: 35 miles per hour.

g. 698 feet east of Elm Avenue east to the east corporate limits of the city: 45 miles per hour.

(7) Osborne Drive east from 26th Street north to 42nd Street: 35 miles per hour.

(8) Lochland Road:

a. Baltimore Avenue to U.S. Highway 281: 40 miles per hour.

b. U.S. Highway 281 east to easterly city limits: 45 miles per hour.

(9) 42nd Street from U.S. Highway 281 and 34 east to 1,450 feet east of U.S. Highway 281 and 34: 35 miles per hour.

(10) Wabash Avenue from U.S. Highway 6, south to the corporate limits of the city: 40 miles per hour.

(11) "A" Street from Baltimore to Woodland Avenue: 30 miles per hour.

(12) Adams Central Road, north of 12th Street to city limits: 45 miles per hour.

(13) State Spur S-1C (Highland Road) from 728 feet south of 2nd Street to 2nd Street: 40 miles per hour.

(14) Baltimore Avenue:

a. 12th Street to North Shore Drive: 30 miles per hour.

b. North Shore Drive north to corporate limits south of 42nd Street: 45 miles per hour.

c. Corporate limits south of 42nd Street to corporate limits south of Lochland Road: 55 miles per hour.

d. Corporate limits south of Lochland Road south to the corporate limits: 45 miles per hour.

(15) Showboat Boulevard, U.S. Highway No. 6 to 422 feet north of 12th Street: 50 miles per hour. (Code 1973, § 21-66; Code 2020, § 15-310; Ord. No. 1823; Ord. No. 2383; Ord. No. 2770; Ord. No. 2893; Ord. No. 2944; Ord. No. 3041-11/87; Ord. No. 3074-8/88; Ord. No. 3112-1/89; Ord. No. 3430-9/94; Ord. No. 3470-3/95; Ord. No. 3497-9/95; Ord. No. 3518-1/96; Ord. No. 3581-3/97; Ord. No. 3621-2/98; Ord. No. 3993-1/2005; Ord. No. 4068-2/2006; Ord. No. 4235-11/2009; Ord. No. 4435-4/2015; Ord. No. 4497-11/2016; Ord. No. 4534-11/2017; Ord. No. 4571-9/2018; Ord. No. 4711, § 1, 8-22-2022; Ord. No. 4733, § 1, 4-24-2023)

Sec. 50-405. School zones.

(a) No person shall drive or operate any vehicle at a rate of speed in excess of 20 miles per hour upon, over or through any street or highway designated hereinafter as the senior high school or middle school zone.

(b) No person shall drive or operate any vehicle at a rate of speed in excess of 15 miles per hour upon, over or through any street or highway designated hereinafter as a school zone other than the senior high school or middle school zone.

(c) The foregoing speed limits shall apply when children are present.

(d) The city engineer shall post speed limit signs along the public right-of-way at and within the boundaries of the school zones.

(e) The school zones within the city are hereby designated as follows:

Alcott Elementary School Zone	
Cedar Avenue	Commencing in the northbound lane 178 feet south of the south curbline of East 3rd Street, and ending in the northbound lane at north curbline of East 4th Street
Cedar Avenue	Commencing in the southbound lane 120 feet north of the north curbline of East 4th Street, and ending in the southbound lane at south curbline of East 3rd Street
California Avenue	Commencing in the northbound lane 220 feet south of the south curbline of East 3rd Street, and ending in the northbound lane at north curbline of East 4th Street
California Avenue	Commencing in the southbound lane 150 feet south of the south curbline of East 5th Street, and ending in the southbound lane at south curbline of East 3rd Street
East 3rd Street	Commencing in the eastbound lane 94 feet west of the west curbline of North California Avenue, and ending in the eastbound lane at east curbline of North Cedar Avenue
East 3rd Street	Commencing in the westbound lane 72 feet west of the west curbline of North Delaware Avenue, and ending in the westbound lane at west curbline of North California Avenue
East 4th Street	Commencing in the eastbound lane 55 feet east of the east curbline of North California Avenue, and ending in the eastbound lane at east curbline of North Cedar Avenue
East 4th Street	Commencing in the westbound lane 134 feet east of the east curbline of North Cedar Avenue, and ending in the westbound lane at west curbline of North California Avenue
Hawthorne Elementary School Zone	
Laird Avenue	Commencing in the northbound lane 148 feet south of the south curbline of West 9th Street, and ending in the northbound lane at north curbline of West 11th Street
Laird Avenue	Commencing in the southbound lane 145 feet north of the north curbline of West 11th Street, and ending in the southbound lane at south curbline of West 9th Street
Crane Avenue	Commencing in the northbound lane 185 feet south of the south curbline of West 9th Street, and ending in the northbound lane at north curbline of West 11th Street
Crane Avenue	Commencing in the southbound lane 150 feet north of the north curbline of West 11th Street, and ending in the southbound lane at south curbline of West 9th Street
West 9th Street	Commencing in the eastbound lane 220 feet west of the west curbline of North Laird Avenue, and ending in the eastbound lane at east curbline of North Crane Avenue
West 9th Street	Commencing in the westbound lane 227 feet east of the east curbline of North Crane Avenue, and ending in the westbound lane at west curbline of North Laird Avenue

Lincoln Elementary School Zone	
Franklin Avenue	Commencing in the northbound lane 75 feet south of the south curbline of West F Street, and ending in the northbound lane at north curbline of West E Street
Franklin Avenue	Commencing in the southbound lane 67 feet south of the south curbline of West E Street, and ending in the southbound lane at south curbline of West F Street
West E Street	Commencing in the eastbound lane 35 feet west of the west curbline of South New York Avenue, and ending in the eastbound lane at east curbline of Chicago Avenue
West E Street	Commencing in the westbound lane 92 feet east of the east curbline of Chicago Avenue, and ending in the westbound lane at west curbline of South New York Avenue
Morton Elementary School Zone	
North Baltimore Avenue	Commencing in the northbound lane 84 feet north of the north curbline of West 7th Street, and ending in the northbound lane at north curbline of West 8th Street
North Baltimore Avenue	Commencing in the southbound lane 50 feet south of the south curbline of Boyce Street, and ending in the southbound lane at north curbline of West 7th Street
St. Cecilia's School Zone	
North Kansas Avenue	Commencing in the northbound lanes at the south curbline of West 6th Street, and ending in the northbound lanes at the south curbline of West 7th Street
West 6th Street	Commencing in the eastbound lanes 85 feet east of the east curbline of North Saint Joseph Avenue, and ending in the eastbound lanes at the west curbline of North Kansas Avenue
Longfellow Elementary School Zone	
West 9th Street	Commencing in the eastbound lane 45 feet east of the east curbline of North Lincoln Avenue, and ending in the eastbound lane at east curbline of North Denver Avenue
West 9th Street	Commencing in the westbound lane 52 feet west of the west curbline of North St. Joseph Avenue, and ending in the westbound lane at west curbline of North Hastings Avenue
Senior High School Zone	
West 14th Street	Commencing in the eastbound lanes 145 feet east of the east curbline of North Briggs Avenue, and ending in the eastbound lane at west curbline of North Burlington Avenue
West 14th Street	Commencing in the westbound lanes 115 feet west of the west curbline of North Burlington Avenue, and ending in the westbound lane at east curbline of North Briggs Avenue
Watson Elementary School Zone	
North Crane Avenue	Commencing in the northbound lane 132 feet north of the north curbline of West 14th Street, and ending in the northbound lane at north curbline of West 18th Street
North Crane Avenue	Commencing in the southbound lane at the north curbline of West 18th Street, and ending in the southbound lane at north curbline of West 14th Street
St. Michael's Elementary School Zone	
7th Street	Commencing at the eastern edge of the Oakmont Avenue right-of-way, to the west edge of the Glenwood Avenue right-of-way; this shall include both east-bound and westbound lanes of traffic
Creighton Avenue	Commencing at the north edge of the 7th Street right-of-way, to the south edge of the Paradise Drive right-of-way; this shall include both northbound and southbound lanes of traffic

(Code 1973, § 21-67; Code 2020, § 15-311; Ord. No. 3758-8/2000; Ord. No. 4201-10/2008; Ord. No. 4435-4/2015; Ord. No. 4726, § 1, 11-28-2022)

ARTICLE V. STOPPING, STANDING AND PARKING

DIVISION 1. GENERALLY

Sec. 50-501. Applicability of article to government vehicles.

The provisions of this article shall apply to the driver of any vehicle owned by the United States in the service of the United States government, state, county, city or school district of the city. It shall be unlawful for any of such drivers to violate any of the provisions of this article, except as otherwise permitted herein.
(Code 1973, § 21-70; Code 2020, § 15-401; Ord. No. 4435-4/2015)

Sec. 50-502. Exemption from article for authorized emergency vehicles.

The provisions of this article regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this chapter, while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.
(Code 1973, § 21-71; Code 2020, § 15-402; Ord. No. 4435-4/2015)

Sec. 50-503. Designation of parking areas.

The council may set aside any street, alley or public way, or portion thereof, wherein no vehicle shall be parked, and may also set aside any street, alley or public way, or portion thereof, for the parking of any particular kind or class of vehicle, and when the parking of vehicles in any street, alley or public way, or portion thereof, has been prohibited by resolution, no vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of the street, alley or public way, or portion thereof, longer than a period of time necessary to load and unload freight or passengers.
(Code 1973, § 21-72; Code 2020, § 15-403; Ord. No. 4435-4/2015)

Sec. 50-504. Parking prohibited in spaces designated for disabled persons.

(a) It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for physically disabled persons if, immediately adjacent to and visible from such stall or space, there is posted a sign identifying said stall or space as a parking space for vehicles driven by disabled persons, unless the driver of the vehicle is disabled and the vehicle displays the distinguishing license plates issued to disabled persons by the state or by another state, or a disabled vehicle identification issued by the city and displayed as authorized under state law.

(b) Stalls or spaces restricted to the parking of vehicles driven by disabled persons upon the streets, alleys, public ways, or public or private parking facilities in the city may be designated by resolution of the city council, by action of the chief of police of the city or, as to private parking facilities, by the owner thereof. Any such designation shall be designed and placed in accordance with state law.

(c) This section shall apply to all public streets, off-street parking facilities owned or operated by the city and any privately owned or operated parking facility, with the consent of the owner thereof.

(d) If any permit issued by the city to a disabled person shall be used by any other person, for any other motor vehicle, or for any purpose other than that for which it was originally issued, the permit may be suspended for six months.

(e) In addition to the punishment provided in subsection (d) of this section, violation of subsections (a) through (d) of this section shall be punishable by a fine in an amount set forth in the most recent council fee resolution.
(Ord. No. 3195-11/90; Code 2020, § 15-404; Ord. No. 4435-4/2015)

Sec. 50-505. Establishment of parking time limits.

The city council may entirely prohibit or fix a time limit for the parking and stopping of vehicles in any designated street, or district, and the parking or stopping of any vehicle in any such street, or district for a period of time longer than fixed in the ordinance, resolution or motion authorizing the same shall constitute a violation of this article.
(Code 1973, § 21-73; Code 2020, § 15-405; Ord. No. 4435-4/2015)

Sec. 50-506. Continuing violation.

On those streets which have been posted or designated as limited time parking zones, all vehicles parked in excess to the designated time limitation shall be cited for violation of said time limitation, and said violation shall be continuous, and each additional parking in excess of the applicable time period from the time of the last citation shall constitute a new violation and an additional citation shall be issued therefor.
(Code 1973, § 21-73.1; Code 2020, § 15-406; Ord. No. 2717; Ord. No. 4435-4/2015)

Sec. 50-507. Manner of parking generally; obstructing private driveways or fire station entrances prohibited.

No person shall park any vehicle or approach the curb with a vehicle except when headed in the direction of the traffic. The city council may designate any street, or portion thereof, within the business district where vehicles shall be parked parallel with and adjacent to the curb so as to have both right wheels within six inches of the curb, or where vehicles shall be parked at an angle of about 45 degrees; and all vehicles when parked at such angle on any such street, or portion thereof, shall be parked with the right front wheel of such vehicle at the curb. Where stalls are designated either on the curb or pavement in the business district, vehicles shall be parked within such stalls. On all other streets outside the business district, vehicles when parked shall stand parallel with and adjacent to the curb in such a manner as to have both right wheels within 12 inches of the curb, and so as to leave at least four feet between the vehicle so parked and any other parked vehicle. No person shall park a vehicle so as to obstruct a private driveway or drive for any period of time. No person shall park a vehicle or permit it to stand within 15 feet in either direction from the entrance to any fire station.
(Code 1973, § 21-74; Code 2020, § 15-407; Ord. No. 4435-4/2015)

Sec. 50-508. Parking in alleys.

No vehicle shall be parked in any alley or alley entrance, or overhanging an alley or alley entrance, except for the purpose of loading or unloading, and then such vehicle shall only be parked during the time necessary to load or unload, which shall not exceed the maximum limit of one-half hour, provided that this section shall not apply to merchants' delivery trucks parked in alleys immediately at the rear of their respective places of business, if such trucks shall be parked so as not to obstruct the passing of moving cars therein. Every vehicle while loading or unloading in any alley shall be parked in such a manner as will cause the least obstruction possible to traffic in such alley.
(Code 1973, § 21-75; Code 2020, § 15-408; Ord. No. 4435-4/2015)

Sec. 50-509. Restrictions on parking trucks; exceptions.

It shall be unlawful for the operator of any truck, trailer, truck-tractor or semitrailer of an overall length of 20 feet, including load, to stop or park such vehicle on any street, whether or not such street is marked for angle or parallel parking. Such vehicles may stop, stand or park for such time as is necessary, in no case longer than one-half hour, to expeditiously load or unload their contents in alleys where such stopping is possible, provided that it shall be lawful for such vehicle to stop or park elsewhere on highways if stopping for loading or unloading in alleys is impossible. It shall also be unlawful for the operator of any such truck, truck-tractor or semitrailer, regardless of the length of the same, to park such vehicle with the end-gate of same down and extended beyond the body of such vehicle; nor shall such vehicle stop, stand or park within a street intersection, on a crosswalk, in front of a private driveway or on a sidewalk. The mayor and city council may provide truck parking lots for parking purposes. No such truck, including any oil tanker, shall park or stop for any period of time within the limits of any street during the night or day save and except for the purpose of loading or unloading the cargo thereof in the ordinary course of business; provided, however, the city council may by resolution designate portions of any street as available for truck parking, and so long as any such resolution is in effect for any particular street, it shall be lawful to park trucks there, subject to any restrictions contained in the resolution. Violators of this section shall be punishable by a fine in an amount set forth in the most recent council fee resolution.
(Code 1973, § 21-76; Code 2020, § 15-409; Ord. No. 3058-4/88; Ord. No. 4435-4/2015)

Sec. 50-510. Backing freight vehicles to curb.

Vehicles of an overall length of less than 20 feet, including load, while discharging freight may back to the curb and shall occupy as little of the street as possible.
(Code 1973, § 21-77; Code 2020, § 15-410; Ord. No. 4435-4/2015)

Sec. 50-511. Bus stops.

All motor buses shall stop at the curb for the purpose of receiving and discharging passengers, at such locations as the city council shall, by appropriate sign or standard, designate.
(Code 1973, § 21-78; Code 2020, § 15-411; Ord. No. 4435-4/2015)

Sec. 50-512. Taxicab stands.

The city council may designate special parking places for licensed taxicabs, which may be indicated by suitable signs or standards set in place by the police department. When any such parking place shall have been designated and a sign or standard, as herein provided, shall have been set in place, no vehicle other than a licensed taxicab shall be parked therein.
(Code 1973, § 21-79; Code 2020, § 15-412; Ord. No. 4435-4/2015)

Sec. 50-513. Uses prohibited in or on public right-of-way.

(a) It shall be unlawful for any person to park any vehicle upon a public right-of-way, public parking lot or other publicly owned place for more than 12 consecutive hours within any area for which the city council has established time limits for parking.

(b) It shall be unlawful for a person to park a vehicle upon a public right-of-way, public parking lot or other publicly owned place within the city for more than 72 consecutive hours. Upon finding that a violation of this subsection exists, the police department may affix to the vehicle a red tag or other type of notice reasonably calculated to make known the police department's plan or intention to have the vehicle towed or otherwise removed. If 12 hours shall pass after the police department has affixed said tag or notice without said vehicle being removed from the place where it has been parked in violation of this subsection, the vehicle may be towed away at the police department's direction and placed in the city impound and remain there until all fines and expenses are paid pursuant to this article.

(c) No person shall adjust or repair any vehicle, automobile, motorcycle or trailer, or race the motor of same, while standing on the public streets, city-owned parking lots or alleys of the city, except in case of breakdown or other emergency requiring the same, and no person or employee connected with a garage or repair shop shall use sidewalks, streets or alleys for the purpose of working on or upon automobiles or motor-driven vehicles of any description.

(d) No person shall park or store any inoperable vehicle, garbage, junk or refuse on a public right-of-way. Upon determining that a violation of this subsection has existed for more than six hours, the city may tow or otherwise haul away such items as it deems necessary and dispose of the items according to Nebraska Revised Statutes, §§ 18-1720 and 60-1901 et seq., or by order of a court of law.

(e) For purposes of this section, the term "inoperable vehicle" shall include, by example, but not be limited to, any unlicensed, unregistered, wrecked, or partially dismantled car, truck, motorcycle, trailer, motorhome, snowmobile, boat, jet ski, stock car, race car, demolition derby car, bus, van, airplane, farm machinery, or any other item used to propel an individual by means of combustion engine or other mechanical means, as well as any part or parts of such vehicle.

(f) For the definition of the terms "garbage," "junk" and "refuse," refer to section 32-101.
(Code 1973, § 21-80; Code 2020, § 15-413; Ord. No. 2465; Ord. No. 2629; Ord. No. 3159-2/1990; Ord. No. 3234-11/91; Ord. No. 4234-11/2009; Ord. No. 4437-4/2015)

Sec. 50-514. Towing parked vehicles.

Members of the police department are hereby authorized to remove or have removed a vehicle from the street and place it in the city impound to remain there until all fines and expenses are paid pursuant to this article, for any of the following reasons:

(1) Violation of any section of this article;

(2) Upon determination by the police department that three or more unsatisfied and outstanding citations exist upon any such motor vehicle; or

(3) Upon a finding by the police department that an outstanding warrant exists for the arrest of the owner of any such vehicle;

(4) Failure to appear for arraignment on any citation filed by the city attorney.

(Code 2020, § 15-414; Ord. No. 4435-4/2015)

Sec. 50-515. License plates on parked vehicles; owner of vehicle responsible for parking.

Every vehicle parked or left standing upon any street, alley, public way or parking facility, or other public property shall have license plates attached thereto which are current and issued for the vehicle to which said license plates are attached, and are registered in the name of the owner of the vehicle in accordance with the laws of the state, or of the state wherein the license is issued.

(Code 2020, § 15-415; Ord. No. 4435-4/2015)

Sec. 50-516. Owner prima facie responsible.

If any vehicle is found upon any street, alley, public way or parking facility or other public property, or privately owned property which is available for public parking either in a restricted or unrestricted manner, in violation of any of the provisions of this article regulating the stopping, standing or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such violation.

(Code 1973, § 21-80.3; Code 2020, § 15-416; Ord. No. 2629; Ord. No. 3527-3/96; Ord. No. 4435-4/2015)

Sec. 50-517. Parking—Near fire hydrants.

No vehicle shall be parked or left standing within 15 feet in either direction of any fire hydrant for any period of time whatsoever, and the curb space within such area of 15 feet in either direction of such fire hydrant may be painted yellow to indicate such prohibitions.

(Code 1973, § 21-81; Code 2020, § 15-417; Ord. No. 4435-4/2015)

Sec. 50-518. Parking—Vehicles overhanging adjacent property or parked in sidewalk space.

It shall be unlawful for any person to park or place, or cause to be parked or placed:

(1) Any vehicle on any private property in such a manner that the vehicle overhangs the streets, including that space between the curbline and the lot line, or in such a manner that the vehicle overhangs adjacent property; or

(2) Any vehicle upon any part of the sidewalk space or that space between the curbline and the lot line, unless the owner or occupant of the real estate abutting such space shall have obtained a permit from the city engineer to use that area for parking purposes.

(Code 1973, § 80-82; Code 2020, § 15-418; Ord. No. 2630; Ord. No. 4435-4/2015)

Sec. 50-519. Parking—Dumpsters and roll-off containers.

(a) For the purposes of this section, the term "roll-off/dumpster" means any container used in the normal course of demolition, construction or other work for the purpose of storing, containing, and/or carting debris, or a similar container provided to property owners by a hauler on a temporary basis or for a rental fee, but shall not include residential totes or trash cans.

(b) For the purposes of this section, the term "hauler" means any person, firm or corporation, permitted by the city for such business, that provides a roll-off/dumpster to a property owner, contractor or other individual for the purpose of storing, containing or removing debris from a property.

(c) No person shall place, or cause to be placed, a roll-off/dumpster on or along any city street, right-of-way, or other city property in the city without first obtaining a permit from the development services department. No such permit shall be issued until a fee has been paid, as set forth in the most recent council fee resolution, and is in conformity in every aspect with all the provisions of this Code. There shall be a separate permit for each roll-off/dumpster. A permit may be revoked by the building inspector at any time when found not in conformity with the permit. Application for a dumpster permit shall be on a form prescribed by the development services department. Permits shall be obtained by the hauler prior to placing the roll-off/dumpster. The permit shall be prominently displayed on the roll-off/dumpster. Permits shall be valid for 30 days, and may be extended for an additional 30 days upon written request with adequate justification for the extension.

(d) Roll-off/dumpsters shall be located in accordance with the following:

(1) Roll-off/dumpsters shall not be placed in a location that obstructs vision clearance at an intersection or driveway.

(2) Roll-off/dumpsters shall not be placed in a location that obstructs the normal flow of traffic.

(3) Roll-off/dumpsters shall be placed so as to minimize disruption to parking and vision for vehicular traffic and pedestrians. Roll-off/dumpsters shall not be placed blocking sidewalks on the right-of-way.

(4) Roll-off/dumpsters placed on a city street, ROW or other city property shall be marked with approved reflective material having a minimum area of 48 square inches, with the smallest dimension not less than four inches. Such reflective area shall be applied to all sides of the dumpster, not more than 16 inches from each corner of the dumpster. Reflective material shall be maintained and replaced as needed. The reflective material shall be oriented so the long dimension is vertical.

(5) Roll-off/dumpsters placed on a city street, ROW or other city property shall post the permit on the dumpster, so that it is visible to the street.

(6) Roll-off/dumpsters placed on asphalt paving shall be provided with dunnage or blocking that will prevent the roll-off/dumpster from sinking into the asphalt, gouging the asphalt or otherwise damaging the asphalt. Damage to paving shall be repaired by the city and the cost thereof charged to the hauler responsible for the roll-off/dumpster.

(7) Roll-off/dumpsters shall not create an illicit discharge as defined in sections 16-402 and 16-406.

(8) The city reserves the right to have any roll-off/dumpster removed from a site if deemed necessary for unforeseen reasons.

(Code 2020, § 15-419; Ord. No. 4435-4/2015; Ord. No. 4526-11/2017)

Sec. 50-520. Obstructing traffic.

It shall be unlawful to stop a motor vehicle, or to allow it to stand or be parked, upon any street of the city unless so permitted by any provision of this article or in obedience to any traffic control device or order of any police officer.

(Code 1973, § 21-85; Code 2020, § 15-420; Ord. No. 2887; Ord. No. 4435-4/2015)

Sec. 50-521. Vehicle not to be parked with left side to curb; preventing parked vehicle from moving.

Except on one-way streets when permitted by law, no vehicle shall stop on any street with its left side to the curb. A vehicle shall not be left at the curb in such a position as to prevent another vehicle already parked at the curb from moving away.

(Code 1973, § 21-86; Code 2020, § 15-421; Ord. No. 4435-4/2015)

Sec. 50-522. Parking on private property.

It shall be unlawful for any person to park or leave standing outside of an enclosed structure upon property owned or controlled by said person, or upon property which is not owned or controlled by said person if it is available for public parking either in a restricted or unrestricted manner, any motor vehicle which does not have a valid current state motor vehicle license affixed thereto in the place where said license is required to be affixed pursuant to state law.

(Ord. No. 3527-3/96; Code 2020, § 15-422; Ord. No. 4435-4/2015)

Sec. 50-523. Parking on vacant lots.

It is unlawful for any person to park or leave standing any vehicle on a vacant lot as defined in this article, with the exception of the following:

(1) Land in an A-Agricultural zoned district;

(2) A properly licensed vehicle sales lot;

(3) Temporary, designated event parking;

(4) Under a specific provision of a conditional use permit;

(5) An otherwise unimproved, paved parking area that is adjacent to or part of an approved development plan;

(6) City parks and Prairie Ridge Softball Complex; or

(7) A parcel of land under active construction.

(Code 2020, § 15-422.5; Ord. No. 4535-11/2017)

Secs. 50-524—50-543. Reserved.

DIVISION 2. VIOLATIONS AND PENALTIES

Sec. 50-544. Designation of police department as violations bureau.

The police department is hereby designated as the violations bureau for the city for all parking violations. It shall be the duty of the police officers to accept penalties and fees herein designated from violators desiring to plead guilty or no contest in accordance with the proceedings set forth.
(Code 1973, § 21-88; Code 2020, § 15-423; Ord. No. 2658; Ord. No. 4435-4/2015)

Sec. 50-545. Notification of violations.

Violators of the provisions of this article may be given notice in the form of an official police tag attached to the offending motor vehicle, which notice shall require violators to appear forthwith at the police station. Such official police tag may contain a statement that a complaint and warrant of arrest shall be issued to the violator if such notice of violation is disregarded for a period of ten days.
(Code 1973, § 21-89; Code 2020, § 15-424; Ord. No. 2658; Ord. No. 2788; Ord. No. 4435-4/2015)

Sec. 50-546. Presumption.

In any prosecution charging a violation of the provisions of this article, proof that the particular vehicle described in the complaint was parked in violation of any of the said provisions, together with proof that the defendant named in the complaint was, at the time of said parking, the registered owner of said vehicle, shall constitute a prima facie rebuttable presumption that the first registered owner of said vehicle was the person who parked or placed said vehicle at the place where, and for the period during which, said violation occurred.
(Code 1973, § 21-90; Code 2020, § 15-425; Ord. No. 2658; Ord. No. 4435-4/2015)

Sec. 50-547. Penalties and fees.

(a) Any violator of the provisions of this article appearing at the police department and desiring to plead guilty or no contest and waive court appearance shall present the official police tag and pay the police department a penalty in an amount as set forth in the most recent council fee resolution. The violator shall have this privilege until ten days have elapsed after the issuance of the ticket.

(b) If the violator fails to pay the appropriate fine within ten days after issuance of the parking ticket, the city attorney may then offer diversion to the violator upon payment of the diversion fee and additional penalty as set forth in the most recent council fee resolution in order to waive appearance

in court. If the violator has not paid the fine plus diversion fee within ten days, the city attorney will file a complaint against said violator in county court. The city attorney shall notify the violator of the filing of the complaint by serving a copy upon the violator by mailing, or any other means reasonably calculated to give the violator notice.
(Code 1973, § 21-91; Code 2020, § 15-426; Ord. No. 2658; Ord. No. 2788; Ord. No. 4435-4/2015; Ord. No. 4713, § 1, 9-12-2022)

Sec. 50-548. Disposition of penalties and fees collected.

The police department shall make a record of all violators showing the name of each violator, the time and date of each violation, the disposition of the case and the penalty assessed. Such record shall be given to the police chief. All money collected by the police department under this division shall be paid to the city treasurer to be accounted for according to law.
(Code 1973, § 21-92; Code 2020, § 15-427; Ord. No. 2658; Ord. No. 4435-4/2015)

Sec. 50-549. Notification by mail.

In the event such violator fails to respond to the notification provided for in section 50-545 for at least ten days, the attorney for the city may notify the violator by mail of:

(1) The violation;

(2) The presumption provided for in section 50-546;

(3) That should the violator fail to make payment of the penalty as set forth in the most recent council fee resolution plus the diversion fee, or show cause why the city attorney should not proceed further on the matter within ten days from the date of the letter, a complaint will be filed with the county court against the violator; and

(4) That, from the date of filing the complaint, the violator may appear in county court and pay the penalty as set forth in the most recent council fee resolution plus court costs, and if the violator should fail to do so, a warrant may be issued for arrest and vehicle be subject to tow.

(Code 1973, § 21-93; Code 2020, § 15-428; Ord. No. 2658; Ord. No. 2788; Ord. No. 4435-4/2015)

ARTICLE VI. SNOW EMERGENCY ROUTES

Sec. 50-601. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business district means the area designated as follows: from 5th Street south to South Street, and from Burlington Avenue east to Minnesota Avenue.

Mayor means the person elected as mayor of the city, or in the mayor's absence, the president of the city council, and shall also mean any person designated by the mayor to perform any of the acts of the mayor described in this article.

Snow emergency routes mean those streets established as such in accordance with the provisions of this article.
(Code 1973, § 21-99; Code 2020, § 15-501; Ord. No. 2366; Ord. No. 3443-11/94; Ord. No. 4435-4/2015)

Sec. 50-602. Established.

(a) The following streets in the city are hereby designated as snow emergency routes:

Street	*From*	*To*
East/West Routes		
Lochland Road	Baltimore Avenue	East city limits
Madden Road	Baltimore Avenue	Tom Osborne Express
42nd Street	West city limits	East city limits
33rd Street	East Laux Drive	Lakepark Lane
North Shore Drive	Baltimore Avenue	Osborne Drive East
South Shore Drive	North Shore Drive	Osborne Drive West
26th Street	Osborne Drive East	Second Avenue
14th Street	Westridge Drive	Elm Avenue
12th Street	West city limits	Showboat Boulevard
Park Lane Drive	Sycamore Avenue	Marion Road
9th Street	Marion Road North	6th Avenue
8th Street	Denver Avenue	St. Joseph Avenue
7th Street	Hickory Avenue	East city limits
4th Street	Lexington Avenue	Minnesota Avenue
3rd Street	Lexington Avenue	Minnesota Avenue
2nd Street	Highland Road North	6th Avenue
1st Street	Lexington Avenue	Colorado Avenue
South Street	Laird Avenue	Woodland Avenue
South Street	Burlington Avenue	East city limits
A Street	Woodland Avenue	Burlington Avenue
D Street	Pine Avenue	Lane Avenue
D Street	Woodland Avenue	Baltimore Avenue
E Street	Baltimore Avenue	Pine Avenue
F Street	Franklin Avenue	Wabash Avenue
H Street	Franklin Avenue	Wabash Avenue
16th Street	Westbrook Drive	Adams Central Avenue
North/South Routes		
Adams Central Road	250 feet south of 12th Street	North city limits
Highland Road	BNRR tracks	North city limits of 12th Street
Sycamore Avenue	12th Street	7th Street
Brentwood Avenue	12th Street	Park Lane Drive
Marion Road	BNRR tracks	12th Street
Westridge Drive	14th Street	12th Street
Laird Avenue	South Street	14th Street
Crane Avenue	12th Street	18th Street

Street	*From*	*To*
Woodland Avenue	South Street	D Street
Baltimore Avenue	Lochland Road	2nd Street
Baltimore Avenue	A Street	Highway 6
Franklin Avenue	E Street	Highway 6
Lexington Avenue	5th Street	1st Street
Osborne Drive West	Kansas Avenue	North city limits
Burlington Avenue	UPRR overpass	M Street
Highway 281	UPRR overpass	North city limits
Osborne Drive East	42nd Street	26th Street
Lincoln Avenue	5th Street	South Street
Hastings Avenue	14th Street	12th Street
Hastings Avenue	5th Street	South Street
Hastings Avenue	H Street	Highway 6
Denver Avenue	9th Street	7th Street
Denver Avenue	5th Street	South Street
St. Joseph Avenue	9th Street	8th Street
St. Joseph Avenue	5th Street	1st Street
Kansas Avenue	5th Street	1st Street
Kansas Avenue	7th Street	9th Street
Colorado Avenue	5th Street	South Street
Minnesota Avenue	5th Street	2nd Street
Wabash Avenue	E Street	South city limits
East Side Boulevard	14th Street	2nd Street
Pine Avenue	2nd Street	E Street
Turner Avenue	9th Street	7th Street
Elm Avenue	26th Street	9th Street
Elm Avenue	7th Street	D Street
6th Avenue	12th Street	2nd Street
Lakepark Lane	North Shore Drive	North city limits
1st Avenue	South Street	B Street
Westbrook Drive	12th Street	16th Street

(b) The city engineer shall place appropriate signs, marks, lines, signals or other traffic control devices indicating the existence of such snow emergency routes. The designation of any street, highway or portion thereof as a snow emergency route shall in no way affect any previous designation of that street or highway as an arterial or other road designation. A map of the city showing which streets or roads are currently designated as snow emergency routes shall be kept and maintained in the office of the city engineer, available for public inspection.

(Code 1973, § 21-100; Code 2020, § 15-502; Ord. No. 2366; Ord. No. 3443-11/94; Ord. No. 3609-11/97; Ord. No. 3835-10/2001; Ord. No. 3985-11/2004; Ord. No. 4234-11/2009; Ord. No. 4435-4/2015; Ord. No. 4685, § 1, 11-22-2021)

Sec. 50-603. Announcement and termination of snow emergencies.

(a) The mayor shall cause each declaration of a snow emergency made pursuant to this article to be publicly announced by means of broadcast or telecast from broadcasting stations with a normal operating range covering the city, and such declaration may be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the mayor, including the time it became or will become effective, and shall specify the streets or areas affected.

(b) Whenever the mayor shall find that some or all of the conditions which gave rise to a parking prohibition placed in effect pursuant to the provisions of this article no longer exist, the mayor may declare the prohibition terminated in whole or in part, effective immediately upon an announcement or at a later specified time.

(Code 1973, § 21-101; Code 2020, § 15-503; Ord. No. 2366; Ord. No. 3443-11/94; Ord. No. 4435-4/2015)

Sec. 50-604. Prohibition of parking—On snow emergency routes.

Whenever the mayor shall find, on the basis of falling snow, sleet or freezing rain, or on the basis of an official forecast by the U.S. Weather Bureau of snow, sleet or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on city snow emergency routes be prohibited or restricted for snow plowing and other purposes, the mayor may place into effect a parking prohibition on all snow emergency routes by declaring that emergency conditions exist. In such declaration of emergency conditions, the mayor shall state the time that the emergency shall be in effect and, from the time so designated, all parking of vehicles on snow emergency routes shall be prohibited. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route. Once in effect, the parking prohibition imposed under this section shall remain in effect until terminated by declaration of mayor. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

(Code 1973, § 21-102; Code 2020, § 15-504; Ord. No. 2366; Ord. No. 3443-11/94; Ord. No. 4435-4/2015)

Sec. 50-605. Prohibition of parking—On residential streets.

Whenever the mayor shall find, on the basis of accumulated snow, that conditions make it necessary that parking on residential streets be prohibited or restricted for snow plowing and other purposes, the mayor may put into effect a parking prohibition on parts of or on all residential streets by declaring that parking be prohibited on one side of the residential streets, designating either the odd or even address numbered side, at the mayor's discretion. In such declaration, the mayor shall state the date and time on which such parking prohibition shall take effect. The prohibition shall remain in effect until terminated by announcement of the mayor, who may then declare that there shall be in effect a parking prohibition on the opposite side of those residential streets designated above, which prohibition shall remain in effect until terminated by announcement of the mayor.

(Code 1973, § 21-103; Code 2020, § 15-505; Ord. No. 2366; Ord. No. 3443-11/94; Ord. No. 4435-4/2015)

Sec. 50-606. Prohibition of parking—In the business district.

Whenever the mayor shall find, on the basis of accumulated snow, that conditions make it necessary that parking in the business district be prohibited or restricted for snow plowing and other purposes, the mayor may put into effect a parking prohibition at the mayor's discretion. In such declaration, the mayor shall state the date and time on which such parking prohibition shall take effect. The prohibition shall remain in effect until terminated by announcement of the mayor.
(Code 2020, § 15-506; Ord. No. 4435-4/2015)

Sec. 50-607. Operation of motor vehicles generally.

Whenever an emergency has been declared pursuant to section 50-603, no person operating a motor vehicle on a snow emergency route shall allow such vehicle to become stalled or stuck.
(Code 1973, § 21-104; Code 2020, § 15-507; Ord. No. 2366; Ord. No. 4435-4/2015)

Sec. 50-608. Stalled vehicle on snow emergency route.

Whenever a motor vehicle becomes stalled for any reason, whether or not in violation of this article, on any snow emergency route on which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route, either onto the nearest cross street which is not a snow emergency route, or other appropriate location. No person shall abandon or leave their vehicle in the roadway of a snow emergency route, except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station or other place of assistance, and return without delay.
(Code 1973, § 21-105; Code 2020, § 15-508; Ord. No. 2366; Ord. No. 4435-4/2015)

Sec. 50-609. Effect of article on chapter.

Any provision of this article which becomes effective by declaration of the mayor upon the occurrence of a snow emergency, while temporarily in effect, shall take precedence over other conflicting provisions of law normally in effect; except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles or emergency traffic directions by a police officer.
(Code 1973, § 21-106; Code 2020, § 15-509; Ord. No. 2366; Ord. No. 3443-11/94; Ord. No. 4435-4/2015)

Sec. 50-610. Removal of stalled or parked vehicles.

Members of the police department are hereby authorized to remove, or have removed, a vehicle from a street when:

(1) The vehicle is parked on a snow emergency route on which a parking prohibition is in effect.

(2) The vehicle is stalled on a snow emergency route on which there is a parking prohibition in effect and the person who is operating the vehicle does not appear to be removing it in accordance with the provisions of this article.

(3) The vehicle is parked on any street in violation of any parking prohibition or provision of law contained in this article and is interfering, or about to interfere, with snow removal operations.

(Code 1973, § 21-107; Code 2020, § 15-510; Ord. No. 2366; Ord. No. 3443-11/94; Ord. No. 4435-4/2015)

Sec. 50-611. Penalties.

Any violator of the provisions of this article appearing at the police department and desiring to plead guilty or no contest and waive court appearance, shall present the official police tag and pay the police department a penalty in an amount as set forth in the most recent council fee resolution. The violator shall have this privilege until ten days have elapsed after the issuance of the ticket. If the violator fails to pay the appropriate fine within ten days after issuance of the parking ticket, the city attorney may then file a complaint against said violator in county court. The city attorney shall notify the violator of the filing of the complaint by serving a copy upon the violator by mailing, or any other means reasonably calculated to give the violator notice. Any such fine shall be in addition to any costs incurred by such person in connection with having had their vehicle towed or otherwise removed under the authority of the provisions of this article.

(Code 2020, § 15-511; Ord. No. 3443-11/94; Ord. No. 4435-4/2015)

ARTICLE VII. BICYCLES

Sec. 50-701. Penalties for violations of this article.

(a) First offense. A person convicted of violation of any provision of this article shall be guilty of an offense.

(b) A police officer apprehending a person for violating this article may impound the bicycle or skateboard, and a court may order it to be sold by the city or destroyed. Proceeds from the sale of the bicycle or skateboard may be deposited in an appropriate fund held by the city.

(Code 2020, § 17-118; Ord. No. 3963-6/2005)

Sec. 50-702. Riding bicycles on sidewalks.

(a) No person shall ride a bicycle upon a sidewalk or trail within a business district.

(b) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(Code 1973, § 6-16; Code 2020, § 17-115; Ord. No. 1751; Ord. No. 3963-6/2005)

Sec. 50-703. Skateboard usage on public property.

(a) It shall be unlawful for any person to ride, drive, or otherwise use a skateboard within designated business districts. Skateboard usage is allowed and encouraged in the skate park facility in Chautauqua Park, and on the hike/bike trails of the city.

(c) The designated business district shall be all property lying between Lexington Avenue on the west, Minnesota Avenue on the east, South Street on the south and 4th Street on the north.

(d) The following words, terms and phrases, when used in this subsection, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public sidewalk means that portion of a public right-of-way between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians, but shall not include the hike/bike trails of the city.

Skateboard means a single platform mounted on wheels which is propelled solely by human power and which has no mechanisms or other device with which to steer or to control the movement or direction of the platform.
(Code 2020, § 17-117; Ord. No. 3963-6/2005)

Chapter 51

RESERVED

Chapter 52

UTILITIES

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ARTICLE I. IN GENERAL

Sec. 52-101. Employees; board and manager of utilities' powers generally; purchases.

(b) The manager of utilities is authorized as the appointing authority to employ and discharge such other employees as may be required and as approved in the utilities department budget. These other positions are further subject to the prior approval of the mayor and city council in respect to job classifications and compensation ranges.

(c) The utility advisory board shall make recommendations to the mayor and city council regarding the rules and regulations as may be necessary for the government and operation of the utilities departments.

(d) The manager of utilities shall:

(1) Obtain technical or professional services, including the services of any department of the city, as the same may be needed, and pay for the same as approved in the utilities department budget;

(2) Be responsible to see to the purchase of necessary materials and supplies for the operation and maintenance of the utilities department; and

(3) Approve all claims for salaries, wages, materials and supplies for the utilities department.

(e) All equipment purchased, projects, extensions, and the like, for which competitive bids are required by state law, shall first be approved by the mayor and city council.

(Code 1973, § 29-20; Code 2020, § 32-109; Ord. No. 1683; Ord. No. 2711; Ord. No. 3108-12/88; Ord. No. 3321-5/93; Ord. No. 3490-7/95; Ord. No. 3722-11/99; Ord. No. 3931-11/2003; Ord. No. 4199-10/2008; Ord. No. 4275-11/2010; Ord. No. 4316-11/2011; Ord. No. 4333-11/2012; Ord. No. 4340-6/2013; Ord. No. 4409-12/2014; Ord. No. 4473-4/2017)

Sec. 52-102. Bonds of employees.

The mayor and city council, in their discretion, may require bond of any utilities department employee. The premiums on such bonds shall be paid from the applicable fund as part of the utilities department budget.

(Code 1973, § 29-21; Code 2020, § 32-110; Ord. No. 1683; Ord. No. 3490-7/95; Ord. No. 4473-4/2017)

Sec. 52-103. Duties as to rates.

The city's utilities department shall apply the rates as fixed by ordinance as passed by the mayor and city council for the use of the services and facilities of the various public works. It shall be the duty of the utilities department to collect all receivables on account of such public works and to account for and pay the same over to the city treasurer, taking receipt therefor in duplicate and filing one of the same with the city clerk; make a detailed report to the city once each month of the condition of the public works, showing the receipts and expenditures thereof for the preceding month; and make such other reports as may be required by the mayor and council.

(Code 1973, § 29-22; Code 2020, § 32-111; Ord. No. 1683; Ord. No. 4473-4/2017)

Sec. 52-104. Fiscal year; proprietary operations.

Effective October 1, 2016, the fiscal year for the following city-owned proprietary functions shall be October 1 to September 30: water utility system, wastewater utility system, electric utility system, gas utility system, and street lighting utility system.
(Code 2020, § 32-113; Ord. No. 3337-7/93; Ord. No. 4454-10/2015; Ord. No. 4473-4/2017)

Sec. 52-105. Public utilities; franchise required.

(a) Except as provided in this section, no person, company, association, firm, partnership, limited liability company, corporation, or other entity shall, at any place or location within the city, without first having obtained a franchise or permit from the city:

(1) Provide, sell, furnish, transport, or distribute natural gas, electricity or water;

(2) Erect, construct, operate, maintain or use any natural gas pipeline, service line, plant or system or gas works, power plant, electric or other light works, heating plant or waterworks for the purpose of providing, selling, furnishing, transporting, or distributing natural gas, electricity, or water to any user or consumer within the city;

(3) Use the streets or alleys of the city for such purposes; or

(4) Interconnect any building, structure, or facility of any kind to any pipeline, system, main, service line, or other conduit or facility of any type for the purpose of providing, selling, furnishing, transporting, or distributing natural gas, electricity or water.

(b) The provisions of this section shall not apply to the city, operating through its utilities department, which is the primary provider of public utilities to or at all points and locations within the city.

(c) Any entity which provided public utilities to or at any point or location within the city on September 1, 1994, shall have one year after the effective date of the ordinance from which this section is derived within which to transfer the public utility services to the city, and shall not continue to provide those public utilities thereafter unless it has obtained a franchise or permit from the city in accordance with this section.

(d) Any entity which is the provider of public utilities to any area annexed by the city after September 1, 1994, shall have six months after the effective date of said annexation within which to transfer the public utility services to the city, and shall not continue to provide those public utilities thereafter unless it has obtained a franchise or permit from the city in accordance with this section.

(e) Any person, company, association, firm, partnership, limited liability company, corporation, or other entity who violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor.
(Code 2020, §§ 32-212—32-214; Ord. No. 3439-10/94)

ARTICLE II. UTILITY ADVISORY BOARD

Sec. 52-201. Created.

A utility advisory board is hereby created for the city.
(Code 1973, § 29-12; Code 2020, § 32-101; Ord. No. 4473-4/2017)

Sec. 52-202. Composition; appointment; terms of office; chairperson; holding other public office.

The utility advisory board, hereinafter called the board, shall consist of five members, which members shall be residents of the city and appointed by the mayor with the approval of the city council. The terms of office for members of the board shall be staggered and be for terms of five years, with each term of office to end on July 1 of the year the term ends. The board shall, at its August meeting each year, elect one of the members of the board to be the chairperson, another to be vice-chairperson, and another as secretary. No member of the board shall hold any other public office of any political subdivision of the state.
(Code 1973, § 29-13; Code 2020, § 32-102; Ord. No. 1140; Ord. No. 2384; Ord. No. 3721-11/99; Ord. No. 4473-4/2017)

Sec. 52-203. Duties generally.

The utility advisory board shall give advice to the city on the city's erection, construction, and repair of its systems of waterworks; light and power production and distribution, including the street lighting system; gas purchase and distribution; sewer works and the accounting, billing and collection for the same; and report the condition thereof to the mayor and city council. The board shall recommend all extensions and projects related to construction of the above systems for approval by the mayor and city council.
(Code 1973, § 29-15; Code 2020, § 32-104; Ord. No. 3911-10/2003; Ord. No. 4473-4/2017)

Sec. 52-204. Meetings.

The utility advisory board shall meet in regular session once monthly at a day and hour to be determined by the board. Special meetings may be held at the call of the chairperson or any three members of the board. Three members of the board shall constitute a quorum for the purpose of carrying on and transacting business at the meetings.
(Code 1973, § 29-17; Code 2020, § 32-106; Ord. No. 1683; Ord. No. 2927; Ord. No. 3721-11/99; Ord. No. 4473-4/2017)

Sec. 52-205. Removal of members; filling vacancies in office.

Any member of the utility advisory board may at any time be removed from office by the mayor and a majority of the city council, and the proceedings of such removal shall be entered in the minutes of the council. Vacancies and unexpired terms occurring on the board shall be filled by appointments made by the mayor and approved by the city council, in the same manner as original appointments.
(Code 1973, § 29-19; Code 2020, § 32-108; Ord. No. 4473-4/2017)

ARTICLE III. UTILITY SERVICE GENERALLY

Sec. 52-301. Furnishing of service generally; application of service; service deposits.

The city shall furnish such services as may be provided by the city to persons within the city whose premises abut upon existing supply lines, conduits or routes; and may furnish the same to other persons within or without its corporate limits as and when, and on such reasonable terms, as the city may determine. The rules, regulations and rates for such services shall be deemed a part of each application made for such services and shall constitute the contract between customers and the city. The city shall have authority to promulgate all reasonable rules and regulations necessary and proper in the conduct of the public works. Every person desiring a service furnished by the city shall make application upon forms furnished by the city, stating fully and truly the uses to which the service is to be applied. Applicants for service shall accompany their application with a service deposit for each service applied for to ensure prompt payment of charges. Such deposits shall be in such amount in each case as the city shall determine. Such deposit shall be refunded to the consumer when service is discontinued, provided that all charges for service have been satisfied, provided, further, that the city may refund such deposits to consumers who have been continuous users of utility services for a period of two years during which time statements for services have been paid promptly before delinquency. Two late payments may be allowed during the two-year period, so long as service has not been disconnected for non-payment during such period. If a consumer shall be delinquent and service discontinued, the consumer shall not be eligible for refund thereof for a period of two years thereafter as hereinbefore provided, and shall be required to pay a reasonable reconnection charge as the city shall determine.
(Code 1973, § 29-1; Code 2020, § 32-201; Ord. No. 1760; Ord. No. 2810; Ord. No. 4676, § 1, 9-13-2021)

Sec. 52-302. Right of entry to premises of users.

Authorized employees of the utilities department shall have access, at all reasonable hours, to any premises in which a service provided by the utilities department is being used, to determine if such services are being properly used and to read the registers of all meters therein.
(Code 1973, § 29-2; Code 2020, § 32-202)

Sec. 52-303. Authority to connect or disconnect service.

(a) No person, except as may be authorized by the utilities department, shall connect or disconnect any supply lines or conduits of the various public works, or in any way interfere or injure the same. The utilities department reserves the right to discontinue service without any notice whatsoever, for any violation of this section.

(b) If any leak or break in any service pipe shall occur, the utilities department, through its authorized employees, shall forthwith shut off service to the premises until after such fault is corrected by the consumer.
(Code 1973, § 29-3; Code 2020, § 32-203)

Sec. 52-304. Service contracts not transferable; notice to discontinue service.

(a) Contracts for service are not transferable. Any person wishing to change from one location to another shall make a new application and sign a new contract.

(b) If any customer shall vacate the premises where service is furnished, or if the premises are destroyed by fire or other casualty, the customer shall at once so inform the city's utilities office, which shall cause the service to be shut off from such premises. If such consumer shall fail to give such notice, the consumer shall be charged for all services used on the premises until notice is given of such event.
(Code 1973, § 29-4; Code 2020, § 32-204)

Sec. 52-305. City not a guarantor of delivery of service.

The city does not guarantee delivery of service over or through its lines, conduits or routes of the various distribution systems, and shall not be liable for damages resulting from interruption of service. The city expressly reserves the right to discontinue or disconnect a consumer's service at any time without any notice of such action.
(Code 1973, § 29-5; Code 2020, § 32-205)

Sec. 52-306. Meters—Required; ownership; reading; payment of bills; discontinuance of service for delinquent payment.

All services shall be measured by meters provided by the utilities department and the meters shall be and remain the property of the city. All meters shall be read monthly for billing and collection. Consumers shall pay in net cash to the utilities office the amount due for services. The consumer shall pay their bill on or before the delinquent date shown on the bill. If the consumer shall fail to pay within such time, their bill shall be considered delinquent, and if the bill shall remain delinquent through the seventh working day following its delinquent date, the consumer's service may be discontinued and disconnected.
(Code 1973, § 29-6; Code 2020, § 32-206; Ord. No. 1683; Ord. No. 1722; Ord. No. 2810)

Sec. 52-307. Meters—Setting; testing; repair; replacement.

No person except as authorized by the utilities department shall set any meter of any services provided by the utilities department. Any consumer has the right to request the utilities department to test the meter upon the consumer's premises any reasonable number of times, and the utilities department or its agents shall comply with such request, subject to such reasonable rules and regulations as the utilities department may adopt. The utilities department reserves the right to test and replace any meter in use at any time. The utilities department shall keep all meters in proper repair and shall replace, without cost to the consumer, any meter where such replacement is required as a result of ordinary depreciation or obsolescence, provided that the consumer shall reimburse the utilities department for any replacement necessitated by negligence or willful act of the consumer, the consumer's agents, employees, invitees, guests or members of their household, or by fire or freezing.
(Code 1973, § 29-7; Code 2020, § 32-207)

Sec. 52-308. Meters—Computation of charges when meter defective.

Should a meter fail to register properly, the consumer will be charged for service during the time such meter is out of order on the basis of estimated actual use as determined by the utilities department.
(Code 1973, § 29-8; Code 2020, § 32-208)

Sec. 52-309. Meters—Schemes to evade.

It shall be unlawful for any person to employ any scheme or device for the purpose of evading the proper service or registration of any meter. Discovery of such a scheme or device causing any meter to register incorrectly shall be prima facie evidence of intent to unlawfully convert the same to the use of the consumer, and the utilities department is hereby authorized upon such discovery to discontinue service to such premises.
(Code 1973, § 29-9; Code 2020, § 32-209)

Sec. 52-310. Temporary or special users.

Temporary users of service shall obtain rates for the services from the utilities department on application and payment of the charge thereof, subject, however, to the approval of the mayor and council. The utilities department, subject to the approval of the mayor and council, shall have the power and authority to contract with any person for the use of the services of the various public works for special uses or any use for which a rate is not herein provided, where in the judgment of the utilities department it is beneficial to the city to do so.
(Code 1973, § 29-10; Code 2020, § 32-210; Ord. No. 1722)

Sec. 52-311. Injuring, disturbing, etc., apparatus, fixtures, etc.

No person shall unlawfully or carelessly break, injure, deface, interfere with or disturb any measuring apparatus, fixture, attachment, supply line, pipe or conduit of the various generating or distribution systems of the public works of the city, or shall violate any of the provisions of this article or the rules and regulations of the utilities department, adopted pursuant to the terms of this article.
(Code 1973, § 29-11; Code 2020, § 32-211)

ARTICLE IV. ELECTRIC SERVICE

Sec. 52-401. Trees, branches, etc.—Removal by private party.

Any person desiring to cut or remove trees or branches thereof or to fell the same in close proximity to the lines of the electric distribution system of the city, or any other supply lines, and which work might cause injury or damage to such lines, shall, before doing the work, give reasonable written notice to the superintendent of distribution of the city, and to any other utility or entity which owns or controls affected lines, and shall secure a permit in writing from each utility or entity to do so, and shall seek the assistance of the city and others affected to do the work so that service shall not be interrupted or damage done to the lines or property of the city or others. Any person felling or removing such trees or branches of trees resulting in the interruption of electric service or damage

to the lines or property of the city or others without having given notice as aforesaid, and without having received the permit in writing to do so, shall be guilty of a misdemeanor. The person causing any damage shall be responsible for compensating any losses sustained, regardless of whether a permit has been obtained.
(Code 1973, § 29-24; Code 2020, § 32-301)

Sec. 52-402. Trees, branches, etc.—Authority of city to remove.

Whenever it becomes necessary to protect the lines or property of the electric distribution system of this city, the utilities department or its superintendent shall have the right to remove and cut away, in a careful and prudent manner, interfering branches or limbs of trees, so that its lines shall be free and open.
(Code 1973, § 29-25; Code 2020, § 32-302)

Sec. 52-403. Supply wires.

When application shall be made for electric service to the utilities department and accepted by its manager, the utilities department will run, or cause to be run, supply wire, thereafter considered the property of the city, to the building of the applicant or consumer, and thereafter will keep the supply wire in good repair and safe condition at the expense of the city.
(Code 1973, § 29-26; Code 2020, § 32-303)

Sec. 52-404. Rates.

For the tariff of rates based on monthly consumption by each consumer of electrical energy from the electric power plant and distribution system of the city, the following schedules are hereby established:

(1) *RS-U Residential Service—Urban.*

a. Availability: At any location within the corporate limits of the city and in accordance with the service policies of the utilities department.

b. Application: To residential customers in single-family dwelling units when all electric service supplied to the dwelling unit is for household purposes and is measured through one meter. If a portion of the electric service supplied to a dwelling unit is used for nonresidential purposes, and the customer can arrange wiring in such a manner that the electric service for residential purposes and nonresidential purposes can be metered separately, this rate schedule is applicable to the portion used for residential purposes.

c. Type of service: Single-phase, 60 hertz, 120/240 volts.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$21.50
Energy charge per kWh	$0.0877

Effective October 1, 2025	
Facilities charge per month	$23.00
Energy charge per kWh	$0.0945
Effective October 1, 2026	
Facilities charge per month	$24.50
Energy charge per kWh	$0.1005
Effective October 1, 2027	
Facilities charge per month	$26.00
Energy charge per kWh	$0.1072

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(2) *RS-R Residential and Farm Service, Single-Phase—Rural.*

a. Availability: At any location within the department's service area and without the corporate limits of Hastings and Juniata in accordance with the service policies of the utilities department.

b. Application: Single-phase service to single-family dwelling units including adjacent farm buildings and farm uses, except for irrigation pumping motors larger than 7 ½ horsepower, where service is supplied at one point of delivery and measured with one meter. Where two or more family units are supplied through one meter, billing will be under the applicable general service schedule. If a portion of the electric service supplied is used for nondomestic or non-farm purposes and the customer can arrange wiring in such a manner that the electric service for domestic and associated farm uses can be metered separately, this schedule is applicable to the portion used for the domestic and farm purposes.

c. Type of service: Single-phase, 60 hertz, 120/240 volts.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$24.50
Energy charge per kWh	$0.0979
Effective October 1, 2025	
Facilities charge per month	$27.00
Energy charge per kWh	$0.1016
Effective October 1, 2026	
Facilities charge per month	$29.50
Energy charge per kWh	$0.1051
Effective October 1, 2027	
Facilities charge per month	$32.00
Energy charge per kWh	$0.1090

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(3) *SGS-U Small General Service—Urban.*

a. Availability: At any location within the corporate limits of Hastings and Juniata in accordance with the service policies of the utilities department. Available for commercial, industrial and farm services, for all uses, including lighting, heating, and power, where the customer's annual peak demand is less than 175 kW. Not available for standby, breakdown, supplementary or resale service.

b. Application: To any nonresidential customer for all electric power and energy requirements. Each premises will be supplied at one point of delivery, and all electric service supplied will be measured through one meter.

c. Type of service: Single- or three-phase, if available, 60 hertz, at one of the department's standard service voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$29.00
Energy charge per kWh	$0.1000
Effective October 1, 2025	
Facilities charge per month	$35.00
Energy charge per kWh	$0.1038
Effective October 1, 2026	
Facilities charge per month	$41.00
Energy charge per kWh	$0.1071
Effective october 1, 2027	
Facilities charge per month	$47.00
Energy charge per kWh	$0.1104

e. The minimum bill is the customer charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(4) *SGS-R Small General Service—Rural.*

a. Availability: At any location within the department's service area and without the corporate limits of Hastings and Juniata in accordance with the service policies of the utilities department. Available for commercial, industrial and farm services, for all uses, including lighting, heating, and power, where the customer's annual peak demand is less than 175 kW. Not available for standby, breakdown, supplementary or resale service.

b. Application: To any customer for all electric power and energy requirements. Each premises will be supplied at one point of delivery, and all electric service supplied will be measured through one meter.

c. Type of service: Single- or three-phase, if available, 60 hertz, at one of the department's standard service voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$35.00
Energy charge per kWh	$0.1020
Effective October 1, 2025	
Facilities charge per month	$45.00
Energy charge per kWh	$0.1049
Effective October 1, 2026	
Facilities charge per month	$55.00
Energy charge per kWh	$0.1076
Effective October 1, 2027	
Facilities charge per month	$65.00
Energy charge per kWh	$0.1107

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(5) *H-U Optional Electric Space Heating and Water Heating Service—Urban Nonresidential.*

a. Availability: At any location within the corporate limits of Hastings and Juniata in accordance with the service policies of the utilities department.

b. Application: To any nonresidential customer for separately metered electric space heating and/or water heating for domestic and building services where the annual peak is less than 175 kW. Equipment served and its installation must comply with the standards of the electric department.

c. Type of service: Single-phase, 60 hertz, at the service voltage supplied for other uses on the premises. Three-phase service is available if such is supplied to the premises for other uses.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$26.00
Energy charge per kWh	$0.0871
Effective October 1, 2025	
Facilities charge per month	$32.00
Energy charge per kWh	$0.0910

Effective October 1, 2026	
Facilities charge per month	$38.00
Energy charge per kWh	$0.0944
Effective October 1, 2027	
Facilities charge per month	$44.00
Energy charge per kWh	$0.0978

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(6) *H-R Optional Electric Space Heating and Water Heating Service—Rural Nonresidential.*

a. Availability: At any location within the department's service area and without the corporate limits of Hastings and Juniata in accordance with the service policies of the utilities department.

b. Application: To any nonresidential customer for separately metered electric space heating and/or water heating for domestic and building services where the annual peak demand is less than 175 kW. Equipment served and its installation must comply with the standards of the electric department.

c. Type of service: Single-phase, 60 hertz, at the service voltage supplied for other uses on the premises. Three-phase service is available if such is supplied to the premises for other uses.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$31.00
Energy charge per kWh	$0.0944
Effective October 1, 2025	
Facilities charge per month	$42.00
Energy charge per kWh	$0.0944
Effective October 1, 2026	
Facilities charge per month	$53.00
Energy charge per kWh	$0.0973
Effective October 1, 2027	
Facilities charge per month	$64.00
Energy charge per kWh	$0.1002

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(7) *RS-U Residential Service—Juniata.*

a. Availability: At any location within the corporate limits of Juniata and in accordance with the service policies of the utilities department.

b. Application: To residential customers in single-family dwelling units when all electric service supplied to the dwelling unit is for household purposes and is measured through one meter. If a portion of the electric service supplied to a dwelling unit is used for nonresidential purposes, and the customer can arrange wiring in such a manner that the electric service for residential purposes and nonresidential purposes can be metered separately, this rate schedule is applicable to the portion used for residential purposes.

c. Type of service: Single-phase, 60 hertz, 120/240 volts.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$22.00
Energy charge per kWh	$0.0887
Effective October 1, 2025	
Facilities charge per month	$24.00
Energy charge per kWh	$0.0945
Effective October 1, 2026	
Facilities charge per month	$26.00
Energy charge per kWh	$0.1005
Effective October 1, 2027	
Facilities charge per month	$28.00
Energy charge per kWh	$0.1072

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(8) *SGS-U Small General Service—Juniata.*

a. Availability: At any location within the corporate limits of Juniata and in accordance with the service policies of the utilities department. Available for commercial, industrial, public authority, and farm services, for all uses, including lighting, heating, and power, where the customer's annual peak demand is less than 175 kW. Not available for standby, breakdown, supplementary, or resale service.

b. Application: To any nonresidential customer for all electric power and energy requirements. Each premises will be supplied at one point of delivery, and all electric service supplied will be measured through one meter.

c. Type of service: Single- or three-phase, if available, 60 hertz, at one of the department's standard service voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$32.00
Energy charge per kWh	$0.1000

Effective October 1, 2025	
Facilities charge per month	$41.00
Energy charge per kWh	$0.1038
Effective October 1, 2026	
Facilities charge per month	$50.00
Energy charge per kWh	$0.1071
Effective October 1, 2027	
Facilities charge per month	$59.00
Energy charge per kWh	$0.1104

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(9) *SGS-U Small General Service—Public Authority.*

a. Availability: At any location within the corporate limits of Hastings and in accordance with the service policies of the utilities department. Available for public authority uses, including lighting, heating, and power. Not available for standby, breakdown, supplementary, or resale service.

b. Application: To any nonresidential customer for all electric power and energy requirements. Each premises will be supplied at one point of delivery, and all electric service supplied will be measured through one meter.

c. Type of service: Single- or three-phase, if available, 60 hertz, at one of the department's standard service voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$12.00
Energy charge per kWh	$0.1000
Effective October 1, 2025	
Facilities charge per month	$22.00
Energy charge per kWh	$0.1038
Effective October 1, 2026	
Facilities charge per month	$32.00
Energy charge per kWh	$0.1071
Effective October 1, 2027	
Facilities charge per month	$42.00
Energy charge per kWh	$0.1104

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(10) *SGS-U Small General Service—Interdepartmental.*

a. Availability: At any location within the service area of Hastings and in accordance with the service policies of the utilities department. Available for interdepartmental uses, including lighting, heating, and power. Not available for standby, breakdown, supplementary, or resale service.

b. Application: To any nonresidential customer for all electric power and energy requirements. Each premises will be supplied at one point of delivery, and all electric service supplied will be measured through one meter.

c. Type of service: Single- or three-phase, if available, 60 hertz, at one of the department's standard service voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge per month	$22.00
Energy charge per kWh	$0.1000
Effective October 1, 2025	
Facilities charge per month	$42.00
Energy charge per kWh	$0.1038
Effective October 1, 2026	
Facilities charge per month	$62.00
Energy charge per kWh	$0.1071
Effective October 1, 2027	
Facilities charge per month	$82.00
Energy charge per kWh	$0.1104

e. The minimum bill is the facilities charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(11) *LGS Large General Service.*

a. Availability: At any location within the department's service area in accordance with the service policies of the utilities department. Available for commercial, industrial and farm services, for all uses, including lighting, heating, and power, where the customer's annual peak demand is 175 kW or greater but less than 1,000 kW. Not available for standby, breakdown, supplementary, or resale service.

b. Application: To any customer for all-electric service for a premises where the service is supplied at one point of delivery and measured through one meter.

c. Type of service: Three-phase, 60 hertz, at one of the department's standard service voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge	$26.00
First 175 kW or less of billing demand	$1,487.50
Next 100 kW of billing demand	$8.50
All additional kW of billing demand	$8.50
Energy charge	
All kWh, per kWh	$0.0595
Effective October 1, 2025	
Facilities charge	$52.00
First 175 kW or less of billing demand	$1,496.25
Next 100 kW of billing demand	$8.55
All additional kW of billing demand	$8.55
Energy charge	
All kWh, per kWh	$0.0634
Effective October 1, 2026	
Facilities charge	$78.00
First 175 kW or less of billing demand	$1,505.00
Next 100 kW of billing demand	$8.60
All additional kW of billing demand	$8.60
Energy charge	
All kWh, per kWh	$0.0668
Effective October 1, 2027	
Facilities charge	$104.00
First 175 kW or less of billing demand	$1,513.75
Next 100 kW of billing demand	$8.65
All additional kW of billing demand	$8.65
Energy charge	
All kWh, per kWh	$0.0702

e. The minimum bill is the demand and facilities charge.

f. Billing demand. The billing demand shall be the maximum 15 minutes kW demand measured during the billing month but not less than 75 percent of the maximum measured kW established during the month of June, July, August or September of the preceding 11 months.

g. Primary metering. When, at the option of the department, the electric service provided under this schedule is metered at primary voltage and service is taken at secondary voltage, the billing demand and energy will each be reduced by two percent.

h. Equipment ownership. When the customer owns and maintains all equipment, except metering, necessary to take service at the department's established primary voltages of 12 kV or higher, a discount of 40 cents per kW shall be applied to the demand charge.

i. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

j. Power factor. The customer shall at all times maintain a power factor of not less than 90 percent lagging to qualify for this rate schedule.

k. Term. The customer electing to take service under Rate Schedule LGS will be billed on this schedule for at least 12 months before having the option to be billed on another schedule.

l. Temporary partial reduction of demand charge rider. For customers developing a new business or facility or significantly expanding an existing business, facility or plant, the City of Hastings may reduce the charge on new or increased demand by up to 50 percent for the first 24 months of service or expansion of service. Customers shall apply for the temporary partial reduction of demand charge through the utility department prior to connection of a new business, facility or plant or the load expansion of an existing business, facility or plant. The application shall be reviewed by the utility board, who shall make a recommendation regarding the percentage of demand reduction for the 24-month period to the mayor and city council for approval. If approved, customers applying for this temporary reduction must remain on the LGS electric rate for at least 24 months after the expiration of the 24-month temporary partial reduction period or the total dollar amount of the reduced demand charge for the 24-month temporary partial reduction period shall be repaid to the City of Hastings. Additionally, the customer must comply with all other conditions of the LGS electric rate.

1. A new business, facility or plant must be on the LGS rate and be subject to the 500 kW minimum requirement charge for a period of three billing cycles to establish a base demand. The percentage of demand charge reduction shall be based on the kW demand over the base demand as follows:

   (i) Zero to 24 percent demand increase equals zero percent demand reduction.

   (ii) 25 to 49 percent demand increase equals 20 percent demand reduction.

   (iii) 50 to 99 percent demand increase equals 33 percent demand reduction.

   (iv) Greater than 100 percent demand increase equals 50 percent demand reduction.

2. An expansion of an existing business, facility or plant must result in at least a 25 percent increased demand requirement per month above the base demand, as defined below. In any month the demand increase does not exceed the 25 percent of the base demand, there shall be no temporary partial demand reduction for that month. The increased demand requirement shall be based on the following:

   (i) The base demand shall be the greater of 250 kW or the average of the three billing cycles before the expansion of business, facility or plant.

(ii) The percentage of the temporary partial reduction of demand charge for the expansion of an existing business, facility or plant shall be the same as for a new business, facility or plant.

(12) *LGS Large General Service—Interdepartmental.*

a. Availability: At any location within the department's service area in accordance with the service policies of the utilities department. Available for commercial, industrial and farm services, for all uses including lighting, heating, and power, where the customer's annual peak demand is 175 kW or greater but less than 1,000 kW. Not available for standby, breakdown, supplementary, or resale service.

b. Application: To any customer for all-electric service for a premises where the service is supplied at one point of delivery and measured through one meter.

c. Type of service: Three-phase, 60 hertz, at one of the department's standard service voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge:	$25.00
First 175 kW or less of billing demand	$1,487.50
Next 100 kW of billing demand	$8.50
All additional kW of billing demand	$8.50
Energy charge	
All kWh, per kWh	$0.0595
Effective October 1, 2025	
Facilities charge:	$50.00
First 175 kW or less of billing demand	$1,496.25
Next 100 kW of billing demand	$8.55
All additional kW of billing demand	$8.55
Energy charge	
All kWh, per kWh	$0.0634
Effective October 1, 2026	
Facilities charge:	$75.00
First 175 kW or less of billing demand	$1,505.00
Next 100 kW of billing demand	$8.60
All additional kW of billing demand	$8.60
Energy charge	
All kWh, per kWh	$0.0668
Effective October 1, 2027	
Facilities charge:	$100.00
First 175 kW or less of billing demand	$1,513.75
Next 100 kW of billing demand	$8.65
All additional kW of billing demand	$8.65

Energy charge	
All kWh, per kWh	$0.0702

e. The minimum bill is the demand and facilities charge.

f. Billing demand. The billing demand shall be the maximum 15 minutes kW demand measured during the billing month but not less than 75 percent of the maximum measured kW established during the month of June, July, August or September of the preceding 11 months.

g. Primary metering. When, at the option of the department, the electric service provided under this schedule is metered at primary voltage and service is taken at secondary voltage, the billing demand and energy will each be reduced by two percent.

h. Equipment ownership. When the customer owns and maintains all equipment, except metering, necessary to take service at the department's established primary voltage of 12 kV or higher, a discount of $0.40 per kW shall be applied to the demand charge.

i. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

j. Power factor. The customer shall at all times maintain a power factor of not less than 90 percent lagging to qualify for this rate schedule.

k. Term. The customer electing to take service under Rate Schedule LGS will be billed on this schedule for at least 12 months before having the option to be billed on another schedule.

(13) *LL&P Large Light and Power.*

a. Availability: Service under this schedule is available adjacent to the department's transmission or distribution voltages of 13.8 kV or greater in accordance with the service policies of the utilities department. Available for commercial and industrial services, for all uses including lighting, heating, and power, where the customer's annual peak demand is 1,000 kW or greater. Not available for standby, breakdown, supplementary, or resale service.

b. Application: To any customer for all power and energy uses at any one location where service of a single character is taken through one meter at one point of delivery.

c. Type of service: Three-phase, 60 hertz, at one of the department's transmission voltages.

d. Rate:

Effective October 1, 2024	
Facilities charge:	$124.00
First 1,000 kW or less of billing demand	$8,750.00
All additional kW of billing demand	$8.75
Energy charge	
All kWh, per kWh	$0.0533

Effective October 1, 2025	
Facilities charge:	$248.00
First 1,000 kW or less of billing demand	$8,800.00
All additional kW of billing demand	$8.80
Energy charge	
All kWh, per kWh	$0.0577
Effective October 1, 2026	
Facilities charge:	$372.00
First 1,000 kW or less of billing demand	$8,850.00
All additional kW of billing demand	$8.85
Energy charge	
All kWh, per kWh	$0.0618
Effective October 1, 2027	
Facilities charge:	$496.00
First 1,000 kW or less of billing demand	$8,900.00
All additional kW of billing demand	$8.90
Energy charge	
All kWh, per kWh	$0.0662

e. Minimum bill. The minimum bill is the demand and facilities charge.

f. Billing demand. The billing demand shall be the maximum 15 minutes kW demand measured during the billing month but not less than 75 percent of the maximum measured kW established during the month of June, July, August or September of the preceding 11 months.

g. Primary voltage service. If service supplied under this schedule is delivered at the department's primary voltage of 4.16 kV, the demand charge shall be increased by an amount equal to $0.78 per kW of billing demand.

h. Transformation service. If the department supplies transformation equipment, the customer shall be assessed a monthly facilities charge at the rate of 1.5 percent of the installed costs of such transformation facilities.

i. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

j. Power factor. The customer shall at all times maintain a power factor of not less than 90 percent lagging to qualify for this rate schedule.

k. Term. The customers electing to be billed on Rate Schedule LL&P will be billed on this schedule for at least 12 months before having the option to be billed on another schedule.

l. Temporary partial reduction of demand charge rider. For customers developing a new business or facility or significantly expanding an existing business, facility or plant, the City of Hastings may reduce the charge on new or increased demand of up to 50 percent for the first 24 months of service or expansion of service. The customers shall

apply for the temporary partial reduction of demand charge through the utility department prior to connection of a new business, facility or plant or the load expansion of an existing business, facility or plant. The application shall be reviewed by the utility board, who shall make a recommendation to the mayor and city council for approval. If approved, customers applying for this temporary reduction must remain on the LL&P electric rate for at least 24 months after the expiration of the 24-month temporary partial reduction period or the total dollar amount of the reduced demand charge for the 24-month temporary partial reduction period shall be repaid to the City of Hastings. Additionally, the customer must comply with all other conditions of the LL&P electric rate.

1. A new business, facility or plant must be on the LL&P rate and be subject to the 1,000 kW minimum requirement charge for a period of three billing cycles to establish a base demand. The percentage of demand charge reduction shall be based on the kW demand over the base demand as follows:
   (i) Zero to 34 percent demand increase equals zero percent demand reduction.
   (ii) 35 to 49 percent equals 25 percent demand reduction.
   (iii) Greater than 50 percent demand increase equals 50 percent demand reduction.
2. An expansion of an existing business, facility or plant must result in at least a 35 percent increase over the base demand as defined below. The increased demand requirement shall be based on the following:
   (i) The base demand shall be the greater of 1,000 kW or the average of the three billing cycles before expansion of business, facility or plant.
   (ii) The percentage of the temporary partial reduction of demand charge for the expansion of an existing business, facility or plant shall be the same as for a new business, facility or plant.
3. In either subsection (13)(l)1 or 2 of this section, any month in which the demand increase does not exceed the 35 percent increase over the base demand, there shall be no temporary partial demand reduction for that month.

(14) *IS Irrigation Service.*

a. Availability: At any location within the department's service area in accordance with the service policies of the utilities department.

b. Application: To all electric service supplied to one point of delivery for irrigation pumping.

c. Type of service: Three-phase, 60 hertz, 240 or 480 volts.

d. Rate:

Effective October 1, 2024	
Customer charge (annual rate)	$240.00

Demand charge (annual rate)	
First 10 connected HP or less	$338.00
All additional connected HP	$33.80
Energy charge	
All kWh, per kWh (monthly rate)	$0.0716
Effective October 1, 2025	
Customer charge (annual rate)	$280.00
Demand charge (annual rate)	
First 10 connected HP or less	$392.00
All additional connected HP	$39.20
Energy charge	
All kWh, per kWh (monthly rate)	$0.0716
Effective October 1, 2026	
Customer charge (annual rate)	$320.00
Demand charge (annual rate)	
First 10 connected HP or less	$446.00
All additional connected HP	$44.60
Energy charge	
All kWh, per kWh (monthly rate)	$0.0716
Effective October 1, 2027	
Customer charge (annual rate)	$360.00
Demand charge (annual rate)	
First 10 connected HP or less	$500.00
All additional connected HP	$50.00
Energy charge	
All kWh, per kWh (monthly rate)	$0.0722

e. Minimum bill: The minimum bill shall be the facilities charge and demand charge.

f. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

g. Term: Service under this schedule shall be for a minimum period of 12 months after service has been initiated. The customer charge and the demand charge are due and payable with the first bill rendered, but not later than April 1, each calendar year.

(15) *TSS Traffic Signal Service.*

a. Availability: At any location within the corporate limits of Hastings in accordance with the service policies of the utilities department.

b. Application: To traffic signal systems located within the City of Hastings.

c. Rates:

Effective October 1, 2024	
Energy charge per kWh	$0.0768

Effective October 1, 2025	
Energy charge per kWh	$0.0809
Effective October 1, 2026	
Energy charge per kWh	$0.0845
Effective October 1, 2027	
Energy charge per kWh	$0.0881

d. Plus, the following special provisions shall apply:

1. Maintenance of the traffic control systems shall be administered by the utilities electric department, and the city shall be billed for all such charges. Invoices for the maintenance of traffic signals billed to the city shall contain an itemized listing of:

(i) All replacement parts or materials, as needed, on a net basis.

(ii) All hourly rental rates of equipment directly utilized in maintenance.

(iii) All hourly wages directly utilized in maintenance.

2. Capital improvements of traffic control systems shall be administered by the utilities electrical department upon direction and authorization of the mayor and city council with all costs to be paid by the city. The utilities electrical department shall account separately for all such costs.

e. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(16) *PCA Power Cost Adjustment.*

a. The power cost adjustment (PCA) is applicable to all rate schedules for Hastings Utilities electric department and shall be increased or decreased as a per kWh charge to reflect variations in power supply costs.

b. The PCA shall be applied to all kWh units sold under all rate schedules, shall be calculated as a rolling average, shall be the sum of power supply costs[1] based on actual data from the most recent available months preceding the start of the billing month to which the adjustment is to be applied, less an average retail power supply base cost[3], which has been incorporated into all retail base rate schedules. Power cost data and billing units are generally available a few months prior to the month of calculated PCA due to timing of power supply invoices and retail billing cycles. As a result, the rolling months of available data are based on information typically from one to three months prior to the month of the calculated PCA. The PCA shall be calculated, adjusted, and implemented monthly based on the prior months of rolling calculation. Components of the adjustment are hereby adopted for all utility bills issued on and after month _____ of year ____, and are calculated as follows:

PCA CALCULATION

PCA = (((rolling months of power supply costs $/rolling months of kWh units purchased/produced)[1]/1- loss adjustment)[2] - base PCA $)[3]

Definitions of terms.

[1] Power supply costs: The power supply cost increment per kWh shall include all costs incurred in the procurement of adequate power supply, capacity, and transmission of power supply, and adjustments required to reconcile previous over/under PCA collections.

[2] Loss adjustment: Adjustment for losses incurred through wholesale to retail sales units.

[3] Base PCA: $/retail kWh is calculated to be 0.0553 and may be adjusted as necessary with future rate changes.

(17) *SLS-2 Street Lighting Service.*

a. Availability: At any location within the corporate limits of Hastings in accordance with the service policies of the utilities department.

b. Application: To street lighting systems of the street lighting department located within the City of Hastings.

c. Monthly rate:

Effective October 1, 2024	
All energy usage	$0.0491/kWh
Effective October 1, 2025	
All energy usage	$0.0511/kWh
Effective October 1, 2026	
Customer charge (annual rate)	$0.0531/kWh
Effective October 1, 2027	
Customer charge (annual rate)	$0.0551/kWh

d. Plus, the following special provisions shall apply:

1. Operation and maintenance of the street lighting system shall be administered by the utilities electrical department. The utilities electrical department shall bill the street lighting department for all such charges.

2. Capital improvements of the street lighting department shall be administered by the utilities electrical department. All such costs shall be billed to the street lighting department.

e. Power cost adjustment: Energy charges are subject to the provisions of Schedule PCA.

(18) *SLS Street Lighting Service.*

a. Application.

1. To all utilities department electric accounts served by the following rate schedules, for purposes of funding street lighting services within the electric service territory of Hastings:

(i) Group 1: RS-U, RS-R (including RS-R Juniata).

(ii) Group 2: SGS-U, SGS-R, SGS-J.

(iii) Group 3: IS.

(iv) Group 4: LGS, LL&P, LL&P-T.

2. Funding requirements include operation, maintenance, renewals and replacements as well as reimbursement for previous capital improvements funded through an interdepartmental loan within Hastings Utilities.

3. Rates within this rate schedule are assessed based on the groups listed in this section.

b. Operation, maintenance, renewals and replacement (O&M/R&R) rate. The utilities department shall bill each applicable utilities department electric account an O&M/R&R charge as follows:

Effective October 1, 2024	
Group 1:	$3.32/month
Group 2:	$4.15/month
Group 3:	$1.66/month
Group 4:	$9.95/month
Effective October 1, 2025	
Group 1:	$3.42/month
Group 2:	$4.28/month
Group 3:	$1.71/month
Group 4:	$10.25/month
Effective October 1, 2026	
Group 1:	$3.52/month
Group 2:	$4.40/month
Group 3:	$1.76/month
Group 4:	$10.56/month
Effective October 1, 2027	
Group 1:	$3.62/month
Group 2:	$4.54/month
Group 3:	$1.81/month
Group 4:	$10.87/month

c. Streetlight infrastructure charge (SLIC) rate. The utilities department shall bill each applicable utilities department electric account a streetlight infrastructure charge

(SLIC) to repay the interdepartmental loan used to fund previous street lighting capital improvements. The SLIC will terminate after five years, at which time the interdepartmental loan will have been repaid.

Effective October 15, 2023, through September 30, 2025	
Group 1:	$1.36/month
Group 2:	$1.70/month
Group 3:	$0.68/month
Group 4:	$4.07/month

d. Credit for customer-owned lamps in city right-of-way. For utilities department electric accounts that serve customer-owned street lighting located in city right-of-way, a monthly credit of $1.00 per lamp owned and served by the account shall apply.

e. Accounting. The utilities department shall account separately for all revenues, operating expenses, and capital expenditures of aforementioned street lighting services within the utilities electric department.

(Code 1973, § 29-27; Code 2020, § 32-304; Ord. No. 1722; Ord. No. 2123; Ord. No. 2331; Ord. No. 2461; Ord. No. 2473; Ord. No. 2507; Ord. No. 2530; Ord. No. 2620; Ord. No. 2686; Ord. No. 2716; Ord. No. 2762; Ord. No. 2900; Ord. No. 2909; Ord. No. 2988; Ord. No. 2989-8/86; Ord. No. 3111-1/89; Ord. No. 3161-2/1990; Ord. No. 3203-1/1991; Ord. No. 3245-1/1992; Ord. No. 3464-3/1995; Ord. No. 3667-11/1998; Ord. No. 3775-11/2000; Ord. No. 3846-12/2001; Ord. No. 3933-12/2003; Ord. No. 4051-11/2005; Ord. No. 4153-11/2007; Ord. No. 4177-4/2008; Ord. No. 4203-11/2008; Ord. No. 4313, 12-12-2011; Ord. No. 4378, 11-25-2013; Ord. No. 4461, 11-23-2015; Ord. No. 4469-1/2016; Ord. No. 4576, 12-10-2018; Ord. No. 4608, 11-12-2019; Ord. No. 4644, § 1, 9-14-2020; Ord. No. 4676, § 2, 9-13-2021; Ord. No. 4714, § 1, 9-27-2022; Ord. No. 4741, § 1, 9-27-2023; Ord. No. 4774, § 1, 9-9-2024)

Sec. 52-405. Rate rider; community solar service.

(a) The electric rate rider shall be applicable to residential, commercial, general power, and large power customers within the electric service territory limits of the city that sign a community solar service agreement. The maximum number of kWh that may be purchased via solar shares or installed panels is limited to 80 percent of a customer's annual electrical usage. New locations will be based off of comparable location sizes and determined by the city staff. Charges/credits become effective in the first full billing period after the community solar farm's commercial operating date.

Solar energy share charge:	$0.0301 per kWh for customers that receive energy from solar energy shares
Maintenance charge:	$0.0062 per kWh for customers that receive energy from purchased panels
Conventional power credit:	$0.0222 per kWh for all customers receiving energy from the community solar farm (this credit will be adjusted annually to reflect the city's cost of conventional power)

(b) The fee to purchase an installed panel will be $335.00, not including applicable sales tax. Solar panels may not be available for purchase due to availability or the discretion of the City of Hastings.

(c) The city may, in connection with its consideration of a customer, elect, in the utility department's discretion, to repurchase the installed panels from the customer according to following repurchase schedule, per panel:

Residential Customer Panel Repurchase Schedule

Year 1	$263.00
Year 2	$252.00
Year 3	$241.00
Year 4	$230.00
Year 5	$219.00
Year 6	$208.00
Year 7	$197.00
Year 8	$186.00
Year 9	$175.00
Year 10	$165.00
Year 11	$154.00
Year 12	$143.00
Year 13	$133.00
Year 14	$122.00
Year 15	$112.00
Year 16	$101.00
Year 17	$91.00
Year 18	$80.00
Year 19	$70.00
Year 20	$60.00
Year 21	$50.00
Year 22	$40.00
Year 23	$30.00
Year 24	$20.00
Year 25	$10.00
Year 26 and thereafter	$0.00

(d) There will be an enrollment fee of $50.00 to participate in the community solar service. Said enrollment fee shall be due and payable to the city upon execution of a community solar service agreement. If a customer takes service under the community solar service agreement for one year, the city will refund the fee as a credit to the customer's account. If service is for less than one year, the enrollment fee will not be refunded.

(Code 2020, § 32-305; Ord. No.4596, 7-8-2019; Ord. No. 4643, § 1, 9-14-2020; Ord. No. 4681, § 1, 9-13-2021; Ord. No. 4718, § 1, 9-27-2022; Ord. No. 4744, § 1, 9-27-2023; Ord. No. 4777, § 1, 9-9-2024)

ARTICLE V. NATURAL GAS SERVICE

Sec. 52-501. Extension and ownership of service lines.

When application for gas service shall be made as provided in this article, the city will run the service conduit to the building of the applicant or consumer at the exclusive cost of the applicant, who shall thereafter own such service or supply line and shall be responsible for the good repair and safe condition of the service line.
(Code 2020, § 32-401)

Sec. 52-502. Rates.

The tariff of rates is based on monthly consumption of each consumer of natural gas from the distribution system of the city and the following schedules are hereby established:

(1) *GRS-U Gas Residential Service—Urban.*

a. Availability: Within established corporate limits of the City of Hastings.

b. Applicability: To single-family residences and individually metered apartments for domestic purposes when all service is supplied through a single meter to each customer.

c. Character of service: Standard Hastings Utilities pressures and temperatures.

d. Rates:

	Summer Period	*Winter Period*
Effective October 15, 2023		
Customer charge per month	$10.00	$10.00
Usage per hundred CCF	$0.322	$0.475
Effective October 1, 2024		
Customer charge per month	$11.00	$11.00
Usage per hundred CCF	$0.381	$0.534
Effective October 1, 2025		
Customer charge per month	$12.00	$12.00
Usage per hundred CCF	$0.445	$0.598
Effective October 1, 2026		
Customer charge per month	$13.00	$13.00
Usage per hundred CCF	$0.513	$0.667

e. The minimum bill shall be the customer charge.

f. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

g. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

h. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(2) *GGS-U Gas General Service—Urban.*

a. Availability: Within established corporate limits of the City of Hastings.

b. Applicability: To any customer for nondomestic purposes or multiple-family domestic use where all service is taken through a single meter at one location, and where the customer's peak winter usage does not exceed 3,000 CCF per month.

c. Character of service: Standard Hastings Utilities pressures and temperatures.

d. Rates:

	Summer Period	*Winter Period*
Effective October 15, 2023		
Customer charge per month	$15.00	$15.00
Usage per hundred CCF	$0.340	$0.498
Effective October 1, 2024		
Customer charge per month	$17.00	$17.00
Usage per hundred CCF	$0.399	$0.557
Effective October 1, 2025		
Customer charge per month	$19.00	$19.00
Usage per hundred CCF	$0.463	$0.621
Effective October 1, 2026		
Customer charge per month	$21.00	$21.00
Usage per hundred CCF	$0.531	$0.689

e. The minimum bill shall be the customer charge.

f. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

g. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

h. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(3) *GLGS-U Gas Large General Service—Urban.*

a. Availability: Within established corporate limits of the City of Hastings.

b. Applicability: To any customer for nondomestic purposes or multiple-family domestic use where all service is taken through a single meter at one location, and where the customer's peak winter requirement is greater than 3,000 and less than 60,000 CCF per month.

c. Character of service: Standard Hastings Utilities pressures and temperatures.

d. Rates:

	Summer Period	*Winter Period*
Effective October 15, 2023		
Customer charge per month	$55.00	$55.00

	Summer Period	*Winter Period*
Usage per hundred CCF	$0.350	$0.477
Effective October 1, 2024		
Customer charge per month	$60.00	$60.00
Usage per hundred CCF	$0.409	$0.536
Effective October 1, 2025		
Customer charge per month	$65.00	$65.00
Usage per hundred CCF	$0.473	$0.600
Effective October 1, 2026		
Customer charge per month	$70.00	$70.00
Usage per hundred CCF	$0.541	$0.668

e. The minimum bill shall be the customer charge.

f. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

g. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

h. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(4) *GRS-R Gas Residential Service—Rural.*

a. Availability: Within the established service area but outside the corporate limits of the City of Hastings.

b. Applicability: To single-family residences and individually metered apartments for domestic purposes when all service is supplied through a single meter to each customer.

c. Character of service: Standard Hastings Utilities pressures and temperatures.

d. Rates:

	Summer Period	*Winter Period*
Effective October 15, 2023		
Customer charge per month	$11.00	$11.00
Usage per hundred CCF	$0.326	$0.500
Effective October 1, 2024		
Customer charge per month	$12.00	$12.00
Usage per hundred CCF	$0.385	$0.559
Effective October 1, 2025		
Customer charge per month	$13.00	$13.00
Usage per hundred CCF	$0.449	$0.623
Effective October 1, 2026		
Customer charge per month	$14.00	$14.00
Usage per hundred CCF	$0.517	$0.691

e. The minimum bill shall be the customer charge.

f. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

g. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

h. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(5) *GGS-R Gas General Service—Rural.*

a. Availability: Within established service area but outside the corporate limits of the City of Hastings.

b. Applicability: To any customer for nondomestic purposes or multiple-family domestic use where all service is taken through a single meter at one location, and where the customer's peak winter requirement does not exceed 3,000 CCF per month.

c. Character of service: Standard Hastings Utilities pressures and temperatures.

d. Rates:

	Summer Period	*Winter Period*
Effective October 15, 2023		
Customer charge per month	$15.00	$15.00
Usage per hundred CCF	$0.330	$0.504
Effective October 1, 2024		
Customer charge per month	$17.00	$17.00
Usage per hundred CCF	$0.389	$0.563
Effective October 1, 2025		
Customer charge per month	$19.00	$19.00
Usage per hundred CCF	$0.453	$0.627
Effective October 1, 2026		
Customer charge per month	$21.00	$21.00
Usage per hundred CCF	$0.521	$0.695

e. The minimum bill shall be the customer charge.

f. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

g. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

h. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(6) *GLGS-R Gas Large General Service—Rural.*

a. Availability: Within established service area but outside the corporate limits of the City of Hastings.

b. Applicability: To any customer for nondomestic purposes or multiple-family domestic use where all service is taken through a single meter at one location, and where the customer's maximum winter requirement is greater than 3,000 CCF and less than 60,000 CCF per month.

c. Character of service: Standard Hastings Utilities pressures and temperatures.

d. Rates:

	Summer Period	*Winter Period*
Effective October 15, 2023		
Customer charge per month	$60.00	$60.00
Usage per hundred CCF	$0.338	$0.473
Effective October 1, 2024		
Customer charge per month	$62.50	$62.50
Usage per hundred CCF	$0.397	$0.532
Effective October 1, 2025		
Customer charge per month	$65.00	$65.00
Usage per hundred CCF	$0.461	$0.596
Effective October 1, 2026		
Customer charge per month	$67.50	$67.50
Usage per hundred CCF	$0.529	$0.664

e. The minimum bill shall be the customer charge.

f. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

g. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

h. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(7) *GLV-D Gas Large Volume—Demand.*

a. Availability: Within established rate areas of Hastings Utilities.

b. Applicability: To any customer for nondomestic purposes where all service is taken through a single meter at one location, and where the customer's maximum winter usage is greater than 60,000 CCF per month. This rate is optional.

c. Character of service: Standard Hastings Utilities pressures and temperatures.

d. Rates:

Effective October 15, 2023	
Customer charge	$150.00
Demand per CCF times the peak winter usage within the past 11 months	$0.140
Usage per CCF	$0.225

Effective October 1, 2024	
Customer charge	$155.00
Demand per CCF times the peak winter usage within the past 11 months	$0.150
Usage per CCF	$0.284
Effective October 1, 2025	
Customer charge	$160.00
Demand per CCF times the peak winter usage within the past 11 months	$0.160
Usage per CCF	$0.348
Effective October 1, 2026	
Customer charge	$165.00
Demand per CCF times the peak winter usage within the past 11 months	$0.172
Usage per CCF	$0.416

e. The minimum bill shall be the customer charge and demand charge.

f. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

g. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

h. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(8) *GLV-I Gas Large Volume—Interruptible.*

a. Availability: Within established rate areas of Hastings Utilities and to the extent gas under this schedule is available to Hastings Utilities.

b. Applicability: To any customer for nondomestic purposes where all service is taken through a single meter at one location and who has executed an agreement with the city whereby, in a period of curtailment or interruption, the customer can switch to alternate fuels to maintain operation or curtail all operations requiring the use of natural gas from the city distribution system. The customer must demonstrate the capability to remain off the city system. The customer must remain on the rate a minimum of 12 consecutive months.

c. Minimum usage: 10,000 CCF/month (1,000 MMBtu/month)

d. Character of service: Standard Hastings Utilities pressures and temperatures.

e. Rates:

	Summer Period	*Winter Period*
Effective October 15, 2023		
Customer charge per month	$150.00	$150.00
Usage per CCF	$0.324	$0.388

	Summer Period	*Winter Period*
Effective October 1, 2024		
Customer charge per month	$155.00	$155.00
Usage per CCF	$0.383	$0.447
Effective October 1, 2025		
Customer charge per month	$160.00	$160.00
Usage per CCF	$0.447	$0.511
Effective October 1, 2026		
Customer charge per month	$165.00	$165.00
Usage per CCF	$0.515	$0.579

f. The minimum bill shall be the customer charge.

g. Seasonal periods: The summer period shall be the billing months of June through September and the winter period shall be the billing months of October through May.

h. Purchased gas adjustment: Subject to application of Btu and purchased gas adjustment.

i. Failure to interrupt: In the event a customer is unwilling or unable to interrupt all service under this schedule when required by Hastings Utilities, the customer shall be liable for 110 percent of all penalties and charges arising from said failure.

j. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(9) *GITS Gas Interruptible Transportation Service.*

a. Availability:

1. This rate schedule is available to any customer with facilities served by Hastings Utilities who has executed an agency agreement with Hastings or purchased natural gas from a qualified third-party supplier and who has had monthly usage of greater than 10,000 CCF (1,000 MMBtu) during any of the previous 12 months. If a customer is below the threshold to qualify for this rate but was served on this rate schedule as of January 1, 2020, that customer may continue to take service under this rate schedule.

2. Service under this rate schedule is subject to all contractual requirements of existing interstate pipeline service agreements that Hastings currently has in place with Tallgrass Interstate Gas Transmission (TIGT), Trailblazer Pipeline Company (Trailblazer), or their successors or assigns, or any other pipeline and/or suppliers with which Hastings enters into a contract. Continuous service may not be available.

b. Applicability:

1. This rate schedule shall apply to gas purchased by customers through an agency agreement with Hastings or from a qualified third-party supplier and delivered to the Hastings Town Border Station (Hastings TBS), and received, transported, and delivered by Hastings to customer's premises, when Hastings and customer

have executed an agreement for service under Schedule GITS. All third-party suppliers must hold and utilize TIGT pipeline capacity to effectuate delivery of gas to the Hastings TBS.

2. Service under this rate schedule shall be subject to interruption or curtailment at the sole discretion of Hastings.
3. All gas delivered hereunder by Hastings shall be thermally balanced by the customer.
4. Requests for service will be granted on a first-come/first-served capacity and/or contractual available basis.

c. Rates:

Effective October 15, 2023	
Customer charge per billing period per delivery point	$150.00
Charge per MMBtu delivered during each billing period	$0.778
Effective October 1, 2024	
Customer charge per billing period per delivery point	$155.00
Charge per MMBtu delivered during each billing period	$0.837
Effective October 1, 2025	
Customer charge per billing period per delivery point	$160.00
Charge per MMBtu delivered during each billing period	$0.901
Effective October 1, 2026	
Customer charge per billing period per delivery point	$165.00
Charge per MMBtu delivered during each billing period	$0.965

d. Transfer fee: Hastings will include on the customer's invoice a charge equal to 6.5 percent of the gross monthly billing from the customer's natural gas supplier, which shall include all charges associated with delivery of the supply to the Hastings TBS. In the event the customer is unable or unwilling to provide Hastings a copy of its actual invoice to verify pricing, Hastings will bill the customer on an assumed gas cost based upon the first of the month index price listed in the publication, Platts Gas Daily Price Guide, for the higher of the Northern Natural Gas Company Demarcation, or the Colorado Interstate Gas Co. Rocky Mountains indices, plus $1.00/MMBtu.

e. Application fee and other charges: In addition to the monthly charges set forth above, the customer shall pay:

1. An application fee of $250.00 with each request for transportation service; and

2. All directly assignable costs related to such service, including, as applicable, the cost of any electronic metering and/or telemetering and any other facilities constructed or installed to provide transportation service and all exit fees (see general terms and conditions).

f. Telemetering facilities and charges: Subsequent to a request for service, and prior to initiation of service, electronic metering and/or telemetering facilities must be installed and operable in accordance with current policies and practices of Hastings.

g. Modernization charges: In the event the Federal Energy Regulatory Commission (FERC) permits an interstate pipeline to collect through its rates via a surcharge to Hastings, costs related to modernizing the pipeline's facilities and infrastructure to enhance the efficiency and safe operation of the pipeline's system pursuant to the FERC policy statement in Docket No. PL15-1-000, Cost Recovery Mechanisms for Modernization of Natural Gas Facilities, Hastings shall pass on all such additional costs to the customer so Hastings remains revenue neutral.

h. Interstate pipeline rate case: In the event an interstate pipeline that serves Hastings files a rate case with FERC, and FERC allows the implementation of rates that are different than the incremental pipeline transportation and/or fuel costs customer has in effect with Hastings through an agency agreement, Hastings reserves the right to adjust those incremental costs to allow recovery from customer so Hastings remains revenue neutral.

i. Minimum monthly bill: The customer charge, associated pipeline charges, modernization charges and applicable penalty charges, if any, along with the associated transfer fee.

j. Agency agreement: The customer may, at Hastings' option, execute an agency agreement that provides for Hastings to procure a supply of natural gas and handle certain administrative duties involved with delivering gas to customer. The customer shall be responsible for all other terms and requirements of this rate schedule.

k. Receipt and delivery:

1. A customer who has purchased third-party gas shall be solely responsible for scheduling and securing delivery of said transportation gas to the Hastings TBS, unless otherwise agreed to in writing by Hastings.

2. The receipt point shall be the Hastings TBS and the delivery point shall be the retail meter at the customer's facility located within the Hastings distribution service area.

3. A change of either a receipt or delivery point will be treated as new service.

4. All gas delivered to transporting pipelines for transportation and delivery to Hastings, and further transportation hereunder to the customer, shall at all times conform to the generally applicable quality and delivery condition specification of each receiving transporter's FERC-approved pipeline tariff.

5. Ownership of gas transported by Hastings shall at all times remain with the customer.

l. Capacity constraints: Service under this rate schedule is subject to the physical and contractual constraints of Hastings' gas system pertinent to each delivery point.

m. Customer balancing obligation:

1. Customer shall have the obligation to balance, on a daily basis, receipts of transportation gas scheduled at the Hastings TBS with deliveries of such gas by Hastings to the customer's facilities.

2. The customer is responsible for keeping informed as to daily receipts from its supplier of gas so as to enable it to adjust its consumption of gas to ensure that receipts and deliveries of gas into and out of Hastings' system will be kept as near to zero as practicable.

3. (i) The customer is permitted to incur a daily positive imbalance of the quantities received by Hastings on the customer's behalf. On any day a negative imbalance occurs, the swing service fee shall be applied.

(ii) Swing service fee: On any day during the contract period that customer has a negative imbalance or exceeds the contracted maximum daily transportation amount in MMBtu, or customer's daily transport limit, customer shall be billed a swing service fee on the overconsumption (MMBtu). For all gas usage over the customer's daily transport limit, customer shall be charged the price of replacement gas per MMBtu based on the Platts Gas Daily Price Guide: Cheyenne Hub daily price point for the corresponding dates of overage and all other charges exhibited in the customer's agency agreement. An administrative charge of ten percent of the total replacement gas charge shall be built into the swing service fee.

4. Continuous or willful incurring of imbalances that exceed the limits as established herein will constitute grounds for termination of service under this schedule. In the event of termination of service, immediate settlement of the imbalance will be made under the terms described in sections (9)n and o of this section.

n. Settlement of imbalances:

1. On a monthly basis, the customer will receive an imbalance statement from Hastings which will show the quantities scheduled and received by Hastings on behalf of the customer, deliveries to the customer's facilities and any imbalance resulting from the over or under-delivery of gas.

2. All monthly positive imbalances shall be cashed out in accordance with the monthly balancing provisions of the FERC approved TIGT pipeline tariff.

3. All monthly negative imbalances, except those incurred on a critical day or where swing service fee was applied, will be deemed to have been purchased from Hastings at the applicable retail sales rate.

o. Penalties for imbalance:

1. Customers with an imbalance in excess of the limits permitted under section (9)m.3 will be subject to the swing service fee, plus 110 percent of any pipeline imbalance penalty incurred by Hastings as a result of customer's imbalance, if any, should the imbalance occur on a critical day.

2. If Hastings incurs increased gas or transportation costs or any penalties whatsoever due to a customer's imbalance on a critical day, those costs will be passed on to the customer at 110 percent of cost.

p. Customer interruption and curtailment obligations:

1. Service hereunder is available only to customers who can and will immediately reduce or cease the taking of gas if curtailment or interruption is called for by Hastings, in its sole discretion. If customer refuses to reduce or cease the taking of gas at the delivery points as requested and within the notice period, Hastings may, in its sole discretion, bill customer for service at the greater of the customer's applicable standard sales service rate or 110 percent of all supply and penalty costs incurred by Hastings resulting from customer's noncompliance, or discontinue service to customer. In the event Hastings must physically disconnect service as a result of customer's noncompliance, customer will be charged on a time and material basis for all costs incurred by Hastings to discontinue and/or reconnect service.

2. If it can be determined with reasonable accuracy that customer's gas supply is not available at the receipt point in sufficient volume to match customer's deliveries, Hastings may, in its sole discretion, order customer to reduce takes at the delivery points to match gas entering at the receipt point. Said amount, if any, shall be the customer's curtailment quantity.

q. Service regulations: All other terms and general conditions, and regulations applicable to this service shall apply to the extent not inconsistent with this tariff.

r. Alternative fuels adjustment:

1. In the interest of continuity of service, and at the sole discretion of Hastings, the rates for interruptible transportation service hereinabove may be adjusted down to reflect the cost of alternative fuels and supplies.

2. In the case of alternative fuels, Hastings may require from the customer written and verifiable documentation of the end use cost of alternative fuels.

3. In no case shall the applicable rates be less than the minimum allowable cost of Hastings.

s. First right of refusal: Customer shall notify Hastings if customer receives a bona fide offer from a third party to supply natural gas under terms which, in customer's opinion, are more favorable than those offered by Hastings. The customer further agrees that Hastings shall have the first right of refusal to match the third-party offer. The customer shall provide Hastings with a copy of such third-party offer or sign an affidavit which

identifies the terms and conditions of any such offer. For 30 working days following receipt of such notification, Hastings shall have the right to match such third-party offer which would otherwise be accepted by customer. If Hastings matches such offer, customer and Hastings shall enter into a contract which contains such terms. Hastings' failure to match such third-party offer within 30 working days following receipt of notification shall constitute a waiver of Hastings' right to meet the third-party offer.

t. Definitions: The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Critical day means any day, or portion thereof, that a pipeline transporter issues a directional notice or critical time operational flow order (OFO), or equivalent, or when Hastings shall be curtailed in whole or part by a pipeline transporter, operational issue, or any similar period of interruption due to limitations or constraints of supply or delivery capacity.

Customer's curtailment quantity means the maximum daily transportation amount in MMBtu, if any, which customer is allowed to use during periods of restriction or curtailment. Said amount must be confirmed by contract, in writing, or by fax with Hastings, prior to usage.

Minimum allowable cost means an amount which is less than the fully allocated cost of service but which is greater than the marginal cost of operation of the Hastings gas system.

u. Rate term: A customer shall remain on a rate for a minimum of 12 consecutive months, unless determined to be on a nonapplicable rate by Hastings or upon mutual consent of Hastings and the customer.

v. Force majeure: All service under this schedule is subject to interruption under conditions of force majeure (see general terms and conditions).

w. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(10) *GFTS Gas Firm Transportation Service.*

a. Availability:

1. This rate schedule (schedule) is available to any customer with facilities served by Hastings Utilities (Hastings) who has executed an agency agreement with Hastings or purchased natural gas from a qualified third-party supplier and who has had peak monthly usage of greater than 10,000 CCF (1,000 MMBtu) during any of the previous 12 months.

2. Service under this schedule is subject to all contractual requirements of existing interstate pipeline service agreements that Hastings currently has in place with Tallgrass Interstate Gas Transmission (TIGT), Trailblazer Pipeline Company

(Trailblazer), or their successors or assigns, or any other pipeline and/or suppliers with which Hastings enters into a contract. Continuous service may not be available.

b. Applicability.

1. This schedule shall apply to gas purchased by customer through an agency agreement with Hastings or from a qualified third-party supplier and delivered to the Hastings TBS, and received, transported, and delivered by Hastings to customer's premises, when Hastings and customer have executed an agreement for service under Schedule GFTS. All third-party suppliers must hold and utilize TIGT pipeline capacity to effectuate delivery of gas to the Hastings TBS.

2. Service under this rate schedule shall not be subject to interruption or curtailment except for operational emergencies, force majeure conditions, issuance of an operational flow order (OFO), or the equivalent, by a transporting pipeline, or failure of customer to secure adequate supplies of gas, as outlined in subsection (10)k of this section.

3. All gas delivered hereunder by Hastings shall be thermally balanced by customer.

4. Requests for service will be granted on a first-come/first-served capacity and/or contractually available basis.

c. Rates.

Effective October 15, 2023	
Customer charge per billing period per delivery point	$160.00
Demand charge per MMBtu	$5.85
MMBtu times the peak daily winter usage within the past 24 months. If actual usage data is not available, the utility department may estimate peak day values.	
Charge per MMBtu delivered during each billing period	$0.896
Effective October 1, 2024	
Customer charge per billing period per delivery point	$175.00
Demand charge per MMBtu	$6.73
MMBtu times the peak daily winter usage within the past 24 months. If actual usage data is not available, the utility department may estimate peak day values.	
Charge per MMBtu delivered during each billing period	$1.030

Effective October 1, 2025	
Customer charge per billing period per delivery point	$190.00
Demand charge per MMBtu	$7.67
MMBtu times the peak daily winter usage within the past 24 months. If actual usage data is not available, the utility department may estimate peak day values.	
Charge per MMBtu delivered during each billing period	$1.174
Effective October 1, 2026	
Customer charge per billing period per delivery point	$200.00
Demand charge per MMBtu	$8.67
MMBtu times the peak daily winter usage within the past 24 months. If actual usage data is not available, the utility department may estimate peak day values.	
Charge per MMBtu delivered during each billing period	$1.327

d. Transfer fee: Hastings will include on the customer's invoice a charge equal to 6.5 percent of the gross monthly billing from customer's natural gas supplier, which shall include all charges associated with delivery of the supply to the Hastings TBS. In the event customer is unable or unwilling to provide Hastings a copy of its actual invoice to verify pricing, Hastings will bill the customer on an assumed gas cost based upon the first of the month index price listed in the publication Platts Gas Daily Price Guide for the higher of the Northern Natural Gas Company - Demarcation, or the Colorado Interstate Gas Co. Rocky Mountains indices, plus $1.00/MMBtu.

e. Application fee and other charges: In addition to the monthly charges set forth above, customer shall pay:

   1. An application fee of $250.00 with each request for transportation service; and
   2. All directly assignable costs related to such service, including, as applicable, the cost of any electronic metering and/or telemetering and any other facilities constructed or installed to provide transportation service and all exit fees (see general terms and conditions).

f. Telemetering facilities and charges: Subsequent to a request for service, and prior to initiation of service, electronic metering and/or telemetering facilities must be installed and operable in accordance with current policies and practices of Hastings.

g. Modernization charges: In the event the Federal Energy Regulatory Commission (FERC) permits an interstate pipeline to collect through its rates via a surcharge to Hastings, costs related to modernizing the pipeline's facilities and infrastructure to

enhance the efficiency and safe operation of the pipeline's system pursuant to the FERC policy statement in Docket No. PL15-1-000, Cost Recovery Mechanisms for Modernization of Natural Gas Facilities, Hastings shall pass on all such additional costs to the customer so Hastings remains revenue neutral.

h. Interstate pipeline rate case: In the event an interstate pipeline that serves Hastings files a rate case with FERC, and FERC allows the implementation of rates that are different than the incremental pipeline transportation and/or fuel costs customer has in effect with Hastings through an agency agreement, Hastings reserves the right to adjust those incremental costs to allow recovery from customer so Hastings remains revenue neutral.

i. Minimum monthly bill: The customer charge, associated pipeline charges, modernization charges and applicable penalty charges, if any, along with the associated transfer fee.

j. Agency agreement: Customer may, at Hastings' option, execute an agency agreement which provides for Hastings to procure a supply of natural gas and handle certain administrative duties involved with delivering gas to customer. The customer shall be responsible for all other terms and requirements of this rate schedule.

k. Receipt and delivery:

1. A customer who has purchased third-party gas shall be solely responsible for scheduling and securing delivery of said transportation gas to the Hastings TBS, unless otherwise agreed to in writing by Hastings.

2. The receipt point shall be the Hastings TBS and the delivery point shall be the retail meter at the customer's facility located within the Hastings distribution service area.

3. A change of either a receipt or delivery point will be treated as new service.

4. All gas delivered to transporting pipelines for transportation and delivery to Hastings, and further transportation hereunder to the customer, shall at all times conform to the generally applicable quality and delivery condition specification of each receiving transporter's FERC approved pipeline tariff.

5. Ownership of gas transported by Hastings shall at all times remain with the customer.

l. Capacity constraints: Service under this schedule is subject to the physical and contractual constraints of Hastings' gas system pertinent to each delivery point.

m. Customer balancing obligation:

1. Customer shall have the obligation to balance, on a daily basis, receipts of transportation gas scheduled at the Hastings TBS with deliveries of such gas by Hastings to the customer's facilities.

2. The customer is responsible for keeping informed as to daily receipts from its supplier of gas so as to enable it to adjust its consumption of gas to ensure that receipts and deliveries of gas into and out of Hastings' system will be kept as near to zero as practicable.

3. (i) The customer is permitted to incur a daily positive imbalance of the quantities received by Hastings on the customer's behalf. On any day a negative imbalance occurs, the swing service fee shall be applied.

   (ii) Swing service fee: On any day during the contract period that customer has a negative imbalance or exceeds the contracted maximum daily transportation amount in MMBtu, or customer's daily transport limit, customer shall be billed a swing service fee on the overconsumption (MMBtu). For all gas usage over the customer's daily transport limit, customer shall be charged the price of replacement gas per MMBtu based on the Platts Gas Daily Price Guide: Cheyenne Hub daily price point for the corresponding dates of overage and all other charges exhibited in the customer's agency agreement. An administrative charge of ten percent of the total replacement gas charge shall be built into the swing service fee

4. Continuous or willful incurring of imbalances that exceed the limits as established herein will constitute grounds for termination of service under this schedule. In the event of termination of service, immediate settlement of the imbalance will be made under the terms described in subsections (10)n and o of this section.

n. Settlement of imbalances:

1. On a monthly basis, the customer will receive an imbalance statement from Hastings which will show the quantities scheduled and received by Hastings on behalf of the customer, deliveries to the customer's facilities and any imbalance resulting from the over- or under-delivery of gas.

2. All monthly positive imbalances shall be cashed out in accordance with the monthly balancing provisions of the FERC approved TIGT pipeline tariff.

3. All monthly negative imbalances, except those incurred on a critical day, or where a swing service fee was applied, will be deemed to have been purchased from Hastings at the applicable retail sales rate.

o. Penalties for imbalance:

1. Customers with an imbalance in excess of the limits permitted under subsection (10)h.3 of this section will be subject to the swing service fee, plus 110 percent of any pipeline imbalance penalty incurred by Hastings as a result of customer's imbalance, if any, should the imbalance occur on a critical day.

2. If Hastings incurs increased gas or transportation costs or any penalties whatsoever due to a customer's imbalance on a critical day, those costs will be passed on to the customer at 110 percent of cost.

p. Customer interruption and curtailment obligations:

1. If it can be determined with reasonable accuracy that customer's gas supply is not available at the receipt point in sufficient volume to match customer's deliveries, Hastings may, in its sole discretion, order customer to reduce takes at the delivery points to match gas entering at the receipt point.
2. If customer refuses to reduce or cease the taking of gas at the delivery points as requested and within the notice period, Hastings may, in its sole discretion, bill customer for service at the greater of the customer's applicable standard sales service rate or 110 percent of all supply and penalty costs incurred by Hastings resulting from customer's noncompliance, or physically discontinue service to customer. In the event Hastings must physically disconnect service as a result of customer's noncompliance, customer will be charged on a time and material basis for all costs incurred by Hastings to discontinue and/or reconnect service.
3. In the event that a transporting pipeline issues an operational flow order (OFO), or the equivalent, Hastings may, at its sole discretion, reduce or suspend total deliveries of transportation gas to customer during the duration, or any portion thereof, that an OFO is in existence. Said amount, if any, shall be the customer's curtailment quantity.
4. If all or a portion of transportation service is suspended to a customer, Hastings may attempt to continue serving the customer's full requirements, but the customer will pay Hastings the higher of customer's standard sales service rate or the actual incremental cost, plus ten percent, of any replacement supply obtained to serve customer.
5. In the event that an OFO results in supply or operational restrictions that limits or threatens Hastings' ability to serve its entire system load, Hastings may order customer to reduce or eliminate the taking of natural gas at the delivery points during the duration of an OFO. If a customer fails to adjust takes to the ordered level, Hastings may continue to serve the customer and shall invoice consumption at a rate of 110 percent of all associated costs, including, but not limited to, pipeline penalties, supplier variance/penalty costs and incremental replacement supply costs, or may physically discontinue service to customer.

q. Service regulations: All other terms and general conditions, and regulations applicable to this service shall apply to the extent not inconsistent with this tariff.

r. Alternative fuels adjustment:

1. In the interest of continuity of service, and at the sole discretion of Hastings, the rates for firm transportation service hereinabove may be adjusted down to reflect the cost of alternative fuels and supplies.
2. In the case of alternative fuels, Hastings may require from customer written and verifiable documentation of the end use cost of alternative fuels.
3. In no case shall the applicable rates be less than the minimum allowable cost of Hastings.

s. First right of refusal: Customer shall notify Hastings if customer receives a bona fide offer from a third party to supply natural gas under terms which, in customer's opinion, are more favorable than those offered by Hastings. The customer further agrees that Hastings shall have the first right of refusal to match the third-party offer. The customer shall provide Hastings with a copy of such third-party offer or sign an affidavit which identifies the terms and conditions of any such offer. For 30 working days following receipt of such notification, Hastings shall have the right to match such third-party offer which would otherwise be accepted by customer. If Hastings matches such offer, customer and Hastings shall enter into a contract which contains such terms. Hastings' failure to match such third-party offer within 30 working days following receipt of notification shall constitute a waiver of Hastings' right to meet the third-party offer.

t. Definitions: The following words, terms and phrases, when used in this subsection (10), shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Critical day means any day, or portion thereof, that a pipeline transporter issues a directional notice or critical time operational flow order (OFO), or the equivalent, or when Hastings shall be curtailed in whole or part by a pipeline transporter, or any similar period of interruption due to limitations or constraints of supply or delivery capacity.

Customer's daily transport limit means the maximum daily transportation amount, in MMBtu, which customer has contracted with Hastings. Said limit may be used by customer on any day in which no restriction or curtailment is in effect.

Customer's curtailment quantity means the maximum daily transportation amount, in MMBtu, if any, which customer is allowed to use during periods of restriction or curtailment. Said amount must be confirmed by contract, in writing, or by fax with Hastings, prior to usage.

Minimum allowable cost means an amount which is less than the fully allocated cost of service, but which is greater than the marginal cost of operation of the Hastings gas system.

u. Rate term: A customer shall remain on a rate for a minimum of 12 consecutive months, unless determined to be on a nonapplicable rate by Hastings or upon mutual consent of Hastings and customer.

v. Force majeure: All service under this schedule is subject to interruption under conditions of force majeure (see general terms and conditions).

w. General terms and conditions: Service will be furnished under the general terms and conditions of Hastings Utilities.

(11) *General terms and conditions.* All purchases of natural gas from Hastings Utilities are subject to the following general terms and conditions:

a. Advantageous rate: To the extent that more than one rate may be available for a given customer usage, it shall be the responsibility of the customer to choose the rate which may be best for the customer. The utility will attempt to provide as much information as possible in helping the customer determine which rate may be most advantageous.

b. Billing due date: All bills are due and payable upon receipt. Bills are delinquent 15 days after the date of billing and shall be subject to all applicable penalties and other charges.

c. Btu adjustment: All retail gas sales are subject to a monthly Btu adjustment based upon the average monthly Btu content of the purchased and produced gas. The adjustment shall be calculated as follows:

BTU adjusted sales equals metered CCF sales × (average Btu content) ÷ 1,000 Btu

d. Changing rates; term of contract: In the event that a customer chooses to change to another available rate classification, the customer must remain on the new rate for a period of not less than one year. If customer does not remain on Schedule GITS or GFTS for 36 consecutive months, Hastings may bill customer for any unamortized cost of electronic metering and/or telemetering facilities.

e. Exit fees:

1. Any customer that is receiving or has received natural gas service from Hastings Utilities and desires to receive natural gas supply and/or service from any third party other than Hastings Utilities, shall send written notification of their desire by certified mail or hand delivery to Manager of Utilities, Hastings Utilities, P.O. Box 289, Hastings, NE, 68902-0289, not less than 90 days prior to the desired date of receiving third-party supply and/or service. Within 30 days after receipt of said notification, Hastings Utilities shall advise customer as to whether they qualify to receive third-party supply and/or service. If customer does qualify to receive third-party supply and/or service, such notification shall include an exit fee payment obligation due and payable to Hastings Utilities as a result of said modification of service. The customer shall be obligated to pay these charges in full, or make acceptable payment arrangements, not less than 30 days prior to the date customer desires to begin receiving third-party supply and/or service.

2. Exit fees shall include all costs, charges or obligations previously contracted for or otherwise incurred by Hastings Utilities on behalf of customer prior to Hastings' receipt of written notice from customer. Exit fees shall include a pro rata share of all short- and long-term gas supply and pipeline charges, capital improvements, gas supply realignment costs and any other costs or charges which will continue to be incurred by Hastings Utilities as a result of customer receiving service and/or supply from a third party. Said fees may be waived in whole or in part on a case-by-case basis at the sole discretion of Hastings Utilities.

f. Force majeure.

1. In the event that Hastings Utilities is rendered unable to carry out its obligations under this agreement, either in whole or in part, by reason of force majeure, it is agreed that Hastings Utilities shall give notice and provide the full particulars of such force majeure in writing or by telegraph to the affected customers as soon

as possible after the occurrence of the causes relied upon. The obligations of Hastings Utilities hereto, to the extent that they are affected by a condition of force majeure, shall be suspended during the period of such force majeure condition.

2. The term "force majeure," as employed herein, shall mean acts of God, strikes, facility maintenance, lockouts or other industrial disturbances, acts of the public enemy, wars, blockages, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, tornadoes, storms, floods, washouts, arrest and restraint of rulers and peoples, necessity for compliance with any court order, law, ordinance or resolution promulgated by a governmental authority having jurisdiction, civil disturbances, explosions, breakage or accident to machinery or lines of pipe, sudden partial or sudden entire failure of wells, failure to obtain materials and supplies due to governmental regulations, and causes of like or similar kind, whether herein enumerated or not, and not within the control of Hastings Utilities, and which ,by the exercise of due diligence, Hastings Utilities is unable to overcome; however, the exercise of due diligence shall not require settlement of strikes or labor disputes against the better judgment of Hastings Utilities.

g. Seasonal periods: Unless otherwise noted, the following definitions shall apply:

1. The term "summer period" means the time during which summer rates shall apply, the billing months of June through September.

2. The term "winter period" means the time during which winter rates shall apply, the billing months of October through May.

(12) *Purchase gas adjustment (PGA).*

a. Generally: All retail gas sales are subject to the application of a purchase gas adjustment (PGA). Said adjustment shall be made when deemed appropriate by Hastings Utilities and shall be determined as follows:

1. Purchased and produced gas costs shall be calculated on an annual basis. For these purposes, the term "cost of gas" shall mean the total cost, including all transportation, demand, commodity, fuel and other supply-related charges. In addition, to the extent the difference between the actual cost of gas and the base gas supply cost is less than zero, the cost of gas shall be adjusted to include other costs associated with gas supply, including, as an example, the portion of accumulated costs associated with the trailblazer hedging transaction necessary to bring the difference to zero. Costs as calculated under this section shall be adjusted to a volume-based amount by applying the Btu adjustment using the base heat content included in the Btu adjustment clause. This amount is referred to as "actual cost of gas" herein.

2. The base gas supply cost for the tariffs presently in effect are $2.70 for the summer months of June through September and $3.49 for the winter months of October through May.

3. The applied PGA in a given month shall be the average of the calculated difference between the actual cost of gas and base gas supply cost.

b. Allocation of seasonal costs: Costs incurred because of winter season usage may be charged to winter season sales, irrespective of the month or season in which the costs are due and payable. The example, the demand charges associated with no-notice service may be received on a monthly basis; however, the pro rata share of those costs shall be included in the winter season cost of gas calculations. The proration shall be based upon the firm summer/winter peak day demands.

c. Purchase gas adjustment calculations: The actual or estimated production costs, including any corrective adjustments from the previous period, shall be the basis for the PGA. The base gas supply cost shall then be subtracted from this number and the result multiplied by the loss/conversion ratio. The PGA adjustment shall be multiplied times the appropriate monthly customer usage to determine the monthly billing adjustment.

Example of Calculation

Actual gas costs for the period	$3.211 per MCF
Base gas cost	$3.111 per MCF
Difference	$0.100 per MCF
Loss/conversion adjustment	$0.100 per MCF
PGA adjustment	$0.0100 per CCF of sales

d. True-up calculation:

1. No later than August 1 of each year, Hastings Utilities shall calculate a monthly true-up based on the following for each of the 12 months ending the prior March 31:

   (i) Revenue collected from retail customers for gas supply, including base gas supply costs, purchased gas adjustments, and true-up calculation collections, less the following:

      A. The actual cost of gas as calculated in this section.

      B. The collected true-up rate multiplied by the originally projected gas sales for those months.

   (ii) The annual true-up amount is the total of the monthly true-up calculated for each of the 12 months ending March 31.

2. If the annual true-up amount is a positive amount indicating a surplus, this surplus amount will be carried forward to future years and used to reduce the true-up amount in future years. If the annual true-up amount is a deficit, any prior year surpluses will first be applied to the current year deficit. If there are adequate prior year surpluses to apply and eliminate the deficit, no true-up amount will be collected in the succeeding year. If a deficit remains, the true-up amount will be divided by projected gas sales for the 12-month period beginning October 1 to

calculate the true-up rate. The true-up rate will be added to the monthly PGA for the billing months of the immediately-succeeding October through the following September.

(Code 1973, § 29-29; Code 2020, § 32-402; Ord. No. 1722; Ord. No. 2367; Ord. No. 2468; Ord. No. 2495; Ord. No. 2517; Ord. No. 2640; Ord. No. 2699; Ord. No. 2757; Ord. No. 3141-9/1989; Ord. No. 3174-9/1990; Ord. No. 3357-10/1993; Ord. No. 3363-11/1993; Ord. No. 3431-9/1994; Ord. No. 3537-6/1996; Ord. No. 3668-11/1998; Ord. No. 4517, 8-28-2017; Ord. No. 4601, 9-9-2019; Ord. No. 4645, § 1, 9-14-2020; Ord. No. 4677, § 1, 9-13-2021; Ord. No. 4686, § 1, 1-10-2022; Ord. No. 4715, § 1, 9-27-2022; Ord. No. 4742, § 1, 9-27-2023)

ARTICLE VI. BACKFLOW PREVENTION

Sec. 52-601. Definitions; consumer's representative.

(a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Air-gap separation means the unobstructed vertical distance through the free atmosphere between the lowest opening of any pipe or faucet supplying water to a tank, plumbing fixture, or other device, and the flood level rim of the said receptacle. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the receptacle, and in no case less than one inch.

Antisiphon vacuum breaker is a device which restricts the backflow of water into a potable water system by a simple check valve. The vacuum is broken by allowing air to enter upstream of the check valve.

Approved means that a backflow prevention device or method has been accepted by the manager as being suitable for the intended use.

Auxiliary water system means any water supply system available to the premises other than the public water supply system, and includes the water supplied by such system. These auxiliary water systems may include water from another owner's public water supply system; polluted or contaminated water; process fluids; used water; or other sources of water which the owner of the public water supply system does not have sanitary control.

Backflow or *backsiphonage* means the flow of water or other liquids, mixtures, or substances into the water distribution system from any other source than the intended source of the potable water supply.

Backflow prevention device means any device, method or type of construction intended to prevent backflow into a potable water system. Devices such as an approved air-gap, double check valve assembly, antisiphon vacuum breaker or a reduced pressure principle device can be used which have been approved by the manager.

Consumer means the owner or person in control of any premises supplied by, or in any manner connected to, a public water supply system.

Consumer's water supply system means any water supply system, located on the consumer's premises, supplied by, or in any manner connected to, a public water supply system. A household plumbing system is considered to be a consumer's water supply system. A fire suppression system is also considered a consumer's water supply system.

Contamination means an impairment of the quality of the water by sewage or waste to a degree which could cause an actual hazard to the public health through poisoning or through spread of disease by exposure.

Cross connection means any arrangement whereby contamination due to backflow or backsiphonage can occur.

Degree of hazard is a term derived from an evaluation of the potential risk to health and the adverse effects upon the potable water system.

Double check valve assembly means an assembly composed of two single, independently acting check valves including 100 percent closing shutoff ball valves located at each end of the assembly and suitable connections for testing the watertightness of each check valve.

Health hazard means any condition, device, or practice in a water system or its operation that creates a real or potential danger to the health and well-being of the consumer.

Interchangeable connection means an arrangement or device that will allow alternate, but not simultaneous, uses of two sources of water.

Licensed plumber means a person who has obtained the appropriate license from the mayor and council to perform plumbing related work within the city limits.

Manager means the manager of the city's utilities, or an authorized representative.

Non-potable water means water not safe for drinking, personal, or culinary use, or which does not meet the requirements of the state's department of health.

Owner means the person delivering water through a public water supply system. The owner is the city operating through the utilities department.

Plumbing hazard means a plumbing type of cross connection in a consumer's potable water system that has not been properly protected by air-gap separation or backflow prevention devices.

Pollution means the presence in water of any foreign substance (organic, inorganic, or biological) that degrades the quality of water to a degree which does not necessarily cause an actual hazard to the public health, but which does adversely and unreasonably affect such waters for any desired use.

Pollution hazard means a condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or the consumer's water supply system.

Potable water means water which is satisfactory for drinking, culinary, and domestic purposes, and meets the requirements of the state's department of health.

Public water supply system means a water supply system designed and intended to provide potable water to a designated consumer. The term "water supply" shall include the water supply source and distribution piping network. The term "water supply source" means any artificial or natural accumulation of water used to supply the potable water system. The distribution piping network includes all piping, pumping and treatment devices used to convey an adequate quality and quantity of potable water to the consumer.

Reduced pressure zone backflow prevention device means a device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between two check valves. During normal flow, and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include 100 percent closing shutoff ball valves located at each end of the device, and each device shall be fitted with properly located test cocks.

Service connection means the terminal end of a service line from the public water system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.

System hazard means a condition posing an actual or potential threat of damage to the physical properties of the public's or the consumer's water supply system.

Used water means any water supplied by the public water supply system to a consumer's water supply system after it has passed through the service connection and is no longer under the sanitary control of the water supplier.

(b) *Designated contact person.* The consumer, as defined in these regulations, if requested by the manager, shall designate an individual who shall be responsible for contact and communications with the manager in matters relating to system alteration and construction, monitoring and sampling, maintenance, operation, recordkeeping, and reporting, as required by law and these regulations. Any change in assigned responsibilities or designated individual shall be promptly reported to the manager.

(Code 2020, § 30-801; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-602. Policy and purpose.

(a) The purpose of this article is to protect the public water supply system of the city from the possibility of contamination by isolating real or potential sources of contamination or pollution which may backflow into the public water supply system. This article provides for the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination or pollution of the potable water supply systems.

(b) The manager shall be responsible for the implementation of the backflow prevention program as outlined within this article. If, in the judgment of the manager, an approved backflow prevention device is required for the safety of the public water supply system, then the manager shall give notice in writing to the consumer to install said device at each recommended location. The manager shall inspect and approve all installations of the required backflow prevention devices. The costs for purchasing, installing, and maintaining a backflow prevention device shall be the responsibility and sole expense of the consumer. The installation of backflow prevention devices, except for outlet fixture vacuum breakers, shall be by a licensed plumber. Annual testing of all double check valves and reduced pressure zone devices shall be performed by the manager. If deemed necessary by the manager that maintenance or repairs are necessary, the owner shall be contacted and issued an order to make all necessary repairs or maintenance. The owner shall complete all maintenance or repairs within 30 days; if not, the owner shall be considered in violation of the backflow ordinance and will be subject to disconnection of the service as provided in section 52-610.

(c) No person shall install or maintain a water service connection containing cross connections to a public water supply system or a consumer's potable water supply system unless such cross connections are abated or controlled in accordance with this rule, and as required by the laws and regulations of the state's department of health.

(d) For the purpose of this article, whenever the manager is to make any decision or interpretation, or whenever reference is made to the fact that the manager is to exercise judgment, such decision, interpretation or judgment shall be in accordance with the provisions of this article, and any other applicable provisions of this Code, and state and federal law.
(Code 2020, § 30-802; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-603. Surveys and investigations.

(a) It shall be the responsibility of the water consumer to conduct, or cause to be conducted, periodic surveys of water use practices on the consumer's premises as necessary to determine whether there are actual or potential cross connections in the consumer's water supply system. The manager shall have the authority to conduct, or cause to be conducted, periodic surveys and investigations, of a frequency as determined by the manager, of water use practices within a consumer's premises to determine whether there are actual or potential cross connections to the consumer's water supply system through which contaminants or pollutants could backflow into the public water supply system. The manager may conduct these surveys to provide information in determining what level of protection will be necessary to protect public health and safety.

(b) On request by the manager, the consumer shall furnish the manager with information on water use practices within the consumer's premises. If the consumer refuses to submit the proper information or to cooperate in obtaining the proper information, the manager shall treat the premises as if no appropriate cross connection survey has been completed, and in such event the consumer shall be required to install an approved backflow prevention device as required by section 52-604.

(c) The manager shall have the right to enter a premises served by the public water supply system at all reasonable times for the purpose of making surveys and investigations of water use practices within the premises. In order to inspect a premises, the manager shall give notice setting forth a proposed date and time to the consumer at least ten days in advance. If the consumer cannot make the premises available for inspection at the proposed date and time, the consumer shall contact the manager and arrange for another date and time for the inspection. If the manager and the consumer cannot agree on a date and time, then the manager shall treat the premises as if no appropriate cross connection survey has been completed, and in such event the consumer shall be required to install an approved backflow prevention device as required by section 52-604.

(d) The utilities department is hereby appointed as a hearing board to hear differences between the manager and the consumer on matters concerning interpretation and execution of the provisions of this article regarding the expense of installing, furnishing, and/or maintaining a backflow prevention device. The manager or consumer may, within 14 days of the act or event causing the grievance, request a hearing in writing to present those grievances to the hearing board. The hearing board shall schedule the matter for hearing within 30 days and provide written notice of the meeting by first class mail to the consumer. The notice shall be mailed to the consumer at least seven, and not more than 21, days before the hearing. At the hearing, the consumer shall first state the nature of the grievance, and the manager shall be entitled to respond thereto, whereupon the hearing board shall render its decision, which will be binding upon the consumer and the manager.
(Code 2020, § 30-803; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-604. Where protection is required.

(a) An approved backflow prevention device shall be installed between the service connection and the point of potential backflow into a consumer's water supply system when, in the judgement of the manager, a health, plumbing, pollution or system hazard exists.

(b) An approved backflow prevention device shall be installed when the following conditions are found by the manager to exist:

(1) Premises on which any substance is handled in such a fashion as to create an actual or potential hazard to a public water supply system. This shall include premises having sources or systems containing process fluids or waters originating from a public water supply system which are no longer under the sanitary control of the owner;

(2) Premises having internal cross connections that, in the judgment of the manager, are not correctable, or there exist intricate plumbing arrangements which make it impracticable to determine whether or not cross connections exist;

(3) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross connection survey;

(4) Premises having a repeated history of cross connections being established or re-established;

(5) Premises having more than one customer service connection which could constitute a potential cross connection.

(c) An approved backflow prevention device shall be installed on each service line to a customer's water supply system serving the following types of facilities, unless the manager determines that no health, pollution, or system hazard to the public water supply system exists:

(1) Hospitals, mortuaries, dental clinics, nursing and convalescent homes, medical buildings;

(2) Testing laboratories, film laboratories, film development facilities;

(3) Sewage treatment plants, sewage pumping stations, or stormwater pumping stations;

(4) Food or beverage processing plants;

(5) Chemical plants;

(6) Metal de-greasing, plating industries, machine tool plants, dye and metal processing or productions;

(7) Chemical and petroleum processing or storage plants;

(8) Car washes, automobile servicing facilities;

(9) Lawn irrigation systems and swimming pools;

(10) Laundries and dry cleaners;

(11) Packing houses;

(12) Power plants;

(13) Premises having radioactive materials, such as laboratories, industries, hospitals;

(14) Rendering plants;

(15) Premises having water recirculating systems as used for boilers or cooling systems;

(16) Veterinary establishments, kennels, feedyards, stables, rodeo grounds, stockyards, pet grooming salons;

(17) Beauty salons, barbershops, massage parlors, health clubs;

(18) Fire suppression systems;

(19) Multi-storied buildings greater than three stories in height;

(20) Schools, universities, colleges;

(21) Other commercial or industrial facilities which may constitute potential cross connection.

(Code 2020, § 30-804; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-605. Type of protection required.

(a) The type of protection required under section 52-604(a) and (b) shall depend on the degree of hazard that exists, as follows:

(1) An approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed where a public water supply system may be contaminated with any substance that could cause a system hazard or health hazard;

(2) An approved double check valve assembly shall be installed where a public water supply system may be contaminated with any substance that could cause a pollution hazard;

(3) An approved reduced pressure principle backflow prevention device shall be installed at the service connection where there exists a plumbing hazard;

(4) In the case of any premises where, because of security requirements or other prohibitions, it is impossible or impractical to make a complete cross connection survey of the consumers potable water system, a reduced pressure principle backflow prevention device shall be installed at the service connection.

(b) An approved anti-siphon vacuum breaker may be used as a backflow prevention device where it is not subjected to back pressures. This device shall not be used for applications where water flow is expected to be continuous for 12 or more hours. The device shall be installed ahead of the potential source of contamination on the discharge side of the last control valve. It shall be placed at least 18 inches above the highest point reached by any water passing through the potential source of contamination. Typically, this type of device is used for such equipment as lawn sprinklers, water-cooled compressors, or other water-cooled equipment.
(Code 2020, § 30-805; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-606. Backflow prevention devices.

(a) Any approved backflow prevention device required by section 52-604 shall be installed at a location and in a manner approved by the manager. The consumer, at their sole expense, shall obtain and install said approved backflow prevention device within 90 days of notice and as directed by the manager.

(b) Existing backflow prevention devices approved by the manager prior to the effective date of the ordinance from which this section is derived, and which are properly maintained, shall, except for inspection, testing, and maintenance requirements, be excluded from the requirements of subsection (a) of this section, but only if the manager determines that the devices will satisfactorily protect the public water supply system. One hundred percent closing shutoff ball valves for testing shall be provided on existing backflow prevention devices, if deemed necessary for proper testing by the manager. If deemed necessary by the manager that an existing backflow prevention device requires replacement, it shall be replaced with an approved backflow prevention device.
(Code 2020, § 30-806; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-607. Booster pumps.

(a) No person shall install or maintain a water service connection to any premises where a booster pump has been installed on the service line to or within such premises, unless such booster pump is equipped with a low-pressure cutoff designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to 20 pounds per square inch gauge or less.

(b) It shall be the duty of the water customer to maintain the low-pressure cutoff device in proper working order.
(Code 2020, § 30-807; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-608. Yard hydrants.

(a) The installation of yard hydrants where water is available or accessible for drinking or culinary purposes, and which have drip openings below ground surface, is prohibited unless such hydrants are equipped with an approved device to prevent entrance of groundwater into chambers connected with the water supply.

(b) Yard hydrants or hose bibs which would be used by the consumer to provide water to mix pesticides, fertilizer, or other chemicals, for direct use or aerial application to surface areas, shall be equipped with an anti-siphon vacuum breaker.

(c) All underground lawn and garden sprinkler systems shall be equipped with an approved backflow prevention device.
(Code 2020, § 30-808; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-609. Fire suppression system.

(a) All proposed installations of fire suppression systems shall be reviewed by the manager to determine the appropriate type of backflow prevention device required.

(b) All proposed fire suppression systems requiring an antifreeze solution shall use a pharmaceutical grade antifreeze. The consumer shall provide to the manager a certification identifying the type of pharmaceutical grade antifreeze which shall be used. A double check valve backflow prevention device shall be installed in an approved manner.

(c) A double check valve of an approved type shall be installed on all proposed fire suppression systems not utilizing antifreeze, but this may be done only when there are no other cross connections.

(d) All existing fire suppression systems shall meet the requirements of subsections (a) or (b) of this section, whichever applies. An inspection by a certified fire suppression specialist shall be done to determine whether pharmaceutical grade antifreeze has been utilized. This shall be done at the

expense of the consumer. If it cannot be certified that only pharmaceutical grade antifreezes have been used, then a reduced pressure principle backflow prevention device shall be installed as approved by the manager. This also shall be done at the expense of the consumer.

(e) In the event cross connections, such as those found in using auxiliary water supply systems or in providing other water additives such as foaming agents are necessary for the proper operation of the fire suppression system, then a reduced pressure zone backflow prevention device shall be installed in an approved manner.
(Code 2020, § 30-809; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-610. Violations.

(a) The manager shall deny or discontinue, after notice to the consumer thereof, the water services to any premises wherein:

(1) Any backflow prevention device required by these regulations is not installed or maintained in a manner acceptable to the manager;

(2) It is found that the backflow prevention device has been removed or bypassed;

(3) An unprotected cross connection exists on the premises;

(4) A low-pressure cutoff required by section 52-607 is not installed and maintained in working order; or

(5) The manager is denied entry to determine compliance with these regulations.

(b) The manager shall immediately deny or discontinue, without notice to the consumer thereof, the water service to any premises wherein a severe cross connection exists which constitutes an immediate threat to the safety of the public water system. The manager shall notify the consumer within 24 hours of said denial or discontinuation of service.

(c) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations, and to the satisfaction of the manager.
(Code 2020, § 30-810; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-611. Approval standards.

(a) Any backflow prevention device required herein shall be of a model and size approved by the manager. The term "approved backflow prevention device" means a device that has been manufactured in full conformance with the standards established by the American Water Works Associations (AWWA) entitled AWWA C506-69 Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices, and by the American Society of Sanitary Engineers (ASSE), entitled:

(1) No. 1001 Pipe Applied Atmospheric Type Vacuum Breakers—ANSI Approved 1982, Revised 1988.

(2) No. 1011 Hose Connection Vacuum Breakers—ANSI Approved 1982.

(3) No. 1012 Backflow Preventer/Intermediate Atmospheric Vent—1978.

(4) No. 1013 Reduced Pressure Principle Backflow Preventer—Revised 1988.

(5) No. 1015 Double Check Backflow Prevention Assembly—Revised 1988.

(6) No. 1019 Wall Hydrants, Freezeless, Automatic Draining, Anti-Backflow Types—ANSI Approved 1978.

(7) No. 1020 Vacuum Breakers, Anti-siphon, Pressure Type—ANSI Approved 1982.

(8) No. 1024 Dual Check Valve Type Backflow Preventers—ANSI Approved 1984, Revised 1988.

(9) No. 1032 Dual Check Valve Type Backflow Preventer for Carbonated Beverage Dispensers—1980.

(10) No. 1035 Laboratory Faucet Vacuum Breakers—ANSI Approved 1984.

(11) No. 1048 Double Check Detector Assembly Backflow Preventer—1989.

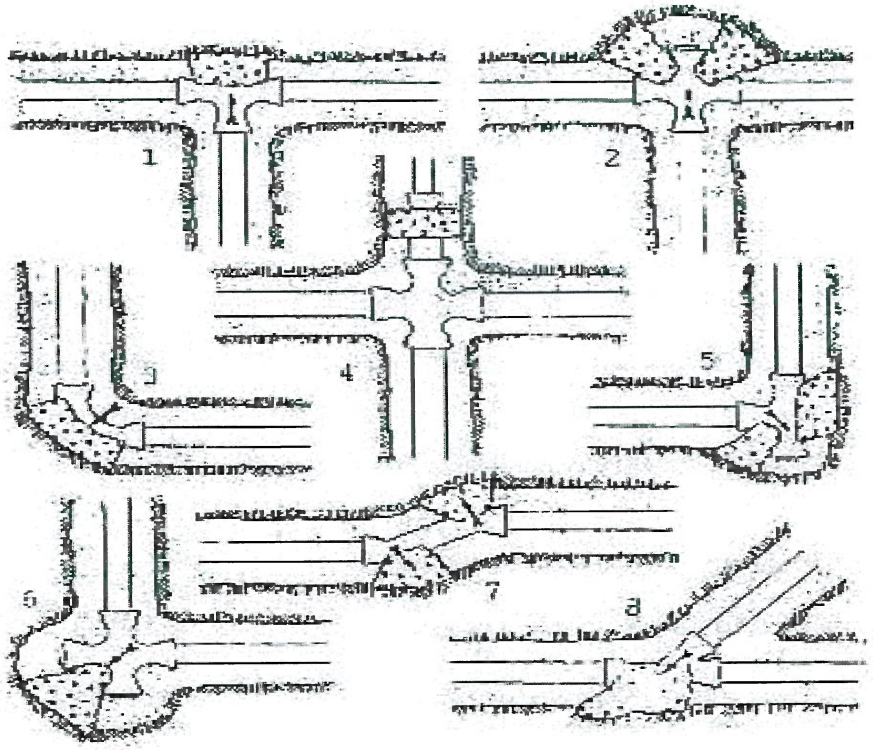
(b) Said standards and specifications have been adopted by the manager. Final approval shall be evidenced by a certificate of approval issued by an approved testing laboratory certifying full compliance with said standard and specifications.

(c) The manager shall keep a current list of all certified suppliers and their appropriate list of makes and models of backflow prevention devices which the manager has deemed approved.

(d) The manager may require a strainer of approved type and size to be installed in conjunction with required backflow prevention devices. The installation of strainers shall preclude the fouling of backflow device due to foreseen and unforeseen circumstances occurring to the water supply system, such as water main repairs, water main breaks, fires, periodic cleaning and flushing of mains. These occurrences may cause debris such as scale deposits and sand to flush through the mains, causing fouling of backflow device.
(Code 2020, § 30-811; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-612. Liability claims.

(a) The manager shall be relieved from personal liability. The city shall hold harmless the manager, when acting in good faith and without malice, from all personal liability for any damage that may occur to any person or property as a result of any act required or authorized by this article, or by reason of any act or omission of the manager in the discharge of the manager's duties hereunder. Any suit brought carrying out the provisions of this article shall be defended by the city, or the city's insurance carrier, if any, through final determination of such proceeding.



PVC Pipe—Design and Installation

(b) If thrusts, due to high pressure, are expected, valves shall be anchored as shown below. At vertical bends, valves shall be anchored to resist outward thrusts.

(1) Through line connection: tee.

(2) Through line connection: cross used as tee.

(3) Direction change: elbow.

(4) Change line size: reducer.

(5) Direction change: tee used as elbow.

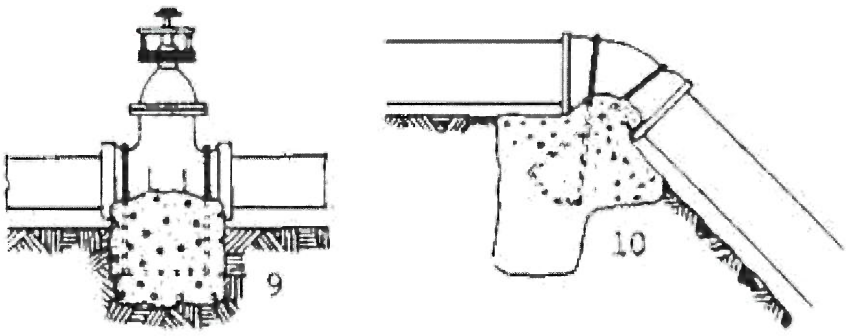
(6) Direction change: cross used as elbow.

(7) Direction change.

(8) Through line connection: wye.

(9) Valve anchor.

(10) Direction change vertical: bend anchor.



Anchor Valves of Pipes

(Code 2020, § 30-812; Ord. No. 3169-5/90; Ord. No. 4110-1/2007; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

ARTICLE VII. SEWERS AND SEWAGE DISPOSAL

DIVISION 1. GENERALLY

Sec. 52-701. Privies and cesspools prohibited.

No person shall construct or maintain any privy or cesspool on any public property or private property within the city. All cesspools or privies shall be removed, and the vault cleaned and filled with fresh earth and well tamped.
(Code 2020, § 30-701; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-702. Septic system permit.

A septic system shall be permitted only when the city sewer system is not available to the property. Written application with plans and specifications for the construction of the septic system according to specifications set forth in this article shall be filed with the plumbing inspector for a permit for installation of a septic system. Construction shall be under the supervision of the plumbing inspector.
(Code 2020, § 30-702; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-703. Sewer service beyond city limits.

A person owning or controlling premises located beyond the city and desiring to install a plumbing system on the premises, and have the same connected with the sanitary sewer system of such city, shall file a written application with the city engineer for a permit for such connection and shall pay a fee, as provided by the city council.
(Code 2020, § 30-703; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-704. Notice; assessment.

Unless connection is waived, as provided in section 52-705, a written notice to connect shall be served upon any owner of property to which the sewer main is available where such owner has failed to connect the sanitary facilities of said property to the sewer main. The notice shall describe the real estate required to be connected with the sewer, and shall require the owner to make such connection within ten days after the service of the notice, and shall further provide that, upon failure to comply with the notice, the utilities department will cause connection to be made, and certification of the cost and expenses thereof to the city council for assessment against the property as in the case of any other special improvements. If the owner is a nonresident of the city, the notice shall be published once in a legal newspaper of general circulation in the city.
(Code 2020, § 30-704; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-705. Separate sewer service line required for each building; exceptions.

The drainage and plumbing system of each new building, or for new work installed in an existing building, shall be separate from and independent of that of any other building. Every building shall have a cleanout five feet or less from the building and shall be independently connected to the public sewer; provided, however, that where two buildings are erected, one to the rear of the other on an interior lot, the sewer may be extended from one building to the other; and further provide that in zoning districts permitting the construction of two or more principal dwelling structures per lot, the sewer service line servicing the lot may be extended from one principal dwelling structure to another principal dwelling structure on the same lot, but no lot upon which two or more principal dwelling structures share a service line shall be subdivided until additional sewer service lines are installed, so that each lot of the proposed subdivision upon which a principal dwelling structure is located is served by at least one sewer service line directly from the main. The owner of any lot upon which one service line is to be installed for two or more principal dwelling structures shall, prior to connection, covenant in writing that the lot shall not be subdivided until additional service lines are installed so that each lot of the proposed subdivision upon which a principal dwelling structure is located is served by at least one service line, and shall pay the cost of recording the covenant with the county register of deeds.
(Code 2020, § 30-705; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-706. Old sewers and drains.

Old sewers and drains may be used with new buildings or new plumbing only when, on examination and test, they are found to conform in all respects to the requirements governing new sewers or drains prescribed in this article. If the old work is found to be defective, the plumbing inspector shall notify the owner to make the necessary changes to conform with this article.
(Code 2020, § 30-706; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-707. Materials—Pipes near water supplies.

All sanitary sewers laid or maintained either upon public or private property within a distance of 200 feet of any well, reservoir or water supply furnishing water of public supply shall be constructed of materials listed in section 52-708.
(Code 2020, § 30-707; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-708. Materials—Building sewers, waste and vents.

(a) *Above ground.* Waste and vent piping above ground in buildings shall be brass pipe, copper pipe, copper tube DWV-weight or heavier, cast iron soil pipe, galvanized steel pipe, ABS or PVC Schedule 40, PVC cellular core Schedule 40, or higher grade plastic pipe.

(b) *Below grade sanitary drain.* Underground building drains shall be cast iron soil pipe, standard or extra heavy-weight, or ABS or PVC Schedule 40 or heavier plastic pipe. Plastic pipe must be protected when going through a concrete wall or footing.

(c) *Below grade sanitary sewer.* Sewer pipe materials shall be cast iron, vitrified clay, PVC sewer pipe, SDR26, ASTM D3034 size four-inch, six-inch or eight-inch or ABS or PVC plastic sewer pipe SDR26 or heavier. Joints shall be gasproof, watertight, and rootproof. All plastic pipe shall be surrounded with a six-inch sand or gravel bed.

(d) *Other.* No bituminous fiber or asbestos cement pipe or fitting shall be used.
(Code 2020, § 30-708; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-709. Main taps; fee.

Sewer drains connected to a sewer main shall run in as direct a line as possible from the building to be drained. The connection to the main shall be made with a special Y saddle and a one-eighth bend or T saddle, or without the saddle where a Y is already in the main. All joints shall be tight and smooth on the inside. The trench shall be of ample width to the point of connection to allow the plumbing inspector to easily inspect the work. The city shall make all taps into the main sewer. A permit shall be secured for each tap from the plumbing inspector, and the tap fee will be set by the utilities department.
(Code 2020, § 30-709; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-710. Location and depth.

No house sewer or underground house drain shall be laid parallel to and within three feet of any bearing wall which might be thereby weakened. Any house sewer laid parallel to and closer than five feet to any bearing wall shall be constructed of extra heavy cast iron soil pipe. The house sewer and drains shall be laid at sufficient depth to protect them from frost.
(Code 2020, § 30-710; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-711. Minimum size of house sewers.

No house sewer shall be less than four inches in diameter, and no closet shall be connected to any drain or horizontal branch less than three inches in diameter.
(Code 2020, § 30-711; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-712. Down spouts.

Rainwater downspouts or drains carrying water shall not be connected with the sanitary sewer system, but may be connected with the storm sewer system. Any connection with the storm sewer system shall be inspected by the city engineer.
(Code 2020, § 30-601; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-713. Discharges from air conditioning units and cooling towers.

It shall be unlawful to discharge wastewater or other liquid from any air conditioning unit or system directly into the sanitary sewer, or into any fixture or appliance connected with the sanitary sewer system of the city. Outlet water or liquids from such units or systems shall be carried to and discharged into the storm sewer system of the city, or may be used for the purpose of irrigating lawns, gardens, trees and shrubs. In no event shall the wastewater or liquid from such units, except units having a cooling tower, be discharged upon any street, alley or sidewalk. The water circulated and used in a system having a cooling tower may be discharged upon any street or alley not to exceed one time per month for the purpose of making necessary repairs and for the purpose of cleaning said system. Such water or liquid shall be discharged only between the hours of 10:00 p.m. and 6:00 a.m., so that the same will not interfere with the effective use and enjoyment of any street, alley or sidewalk. The water supply to all cooling towers shall be installed with an air gap twice the diameter above the overflow rim. All units or systems installed prior to the effective date of the ordinance from which this article is derived, and in nonconformity herewith, shall be converted, modified, adjusted or otherwise made to comply herewith within 45 days from the date the ordinance from which this article is derived becomes effective.
(Code 2020, § 30-602; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-714. Outdoor swimming pools.

Outdoor swimming pool wastewater shall be disposed of as prescribed by the plumbing inspector. When a public sewer or storm drain of adequate capacity is available for use, swimming pool wastewater shall be discharged therein, and permission to do so shall be obtained in writing from the proper authority. A copy of the permit stating the maximum size of the waste line between the receptor and the sewer shall accompany the application for the plumbing permit made to the plumbing inspector. No direct connection shall be made between any storm drain, sewer, drainage system, drywell or subsoil irrigation line and any line connected to a swimming pool.
(Code 2020, § 30-604; Ord. No. 4249-3/2010; Ord. No. 4417-12/2014)

Sec. 52-715. Connection to sewer mains.

(a) No permit shall be granted to make a connection with any sewer main of the city from outside the district in which said sewer main is located until the owner shall have filed a written application for such privilege with the utilities department mapping and describing the lot, part of lot, subdivision of lot or piece of land for which such connection and sewer privilege is desired, and designating the point in the sewer main at and with which such connection is desired, and the utilities department shall have authorized such connection. In determining whether it shall grant such application, the utilities department shall consider such factors as benefit to public health and safety, benefit to the property to be served, the cost to the property owner, any possible expenses to be incurred by the utilities, the ability of the city's system to serve the property, the possibility that an improvement district may be created in the foreseeable future, and such other factors as are relevant to the application.

(b) If the council grants the application, the owner shall then, upon payment of the proper fee which shall be determined as provided herein, make connection to the sewer main, provided that sewer privileges extended hereunder shall be exercised and enjoyed upon payment for the use thereof at the prevailing rates and under the same rules and regulations as are provided generally for users of sewer service furnished by the city sewer system.

(c) The fee to be paid by the owner of land within the city limits for the right to make a connection to any city sewer main from out of the district shall be the prevailing average front foot cost of sewer main construction multiplied by the front footage of the lot or parcel of real estate to be benefitted. The prevailing average front foot cost of sewer main construction shall be equal to the average cost per lineal foot of sewer mains constructed and assessed under contract by the city over the previous 24 months, or such other period of time as is necessary to arrive at a reasonable cost. The computation shall be made by the utilities manager and the city engineer and reported to the city council and the utilities department. The fee to be paid by the owner of land outside of the city limits for connection shall be computed similarly, except that computation of the fee shall be based upon 1 ½ times the prevailing average front foot cost. For the purposes of this subsection, all lots or parcels will be deemed to have a minimum front footage of 50 feet.

(d) Upon payment of the fee as determined in subsection (c) of this section to the city treasurer, to the credit and for the use of the sewer and water system fund of the city, the treasurer shall issue a certificate therefor, describing the real property for the accommodation of which the same was issued, which certificate shall thereafter be receivable at its face value by the authorized collector of any special sewer district assessment which may be assessed against the real property described therein, for the payment of the cost of constructing any sewer main in any sewer district which may be created to include the real property; and in case the face value of the certificate shall exceed the amount of such special tax when so determined and levied against the property, the collector may allow and pay a properly verified claim for such excess to the party entitled to receive the same; this right to claim and receive a refund shall exist for a period of five years from and after the date that the property owner pays the out-of-district connection fee described hereinabove.

(e) No person shall make connection from outside a sewer district to any sewer main or pipe served by a sewer main without complying with the provisions of this section. Any person who shall violate this subsection shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined any sum not exceeding $100.00. Each day that the violation of this subsection continues shall constitute a separate and distinct offense, and shall be punishable as such.

(f) Commercial mains may be extended into unsupplied territory within the city by means of sewer extension districts as recommended by the utilities department and provided by law. If a sewer district is required, the utilities department will recommend creation of said district to the mayor and city council.

(g) The provisions of this section shall also apply to:

(1) Any connection to a main from within a sewer district, if the property to which connection is to be made has not been previously assessed any part of the cost of the improvement; and

(2) Any connection to a sewer main which is not within any assessment district.
(Code 1988; Code 2020, § 32-508; Ord. No. 3160-3/90)

Secs. 52-716—52-735. Reserved.

DIVISION 2. SEWER USER REQUIREMENTS AND RESTRICTIONS

Sec. 52-736. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Biochemical oxygen demand (BOD) means the quantity of oxygen required for the biochemical oxidation of organic matter. The test procedure for BOD shall be conducted in accordance with the most recent revision of the Code of Federal Regulations, pt. 40, subpt. 136. BOD is also referred to as "BOD five-day" or "BOD_5," indicating the required five-day test period.

Building drain means the portion 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 five feet (1.5 meters) outside the inner face of the building wall.

Building sewer, sewer service and *house connection* mean the privately owned and operated sewer extension from the private building drain to the public sewer.

Combined sewer means a sewer intended to receive both wastewater and surface water runoff including stormwater runoff.

Director means the director of underground operations, or a person duly authorized to act on behalf of the director.

Easement means an interest in real estate acquired for a specific use of the real estate owned by another person.

Fats, oils and grease (FOG) means fats, oils or grease in such a physical state that they will separate by gravity from wastewater in an approved pretreatment facility. Wastewater shall be considered free of fat, oil and grease (FOG) if it is properly pretreated and does not interfere with the collection system at a temperature of 55 degrees Fahrenheit (13 degrees Celsius) or lower.

Garbage means the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods, usually associated with domestic or residential sanitary waste.

Hearing board means the utility board as designated by the provisions of section 52-745.

Industrial wastewater means the wastewater from industrial and commercial processes, trade or business as distinguished from domestic or residential sanitary waste.

Manager means the manager of utilities, or a person duly authorized to act on behalf of the manager of utilities.

Natural outlet means a stream flowing into a storm sewer or combined sewer depositing water into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

NDEE means the state's department of environment and energy, which exercises the regulatory authority of the state for environmental and pollution control activities.

Person means an individual, firm, company, association, society, corporation or group.

pH means the logarithm of the reciprocal of the hydrogen-ion concentration. The pH of a liquid solution is a measure of the acidity or alkalinity of a solution. Neutral water, for example, has a pH value of seven. The test procedure for pH shall be conducted in accordance with the most recent of the Code of Federal Regulations, pt. 40, subpt. 136.

Plumbing inspector means the plumbing inspector of the city.

Properly shredded garbage means the waste from the preparation, cooking and dispensing of food which has been shredded to such an extent that all particles will be carried freely under the flow conditions normally prevailing in a public sewer with no particle greater than one-half inch (1.27 cm) in any dimension.

Public sewer system, public sewer and *sanitary sewer* mean a publicly owned and operated sewer by which liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, and limited quantities of groundwater and surface water not intentionally admitted are conveyed.

Sewer means a pipe or conduit by which water is conveyed.

Slug means discharge of wastewater which, in concentration of any constituent or in quantity of flow, exceeds in duration a period longer than 15 minutes, constitutes more than five times the average 24-hour concentration or flow during normal operation, and could adversely affect the collection system or performance of the wastewater treatment facility.

Storm drain and *storm sewer* mean a drain or sewer by which groundwater, subsurface water or surface water from any source is conveyed.

Total kjeldahl nitrogen (TKN) means the sum of organic nitrogen, ammonia and ammonium in the chemical analysis of soil, water or wastewater. The test procedure for TKN shall be conducted in accordance with the most recent revision of the Code of Federal Regulations, pt. 40, subpt. 136.

Total suspended solids (TSS) or *suspended solids (SS)* mean total suspended matter which floats on the surface of, or is in suspension in, water, wastewater or other fluid and may be removable by laboratory filtration in accordance with the procedure identified in the most recent revision of the Code of Federal Regulations, pt. 40, subpt. 136.

Total toxic organics (TTO) mean the sum of toxic organic compounds as defined by the Code of Federal Regulations, pt. 40, subpt. 136. The test procedure for determining TTO shall be conducted in accordance with the most recent revision of the Code of Federal Regulations, pt. 40, subpt. 136.

Unpolluted water means water of quality equal to or better than the effluent measured by the criteria in effect for the wastewater treatment plant operated by the city, or water which would not violate EPA receiving stream water quality standards, and would not benefit from discharge into the sanitary sewer for processing by the wastewater treatment plant.

USEPA or *EPA* means the United States Environmental Protection Agency, which exercises the regulatory authority of the federal environmental and pollution control statutes and regulations.

Wastewater, sanitary sewage and *sewage* mean the spent wastewater of a community. The sources of wastewater are the liquid and water-conveyed wastes from residences, institutions, commercial buildings and industrial facilities.

Wastewater facilities means the structures, equipment and processes required to collect, convey and treat domestic, commercial, institutional and industrial wastes, and to dispose of the effluent thereof.

Wastewater treatment works and *wastewater treatment facility* mean an arrangement of devices and structures for treatment of wastewater and sludge, including, but not limited to, the Maxon Waste Water Treatment Plant and the pollution control facility. The terms "wastewater treatment works" and "wastewater treatment facility" are synonymous with wastewater treatment plant (WWTP), water pollution control facility (WPCF) or pollution control facility (PCF).

Watercourse means a natural or artificial channel through which water flows either continuously or intermittently. A watercourse is a stream or river. A channel is the bed of a stream or river.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(2)), 1-22-2024)

Sec. 52-737. Tampering with sewers.

No person shall maliciously, willfully or negligently damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(1)), 1-22-2024)

Sec. 52-738. Required use of public sewers.

(a) It shall be unlawful for any person to place or to deposit, or to permit placement or deposition, of any human or animal excrement, garbage or other waste constituting a nuisance in any manner on public or private property within the city, in any area under the jurisdiction of the city, or in any area served by or accessible or permeable to the public sewer system of the city.

(b) It shall be unlawful for any person to discharge sewage or polluted waters into any natural outlet within the city, in any area under the jurisdiction of said city, or in any area served by or accessible or permeable to the public sewer system of the city, except where suitable treatment has been provided in accordance with provisions of this division.

(c) Except as hereinafter provided, it shall be unlawful for any person to construct or to maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater or sewage within the city, in any area under the jurisdiction of the city, or in any area served by or accessible or permeable to the public sewer system of the city.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(3)), 1-22-2024)

Sec. 52-739. Private wastewater disposal.

(a) Where a public sewer system, public sewer or sanitary sewer system as defined within this division is not available, and cannot be made available, and the building is located outside the jurisdiction of the city, the building sewer, sewer service or house connection shall be connected to a private wastewater disposal system in compliance with the provisions of this division.

(b) Before commencement of construction of a private wastewater disposal system, the owner of the building sewer shall first obtain a permit executed by the plumbing inspector of the city or other duly authorized employee of the city. The application for such permit shall be made on a form provided by the city which the applicant shall supplement with plans, specifications and other information considered appropriate by the manager of utilities. At the time the application is filed, the owner shall pay to the city a permit and inspection fee approved, adopted and published by the city council.

(c) A private wastewater disposal system constructed by virtue of such permit shall not be utilized until the installation is completed to the satisfaction of the plumbing inspector of the city or other duly authorized employee of the city. The plumbing inspector or other duly authorized employee of the city shall be allowed to inspect the work at any stage of its construction, and the holder of the permit shall notify the plumbing inspector or other duly authorized employee of the city prior to covering of any above ground or underground portion of the facility that it is ready for final inspection. The inspection shall be made within four business days of the receipt of notice by the plumbing inspector of the city or other duly authorized employee of the city.

(d) The type, capacity, location and design of a private wastewater disposal system shall comply with all regulations of the state's department of environment and energy. Effluent from private wastewater disposal systems shall not be discharged into natural outlets, except in the forms of evaporation, transpiration and infiltration as occurring in the process associated with a leach field or drain field. Treated effluent or septic tank pumpage may be deposited at the wastewater treatment facility of the city's pollution control facility. Fees for such deposits shall be charged in accordance with rates approved, adopted and published by the city council.

(e) When a public sewer becomes accessible to property served by a private wastewater disposal system a connection shall be made therefor to the public sewer within 60 days of such access in compliance with this division. Any private wastewater disposal system so replaced shall be cleaned of sludge and filled with suitable material in accordance with the plumbing code of the city within 15 days after such connection to the public sewer system. Upon failure to complete the proper

connection and abandonment requirements, the owner of the property upon which such private wastewater disposal is located shall be in violation of this division, and such person may be subject to prosecution therefor.

(f) The owner of a private wastewater disposal facility shall, at all times, operate and maintain the facility in a sanitary manner at no expense to the city.

(g) No provision of this division shall be construed to preclude any additional requirement which may be imposed by virtue of any health standard or provision of this Code, or by any other city, state or federal regulation.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1 (30-712(4)), 1-22-2024)

Sec. 52-740. Connection to sanitary sewer.

(a) No unauthorized person shall uncover or make any connection with, or opening into, or use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city.

(b) The city shall recognize the following classes of building sewer permits:

(1) For residential and commercial service; and

(2) For service to establishments producing industrial wastewater.

In either case, the owner or agent of the owner shall make application on a form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the manager of utilities and of the city. A permit and inspection fee therefor shall be paid in accordance with rates approved, adopted and published by the city council.

(c) All costs and expenses resulting from the installation and connection of the building sewer shall be borne by the owner of the building. The owner shall indemnify the city for any loss or damage which it may suffer either directly or indirectly by the installation of the building sewer.

(d) A separate and independent building sewer shall be provided for every building, except where one building stands on an interior lot at the rear of another building and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. In such exceptional cases, the building sewer located in the front building may be extended to the rear building and the whole considered one building sewer. The city does not and will not assume any obligation or responsibility for damage caused by, or resulting from, any such single connection.

(e) A building sewer, sewer service or house connection of a previous construction may be used in connection with a new building on the same site only when it is found, on examination and test at the expense of the owner to the satisfaction of the manager of utilities, to meet all requirements of this division.

(f) The size, slope, alignment, materials or construction of all building sewers and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling of the trench shall conform to the requirements of the building and plumbing codes and other applicable rules and regulations of the city. In the absence of suitable code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Standard of Testing Materials (ASTM) and guidelines published by the Water Environment Federation (WEF), formerly the Water Pollution Control Federation (WPCF), and Recommended Standards for Wastewater Facilities, published by the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, also known as the Ten State Standards for Wastewater Facilities, shall apply.

(g) Whenever possible, the building sewer shall be brought to the building at an elevation below its basement floor. In buildings too low to permit gravity flow to the public sewer, the sanitary sewage carried from such building drain shall be lifted by an approved means and discharged to the building sewer.

(h) No person shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the manager of utilities for purpose of disposal of polluted surface drainage.

(i) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes and other applicable rules and regulations of the city, or with the procedures set forth in appropriate specifications of the ASTM and the published guidelines of Water Environment Federation and the Ten State Standards for Wastewater Facilities, as identified in subsection (f) of this section. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the manager of utilities before installation.

(j) The applicant for the building sewer permit shall notify the plumbing inspector of the city or other duly authorized employee of the city when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the plumbing inspector of the city or other duly authorized employee of the city.

(k) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. All excavations shall be properly braced and shored in accordance with applicable city, state and federal safety standards for the local soil conditions to allow for safe access by employees of the city to conduct required inspections of the installation. All streets, sidewalks, parkways, terraces, plantings and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(5)), 1-22-2024)

Sec. 52-741. Discharge prohibitions.

(a) The following substances, materials, waters or wastewaters shall be limited in discharges to the public sewer system to concentrations or quantities which will not harm the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not

otherwise endanger persons or public property or constitute a nuisance. The manager of utilities may set limitations lower than the limitations established in the regulations as noted below if such more severe limitations are necessary to meet the above noted objectives. In forming an opinion of the acceptability of such discharge, the manager of utilities shall give consideration to such factors as the quantity of wastewater in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, the capacity of the wastewater treatment facilities, the degree of treatability of the wastewater in the wastewater treatment facility, and other pertinent factors. The limitations or restrictions on materials or characteristics of wastewaters discharged to the sanitary sewer shall not be exceeded without the approval of the manager of utilities. The following prohibitions shall obligate all users of the wastewater facilities whether or not the user is subject to National Pollutant Discharge Elimination System (NPDES) pretreatment standards, or any other federal, state or city pretreatment standards or other enforceable requirements. A user shall not contribute or cause to be contributed, directly or indirectly, to the wastewater treatment facilities, the following substances:

(1) Pollutants or wastewater which will cause interference with or pass through the wastewater treatment facility.

(2) Temperature of the wastewater which will inhibit biological activity in the wastewater treatment facilities resulting in interference, but in no case heat at such a level that temperature at the wastewater treatment facility would exceed 104 degrees Fahrenheit (40 degrees Celsius).

(3) Wastewater having a pH less than 6.0 or greater than 9.0, or having any other corrosive property which may cause damage or hazard to structures, equipment or employees of the wastewater facilities, unless approved in writing by the manager of utilities.

(4) Any slug from a residential, commercial or industrial source.

(5) Solid or viscous substances which may cause obstruction to the flow in a sewer or interference with the operation of the wastewater treatment facilities, such as, but not limited to, grease, garbage with particles greater than one-half inch in any dimension, animal tissue, paunch, manure, bones, hair, hides, flesh, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gasoline, tar, asphalt residues or residues from refining or processing of fuel or lubrication oil, mud or glass grinding or polishing wastes.

(6) Any wastewater containing toxic pollutants as defined in this division in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment facilities, to constitute a hazard to humans, animals or environment, to create a toxic effect in the receiving waters of the wastewater facilities, or to exceed the limitation set forth in a categorical pretreatment standard as currently defined by the state's department of environment and energy title 119 regulations. A toxic pollutant shall include, but not be limited to, any pollutant identified in article VIII, section 3, or pursuant to section 307(a), of the USEPA Clean Water Act.

(7) Any substances which, by reason of their nature or quantity, may create or contribute to a fire or explosion hazard or be injurious to the wastewater facilities or to the operation of the wastewater facilities, including, but not limited to, wastewaters with closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods specified in the Code of Federal Regulations, pt. 40, subpt. 261.21. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than five percent, nor any single reading more than ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which city, state, federal or USEPA regulations has determined to be a fire hazard or a hazard to wastewater treatment systems.

(8) Any noxious or malodorous liquids, gases, or solids which, either singly or by interaction with other wastewater, are sufficient to create a public nuisance or hazard or are sufficiently hazardous to prevent entry into the sewers for maintenance and repair.

(9) Wastewater causing the effluent of the wastewater treatment facilities to fail toxicity tests.

(10) Substances which may cause the effluent of the wastewater facilities or any other product of the wastewater facilities including bio-solids, scums or residues to be unsuitable for disposal, reclamation or reuse or to interfere with the reclamation process. In no case shall a substance discharged to the wastewater facilities cause the wastewater facilities to fail to comply with bio solids use, disposal criteria, guidelines or regulations developed under section 405 of the Clean Water Act or any criteria, guidelines or regulations affecting bio-solids use or disposal developed pursuant to the Solid Waste Act, Clean Air Act, or the Toxic Substances Control Act, or state criteria applicable to the bio-solids management method being used.

(11) Wastewater with objectionable color not removed in the wastewater treatment facility such as, but not limited to, dye wastes and vegetable tanning solutions.

(12) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration which may exceed limits established by the manager of utilities in compliance with applicable state or federal regulations.

(13) Wastewater which causes a hazard to human life or creates a public nuisance.

(14) Wastewaters containing petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts greater than allowed in section 52-742(c), which may cause interference with passthrough.

(15) Wastewater containing strong acid iron pickling waste or concentrated plating solutions, either neutralized or not neutralized.

(16) Sludge, screenings or other residues from the pretreatment of industrial wastewater.

(17) Any medical waste or wastewater, except that which is specifically authorized by the manager of utilities or a duly authorized representative or which is authorized by a valid industrial user discharge permit issued by the state's department of environment and energy.

(18) Wastewater containing recognizable portions of the human anatomy.

(19) Wastewater containing detergents, surface active agents (surfactants) or other substances which may cause excessive foaming in the wastewater treatment facilities.

(b) No person shall increase the use of process water, or in any way attempt to dilute a discharge as partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal and state categorical pretreatment standards or in any other pollutant-specific limitation developed by the city.

(c) No person shall discharge, or cause to be discharged, into the public sewer system any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, interior and exterior foundation drainage or cooling water, except stormwater runoff from limited areas which may be polluted at times and which may be discharged to the sanitary sewer by permission of the manager of utilities. Stormwater other than that exempted within this division and all other unpolluted drainage shall be discharged to such sewers which are specifically designated as storm sewers or to a natural outlet approved by the manager of utilities, city, or other regulatory agency.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(6)), 1-22-2024)

Sec. 52-742. Wastewater discharge, rates and water quality.

(a) The manager of utilities may establish limitations lower than those established in the regulations in this section if such more severe limitations are necessary to meet treatment objectives. In forming an opinion concerning such acceptability, the manager of utilities shall give consideration to such factors as the quantity of wastewater in relation to flows and velocities in the public sewers, the materials of construction of the public sewers, the wastewater treatment process employed, the hydraulic capacity of the wastewater treatment facilities, the degree of treatability of the wastewater in the wastewater treatment facilities and other pertinent factors.

(b) For determining the wastewater surcharge to be made against a building sewer for a given period of time, the manager of utilities shall sample and analyze the wastewater from the building sewer service in order to determine the strength of such wastewater over such period. Samples shall be taken from such wastewater discharge on at least three composites during normal operations and periodically sampled on such building sewer to confirm continued compliance.

(1) All such sampling and analyzing of the wastewater discharge from a building sewer shall be conducted in accordance with the provisions of this division; provided, however, that the manager of utilities may accept such sampling and analyzing results as may be submitted by the wastewater system user on such property if the manager of utilities reasonably determines that such results properly reflect the overall nature of such discharge.

(2) Each property for which more than two sampling stations are used may be required to reimburse the city for its sampling and analyzing costs resulting from samples taken from more than two of such stations.

(3) Facilities which have an average daily wastewater discharge greater than 0.5 percent of the average daily wastewater treatment facility flow shall be subject to evaluation concerning the necessity of providing collection of wastewater samples prior to discharge thereof to the sewer collection system.

(4) If the wastewater contains any level of pollutants greater than the maximum base concentrations identified in subsection (c) of this section, then the cost for the laboratory sampling shall be reimbursed by the user independent of the regular sewer rates applied. The manager of utilities may exercise discretion to waive these assessments if it is determined that these pollutant levels are consistent with past samples and thus represent confirmation thereof.

(c) Users may discharge wastewater containing pollutants to the maximum concentrations as identified in the following table. Pursuant to the pollutant concentrations as identified in subsection (f) of this section, a surcharge shall be assessed in accordance with sewer surcharge rates duly adopted by the city.

(1) Biological oxygen demand (BOD): 300.0 mg/L.

(2) Total suspended solids (TSS): 350.0 mg/L.

(3) Ammonia: 30.0 mg/L.

(4) Total kjeldahl nitrogen (TKN): 50.0 mg/L.

(5) Phosphates: 10.0 mg/L.

(6) Fats, oils and greases (FOG): 200.0 mg/L.

(7) Hydrocarbon oil and grease: 100.0 mg/L.

(8) pH: 6.0 to 9.0 units.

(9) Aluminum: 5.00 mg/L.

(10) Antimony: 5.00 mg/L.

(11) Arsenic: 0.07 mg/L.

(12) Cadmium: 0.10 mg/L.

(13) Chromium (hexavalent): 0.25 mg/L.

(14) Chromium (total): 2.50 mg/L.

(15) Chloride: 250.0 mg/L.

(16) Copper: 2.00 mg/L.

(17) Cyanide (total): 0.25 mg/L.

(18) Gross alpha: 15 pCi/L.

(19) Lead: 0.50 mg/L.

(20) Mercury: 0.0006 mg/L.

(21) Nickel: 2.70 mg/L.

(22) Phenols: 1.00 mg/L.

(23) Selenium: 1.00 mg/L.

(24) Silver: 0.20 mg/L.

(25) Total toxic organics (TTO): 1.3 mg/L.

(26) Uranium: 0.030 mg/L.

(27) Zinc: 2.50 mg/L.

(28) Asbestos: 7.0 million fibers/L (filter to 5 micron size).

(d) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this division shall be determined in accordance with the most recent revision of the Code of Federal Regulations, pt. 40, subpt. 136, or most recent revision of the Standard Methods for the Examination of Water and Wastewater. Sampling methods, location, times durations, and frequencies are to be determined on an individual basis subject to approval by the manager of utilities.

(e) Hauled wastewater disposal.

(1) Discharge of a septic tank, seepage pit, interceptor, cesspool contents or other wastewaters containing no industrial wastewaters may be made by trucks at a structure designated by the manager of utilities for that purpose. Discharge of truck-transported grease pit contents or industrial wastewater may be authorized only after notification is made to the manager of utilities and only at the location specified by the manager of utilities. Applicable fees for disposal shall be paid promptly and in accordance with published sewer disposal rates.

(2) The manager of utilities may refuse permission to discharge any wastewater which may cause interference or difficulty with the wastewater treatment facilities or any wastewater which violates any provision of this division.

(3) Any person or company holding a valid wastewater hauler's permit and wishing to discharge wastewater to the sewer system shall be required, prior to discharge, to submit to the manager of utilities evidence that a sample of the sewage to be discharged has been sent to a certified laboratory for analysis for parameters outlined in the wastewater hauler's permit. A copy of the laboratory testing results shall be delivered directly from the laboratory to the manager of utilities.

(4) Dumping times shall be limited to the period from 8:30 a.m. to 11:30 a.m., and from 1:00 p.m. to 4:00 p.m. local time, Monday through Friday, excluding recognized city holidays and weather-limited access days caused by heavy storms or snow accumulation. Dumping after hours or on holidays may be allowed by permission from the manager of utilities.

(5) The wastewater hauler shall complete a chain of custody report for each load of wastewater deposited into the sewer system. The information on the chain of custody report (manifest) shall be recorded and signed by the wastewater hauler or by an employee of the wastewater hauler and shall be on forms furnished by the manager of utilities. The chain of custody (manifest) shall provide, as a minimum, the name and address of the facility from which the wastewaters are collected, contact information, typical yearly volumes and results of analytical testing as determined by the manager of utilities.

(6) Discharge of all wastewaters allowed under this division shall take place only at the location designated by the manager of utilities. The designated location or access hole to be used under the wastewater hauler's permit may be changed by the manager of utilities when considered necessary to protect the sewer system.

(7) Any wastewater hauler discharging wastewater to the public sewer system or discharging wastewater not authorized in the permit shall be subject to immediate revocation of discharge privileges and further subject to the penalties and enforcement actions prescribed in section 52-746. The wastewater hauler shall immediately cease discharging any wastewaters to the sanitary sewer system of the city or to facilities that discharge directly or indirectly into its system. Should a wastewater hauler fail to voluntarily comply with any suspension order, the manager of utilities shall take such actions as are deemed necessary or appropriate to prevent or minimize damage to the sewer system and wastewater treatment plant and to protect the health and welfare of the general public.

(8) A suspended permit may be reinstated by the manager of utilities upon submission of assurances satisfactory to the manager of utilities that the wastewater hauler will comply with this division and the rules and regulations promulgated pursuant this division together with payment of such fines or other penalties as may be levied.

(9) The discharge of trucked or hauled wastewaters from industrial plating processes, grit from vehicle and equipment washing mud pits or grit from automotive radiator repair mud pits is prohibited, unless expressly authorized by the manager of utilities.

(10) Nothing in this division shall relieve wastewater haulers of the responsibility for compliance with the city, state and federal regulations.

(f) Surcharge.

(1) A surcharge shall be levied on any customer discharging wastewater exceeding 200 milligrams per liter BOD, 210 milligrams per liter TSS, 25 milligrams per liter ammonia, and 100 milligrams per liter FOG.

(2) The surcharge shall be assessed in accordance with sewer use rates approved, adopted and published by the city council.

(3) Method of billing surcharges. The excessive strength surcharge shall be based on the following formula with the total applied to the monthly bill of affected users:

Payment (dollars per month)

$$(Ax[E-200) + Bx[F-210) + Cx[G-25) + Dx[H-100)) \times 0.00834 \times I = \text{Surcharge}$$

Where formula components are as follows:

A = Surcharge rate for BOD, in dollars per pound.

B = Surcharge rate for TSS, in dollars per pound.

C = Surcharge rate for ammonia in dollars per pound.

D = Surcharge rate for FOG in dollars per pound.

E = User's average BOD concentration, in mg/L for values greater than 200 mg/L.

F = User's average TSS concentration, in mg/L for values greater than 210 mg/L.

G = User's average ammonia concentration, in mg/L for values greater than 25 mg/L.

H = User's average FOG concentration, in mg/L for values greater than 100 mg/L.

I = User's monthly flow to the public sewer system, per 1,000 gallons.

(4) No reduction in sewage service charges or fees shall be permitted because certain wastewaters discharged to the public sewer system contain less than the limit for mg/L of BOD, TSS, ammonia or FOG.

(5) If the surcharge unit cost determination in subsection (f)(3) of this section is inequitable to either the city or the users affected on account of unusual economic or wastewater load circumstances, then the manager of utilities shall exercise discretion by an appropriate method to determine new surcharge unit costs which more accurately reflect the actual economic and waste load impact on the wastewater system.

(g) Any person who discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the wastewater system, or any user who discharges any substance which singly or by interaction with any other substances, causes identifiable increases in the cost of operation, maintenance, or replacement of the wastewater system, shall pay for such increased costs. The charge to each such user shall be determined by the manager of utilities.

(h) If any wastewaters containing the substances or possessing the characteristics identified in subsection (c) of this section are proposed to be discharged to the public sewer and, in the judgment of the manager of utilities, may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or may otherwise create a hazard to life or constitute a public nuisance, the manager of utilities may:

(1) Reject the wastewaters in their entirety;

(2) Set a period of time during which the wastewater will be received without change;

(3) Require pretreatment to an acceptable condition for discharge to the public sewers;

(4) Require control over the quantities and rates of discharge; or

(5) Require payment to cover the added cost of handling and treating the wastewaters not covered by existing sewer charges under the provisions of subsection (f) of this section.

(i) No statement contained in this division shall be construed to preclude any special agreement or arrangement between the city and any industrial concern whereby industrial wastewater of unusual strength or character may be accepted by the city for treatment.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(7)), 1-22-2024)

Sec. 52-743. Pretreatment systems.

(a) Any wastewater having an average daily flow greater than 13,400 cubic feet per day (100,000 gallons per day) shall be subject to review by the manager of utilities for the necessity of pretreatment.

(b) When required by the manager of utilities, the owner of any property serviced by a building sewer carrying industrial wastewaters shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastewaters. Such structures shall be accessible and safely located and shall be constructed in accordance with plans approved by the manager of utilities and regulatory agencies. The structure shall be installed at the expense of the owner and shall be maintained in a safe and accessible manner at all times.

(c) Grease, oil and sand interceptors shall be provided when, in the opinion of the manager of utilities, they are necessary for the proper handling of liquid wastewaters containing fats, oils and grease (FOG) or any flammable wastewaters, sand, grit, debris or other harmful ingredients. All interceptors shall be of a type and capacity approved by the manager of utilities and shall be in a location readily and easily accessible for cleaning and inspection. The owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the date and means of disposal which are subject to review by the manager of utilities. All materials shall be hauled, handled and disposed of in accordance with city, state and federal regulations.

(d) Plans, specifications, and any other pertinent information relating to proposed pretreatment facilities or flow equalization shall be submitted for the approval of the manager of utilities, and construction of such facilities shall not commence until approvals are obtained in writing. All users in this category shall provide the following information to the city for review and approval:

(1) Wastewater discharge, peak rate and volume over a specified period of time;

(2) Chemical analyses of wastewater;

(3) Information on raw materials, processes and products affecting wastewater volume and quality;

(4) Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control;

(5) A plot plan of sewers of the user's property, showing sewer and pretreatment facility location;

(6) Details of wastewater pretreatment facilities;

(7) Details of systems to prevent and control the losses of materials through spills into the municipal sewer.

(e) Where pretreatment or flow-equalizing facilities are provided or required for any wastewaters, they shall be maintained continuously in satisfactory and effective operation by the owner at the expense of the owner.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(8)), 1-22-2024)

Sec. 52-744. Powers and authority of inspectors.

(a) The manager of utilities, superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge of wastewater to the sewer system in accordance with the provisions of this division. The manager of utilities, superintendent or other duly authorized city employees shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other industries, beyond information required for the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment.

(b) While performing the necessary work on private properties referred to in subsection (a) of this section, the manager of utilities, superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the owner thereof. Liability for the death or injury of any employee of the city engaged in inspection or enforcement of these ordinances shall be governed by the statutory and case law of the state.

(c) The manager of utilities, superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties for which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within the said easement. All entry and subsequent work on said easement, if any, shall be performed in full accordance with the terms of the duly negotiated easement pertaining to the private property.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1 (30-712(9)), 1-22-2024)

Sec. 52-745. Hearing board.

The utility advisory board is hereby appointed to be the hearing board for arbitration of disputes between the manager of utilities and sewer users concerning interpretation and execution by the manager of utilities of the provisions of this division. Any consumer aggrieved for being required to pay the charge demanded for sewer use or for the resumption of sewer service after it has been denied may pay such charge under protest. Such aggrieved customer may request a hearing in writing and may present the claim for reimbursement for the consideration of the hearing board.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(10)), 1-22-2024)

Sec. 52-746. Penalties.

(a) Any person found in violation of any provision of this division, except pollutant limits of section 52-742(c), shall be served by the city with written notice stating the nature of the 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.

(b) Any person who shall continue any violation beyond the time limit provided for in section 52-742(h) shall be subject to fines and penalties approved, adopted and published by the city council. Each day during which any such violation shall continue shall be deemed a separate offense.

(c) Any person violating any of the provisions of this division shall become liable to the city for any expense, loss or damage caused by such violation.
(Code 2020, § 30-712; Ord. No. 4360-10/2013; Ord. No. 4417-12/2014; Ord. No. 4753, § 1(30-712(11)), 1-22-2024)

ARTICLE VIII. SEWER SERVICE CHARGES

Sec. 52-801. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Normal domestic wastewater means wastewater that has a BOD concentration of not more than 200 mg/L and a suspended solids concentration of not more than 210 mg/L.

Operation and maintenance means all expenditures during the useful life of the treatment works for materials, labor, utility, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Replacement means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

Residential contributor means any contributor of the city's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

Sewer charge means the charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the wastewater treatment works.

Useful life means the estimated period during which a treatment works will be operated.

User includes all persons whose premises are served by the sanitary sewer system, including all owners or tenants of real estate and buildings which are connected with the sanitary sewer system or are served thereby or in any way either directly or indirectly discharge sewage, industrial waste or liquids therein.

Water meter means a water volume measuring and recording device, furnished and/or installed by the city, or furnished and/or installed by a user and approved by the city.
(Code 1973, § 29-30; Code 2020, § 32-501; Ord. No. 2812)

Sec. 52-802. Sewer rate schedule; generally.

(a) *S-1 Sewer Rate Service—Urban.* The S-1 sewer rate schedule is as follows:

(1) Applicability. This schedule is applicable to all residential, commercial and industrial users within the corporate limits of the City of Hastings.

(2) Rate.

All water used per month per 100 cubic feet (CCF)	$2.68
Customer charge per month per connection to sanitary sewer	$13.93

(3) Minimum bill. The minimum bill is the customer charge; providing, however, that:

a. For residents of a multiple dwelling or for commercial users served jointly by a single meter, the customer charge shall be $13.93 times the number of units served by said meter.

b. For mobile home parks and tourist facilities, the customer charge shall be $13.93 times the number of dwelling units deemed to be the capacity of the mobile home park or tourist facility as the same may be constructed.

c. For hotels and motels, the customer charge shall be $13.93, plus $3.81 per rental unit in excess of the first unit.

(4) Surcharge. If the concentration of wastes from any user, except a residential customer, exceeds 200 mg/L BOD, 210 mg/L TSS, 25 mg/L ammonia, or 100 mg/L FOG (fats, oils and grease), said user shall be subject to a surcharge. The surcharge shall be based on that amount of waste which exceeds the above concentrations. The surcharge shall be at the following rates:

	$ per Pound
BOD	$0.780
TSS	$0.647
AMMONIA	$1.110
FOG	$0.530

a. For residential customers, the monthly sewer rate for the 12 months following April 1 of each year shall be based on the average water consumption during the preceding months of December, January and February for the residence.

b. Until a consumption history is properly established for a previously unoccupied residential property, the monthly charge for a typical residential consumption of 600 cubic feet (six CCF) shall be $30.01.

c. Industrial and commercial use charges shall be based on wastes discharged or water consumed during that month as determined by Hastings Utilities. The method used for determining residential consumption may be used for commercial and industrial customers if that method is determined by Hastings Utilities to be the best method.

d. The rates set forth in this subsection (a) do not include any applicable taxes.

(b) *S-2 Sewer Rate Service—Suburban.* The S-2 rate schedule is as follows:

(1) Applicability. This subsection (b) is applicable to all residential, commercial and industrial users outside the corporate limits of the City of Hastings, except the CMS area.

(2) Rate.

All water used per month per 100 cu. ft. (CCF)	$4.25
Customer charge per month per connection to sanitary sewer	$21.79

a. The minimum bill is the customer charge; providing, however, that for residents of a multiple dwelling or for commercial users served jointly by a single meter, the customer charge shall be $21.79 times the number of units served by said meter.

b. For mobile home parks and tourist facilities, the customer charge shall be $21.79 times the number of dwelling units deemed to be the capacity of the mobile home park or tourist facility as the same may be constructed.

c. For hotels and motels, the customer charge shall be $21.79, plus $3.81 per rental unit in excess of the first unit.

d. Also provided that for any large user manufacturing and processing establishments located outside the corporate limits of the City of Hastings, except the CMS area, with previous annual (calendar year) usage of a minimum of 50,000 units of 100 cubic feet, the charge shall be $3.44.

(4) Surcharge. If the concentration of wastes from any user, except a residential customer, exceeds 200 mg/L BOD, 210 mg/L TSS, 25 mg/L ammonia, or 100 mg/L FOG (fats, oils and grease), said user shall be subject to a surcharge. The surcharge shall be based on that amount of waste which exceeds the above concentrations. The surcharge for each unit of 100 cubic feet shall be at the following rates:

	$ per pound
BOD	$0.780
TSS	$0.647
AMMONIA	$1.110
FOG	$0.530

a. For residential customers, the monthly sewer rate for the 12 months following April 1 of each year shall be based on the average water consumption during the preceding months of December, January and February for the residence.

b. Until a consumption history is properly established for a previously unoccupied residential property, the monthly charge for a typical residential consumption of 600 cubic feet (six CCF) shall be $47.29.

c. Industrial and commercial use charges shall be based on wastes discharged or water consumed during that month as determined by Hastings Utilities. The method used for determining residential consumption may be used for commercial and industrial customers if that method is determined by Hastings Utilities to be the best method.

d. The rates set out in this subsection (b) do not include any applicable taxes.

(c) *S-3 Sewer Rate Schedule—CMSS.* The S-3 rate schedule is as follows:

(1) Applicability. The schedule set forth in this subsection (c) is applicable to all residential, commercial and industrial users outside the corporate limits of the City of Hastings and in the Community and Municipal Services, Inc. service area. The Community and Municipal Services, Inc. area is the part of the sanitary sewer system formerly served by Community and Municipal Services which is served by the treatment plan located on Maxon Gate Road and is generally located east of Showboat Road and south of Highway 6.

(2) Rate. Monetary table:

All water used per month per 100 cu. ft. (CCF)	$5.25
Customer charge per month per connection to sanitary sewer	$13.93

(3) Minimum bill. The minimum bill is the customer charge; providing, however, that:

a. For residents of a multiple dwelling or for commercial users served jointly by a single meter, the customer charge shall be $13.93 times the number of units served by said meter.

b. For mobile home parks and tourist facilities, the customer charge shall be $13.93 times the number of dwelling units deemed to be the capacity of the mobile home park or tourist facility as the same may be constructed.

c. For hotels and motels, the customer charge shall be $13.93, plus $3.81 times the number of rental units in excess of the first unit deemed to be the capacity of the hotel or motel as it was constructed.

(4) Surcharge. If the concentration of wastes from any user, except a residential customer, exceeds 200 mg/L BOD, 210 mg/L TSS, 25 mg/L ammonia, or 100 mg/L FOG (fats, oils and grease), said user shall be subject to a surcharge. The surcharge shall be based on that amount of waste which exceeds the above concentrations. The surcharge for each unit of 100 CCF shall be at the following rates:

	$ per pound
BOD	$0.780
TSS	$0.647

	$ per pound
AMMONIA	$1.110
FOG	$0.530

a. For residential customers, the monthly sewer rate for the 12 months following April 1 of each year shall be based on the average water consumption during the preceding months of December, January and February for the residence.

b. Until a consumption history is properly established for a previously unoccupied residential property, the monthly charge for a typical residential consumption of 600 cubic feet (six CCF) shall be $45.43.

c. Industrial and commercial use charges shall be based on wastes discharged or water consumed during that month as determined by Hastings Utilities. The method used for determining residential consumption may be used for commercial and industrial customers if that method is determined by Hastings Utilities to be the best method.

d. The rates set out in this subsection (c) do not include any applicable taxes.

(d) *S-4 Sewer Rate Schedule—Pollution Control Center.* The S-4 rate schedule is as follows:

(1) This schedule is of a tariff or rate based on a per load special wastewater delivered to the pollution control center.

(2) Applicability; special wastewater. This rate is applicable to disposal of all special wastewaters acceptable to the Hastings utilities department.

(3) Rate. The load size shall be determined by the capacity of contractor's holding tank, whether full or not.

All wastewater per 100 cu. ft. (CCF)	$10.72

(5) Surcharge. If the concentration of wastes from any user exceeds 200 mg/L BOD, 210 mg/L TSS, 25 mg/L ammonia, or 100 mg/L FOG (fats, oils and grease), said user shall be subject to a surcharge. The surcharge shall be based on that amount of waste which exceeds the above concentrations. The surcharge for each unit of 100 CCF shall be at the following rates:

	$ per pound
BOD	$2.586
TSS	$2.586
AMMONIA	$4.364
FOG	$1.939

(7) Applicability; grit disposal. This rate is applicable to disposal of all grit acceptable to the Hastings utility department.

(8) Rate.

Gallons	*$ per load*
0—500	$249.95
501—1,000	$499.89
1,001—1,500	$749.83
1,501—2,000	$999.80
Each additional 1,000	$499.89

a. The load size shall be determined by the capacity of contractor's holding tank, whether full or not.

b. The rates set out in this subsection (d) do not include any applicable taxes.

(Code 1973, § 29-31; Code 2020, § 32-502; Ord. No. 1722; Ord. No. 2280; Ord. No. 2460; Ord. No. 2637; Ord. No. 2689; Ord. No. 2766; Ord. No. 2812; Ord. No. 2914; Ord. No. 3474-5/1995; Ord. No. 3613-11/1997; Ord. No. 3622-3/1998; Ord. No. 3719-11/1999; Ord. No. 3857-3/2002; Ord. No. 3930-11/2003; Ord. No. 4052-11/2005; Ord. No. 4204-11/2008; Ord. No. 4274, 11-22-2010; Ord. No. 4315, 11-28-2011; Ord. No. 4332, 11-26-2012; Ord. No. 4359, 10-14-2013; Ord. No. 4486, 8-22-2016; Ord. No. 4516, 8-28-2017; Ord. No. 4562, 9-10-2018; Ord. No. 4717, § 1, 9-27-2022; Ord. No. 4775, § 1, 9-9-2024)

Sec. 52-803. Collection.

The sewer service charges prescribed by this article shall be collected at the same time, in the same manner, and by the same officers as water charges are collected by the city and may be included on the same billing or statement as is used for the billing for water service.

(Code 1973, § 29-32; Code 2020, § 32-503; Ord. No. 2812)

Sec. 52-804. Delinquent payment; liens.

For each sewer service charge and customer charge prescribed by this article, there shall be a lien upon the premises and real estate for which the sewer service is supplied and used and if not paid when due, such charge may be certified to the city treasurer and may be recovered by the city in an action at law. Such charge may, upon resolution of the city council, be certified to the county clerk and assessed against the real estate and premises served, and be collected and returned in the same manner as other city taxes. All service charges levied by the article which are not paid when due shall be deemed to be delinquent and the water service and sewer service of any such user may be discontinued until payment is made and a reconnection charge paid.

(Code 1973, § 29-33; Code 2020, § 32-504; Ord. No. 2812)

Sec. 52-805. Disposition of revenue.

All money raised from sewer service charges shall be placed in a separate fund known as the combined fund and be used for any lawful purpose authorized by Nebraska Revised Statutes and for no other purposes whatsoever. There are hereby established accounts for the purpose of managing the revenues derived and to be derived from the city sanitary sewer system. A separate account, to be known as the operation and maintenance account, shall be established for the purpose of paying

the operation and maintenance costs of the sewer system. In order to ensure satisfactory operation of the system, this account shall be fully funded before any other accounts are funded. An account to be known as the repair and replacement account shall be established for the purpose of repairing or replacing portions of the system. This account shall be funded by depositing to said account, no less than $100,000.00 each year, of the revenues derived from the city sanitary sewer system. Deposits shall be allowed to accrue without a maximum limit. Other accounts as established by any bond ordinance shall receive deposits as required by the ordinance. Excess funds shall be carried forward from year to year in the respective accounts. Funds transferred from other sources for temporary shortages in operation and maintenance or repair and replacement accounts shall be returned to the respective accounts upon adjustment of the user charge rate. Sewer rates shall be adjusted so that the funds transferred will be returned to their respective accounts no later than the end of the fiscal year following the year in which the funds were transferred.
(Code 1973, § 29-34; Code 2020, § 32-505; Ord. No. 2812)

Sec. 52-806. Rate review.

Sewer use rates shall be reviewed at least biennially and shall be revised as necessary to keep revenues reasonably in balance with anticipated expenditures from the operation and maintenance account and the repair and replacement account. This review shall include an analysis of the balance credited to the repair and replacement account so that sufficient funds are accrued to provide for the expected replacement costs of the sewer system. This rate review shall maintain a fair and equitable distribution of all costs to the system's users.
(Code 1973, § 29-35; Code 2020, § 32-506; Ord. No. 2812)

Sec. 52-807. Toxic pollutants.

Any user discharging toxic pollutants to the system shall pay for such increased costs of managing the effluent or sludge by the treatment works. Charges shall be as deemed necessary by the city to recover the increased costs.
(Code 1973, § 29-36; Code 2020, § 32-507; Ord. No. 2812)

Sec. 52-808. Extraterritorial connection required; exceptions.

(a) It shall be unlawful to operate or maintain any septic system for the purpose of servicing a habitable structure located within the first mile of the city's extraterritorial jurisdiction, except as provided hereinafter.

(b) The provisions of this section shall apply only to property when there lies, within 200 feet of its property line, a city sewer line to which, in the judgment of the utilities department, connection may be reasonably and practically made.

(c) Whenever the building inspector determines that any existing or proposed habitable structure which is located within the first mile of the city's extraterritorial jurisdiction comes within the provisions of subsections (a) and (b) of this section, the building inspector shall ask the utilities

department for a determination of whether connection can be reasonably and practically made to the city's main. If the utilities department determines that connection can be so made, the building inspector shall notify the property owner of that fact and of the requirements of this section.

(d) Upon receipt of that notice, the owner of the property shall file an application with the utilities department for permission to connect such habitable structure to the city's sewer system, as described in section 52-715. If the utilities department grants the application, the property owner shall pay the proper out-of-district permit fee and proceed with connection. If the utilities department fails to grant the application, then the property owner shall be excepted from the provisions of subsection (a) of this section, for a period of five years; provided, however, the property owner may at any time reapply for permission to connect to the city's system. In the event the property owner fails to make the application to the utilities department within 30 days after receipt of notification and does at any time thereafter operate or maintain a septic system in violation of this section, the property owner shall be deemed guilty of a misdemeanor.

(e) Any habitable structure described in subsection (a) of this section which has an approved septic system shall be exempt from this section so long as the septic system is operable. At such time as replacement of such system is necessary, the property shall become subject to this section, and the property owner shall make the application to the utilities department as described in subsection (d) of this section.
(Code 1988; Code 2020, § 32-509; Ord. No. 3160-3/90)

ARTICLE IX. WATER SERVICE

Sec. 52-901. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Available. A water main shall be deemed to be available to a property when such main lies within 200 feet of the property line of such property unless, in the judgment of the utilities department, connection to such main cannot be reasonably and practically made.

Belt line, main or *commercial main* means any pipe, other than a supply pipe, used for the purpose of carrying water to or distributing it in the city.

Beneficial use means the utilization of water for any productive use for which water quality and quantity is protected, including, but not limited to, recharge of ponds and streams and irrigation of crops or lawns.

City engineer includes the city engineer or any designee or representative of the city engineer.

Contaminated water or *groundwater.* Water or groundwater shall be deemed to be contaminated if testing results show that the amount of any element, substance, compound, or mixture, including disease-causing agents, exceeds the maximum contaminant level established for such substance under the drinking water standards established by 179 NE Admin. Rules and Regs. Ch. 2, § 002.

Domestic use means any use of groundwater required for human needs of health and sanitation, including, but not limited to, drinking, cooking, washing, bathing, showering, and other similar household uses of water.

Domestic water well means a water well, other than a public water supply well, which provides water for domestic use, the watering of livestock, poultry, farm and domestic animals, the irrigation of lands not exceeding two acres in area, or the utilization of the geothermal properties of groundwater for heating or cooling purposes.

Geothermal water source heat pump system means the installation, operation, or use of any well, device, piping, or other apparatus for the purpose of utilizing the geothermal properties of groundwater, whereby water passes through a heat exchanger to provide heating or cooling from the geothermal properties of the groundwater, and the spent water is discharged to the surface or subsurface. This system is sometimes referred to as a pump and dump system.

Institutional control area means an area wherein contaminated soils and groundwater are located, and which has been designated by city ordinance as an institutional control area.

Institutional controls mean non-engineering measures, such as governmental controls, proprietary controls, enforcement tools, and informational devices, intended to affect human activities in such a way as to prevent or reduce exposure to hazardous substances within an institutional control area.

Non-potable water well means any water well other than a domestic water well or a public water supply well.

Public water supply well means a water well designed and used to provide water for a public water supply system which provides the public piped water fit for human consumption, where such system has at least 15 service connections or regularly serves at least 25 individuals.

Separate premises. When considering the expediency of permitting deduct meters or more than one consumer to secure water from the same service or supply pipe, the term "separate premises" shall be construed to mean a separate dwelling or apartment, a building or structure used for a separate business or each distinct business in a business building or structure, provided that, if deduct meters for two or more consumers be allowed or permitted on the same service or supply pipe, each customer shall be billed for and shall pay the monthly minimum and, provided further, that where a separate business and a dwelling are used in connection by the same owner or by the same tenant and are on the same city lot and are occupied by the same person and their family, the same shall constitute a separate premises.

Service pipe means the pipe extending from the curb cock or valve to the meters.

Supply pipe means any pipe tapped into a main and extending thence to and including the curb cock or valve, to the curbline of the street; and when used in connection with a fire main or sprinkler system, shall mean the pipe extending from the main or belt line to the wall of the building.

Water main means a pipe transporting water produced by one or more public water supply wells.

Water well means any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed for the purpose of exploring for groundwater, monitoring groundwater, utilizing the geothermal properties of the ground, obtaining hydrogeologic information, or extracting water from, or injecting water into, the underground water reservoir.

Wellhead protection area means the surface and subsurface area surrounding a water supply well or well field, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water or well field.

Well owner (also referred to herein as the owner of a well) means the person who is the record title owner of the real estate upon which a well is located.
(Code 1973, § 29-40; Code 2020, § 32-601; Ord. No. 3754-11/2000; Ord. No. 4150-10/2007; Ord. No. 4221-5/2009)

Sec. 52-902. Responsibility for installing, repairing, etc., supply pipes.

(a) When application is made for water service, the applicant shall perform all work necessary for the installation thereof, and shall bear all cost and expense for bringing the service from the water main to and upon the premises of the applicant, except as hereinafter provided. An owner and/or customer receiving water service through piping of 1 ½ inches or less on property within the city shall maintain and immediately repair any broken or leaking portions of the said service on private property from the point of its entry from the public right-of-way onto private property, and shall bear all costs and expense thereof. For owners and/or customers receiving water service through piping of 1 ½ inches or less on property within the city, the city shall maintain that portion of the water service located on or beneath the public right-of-way to a customer's property line. Upon receipt of notice of damage or leakage therein, the city shall cause such damage or leak to be immediately repaired and shall pay all costs associated with the opening of the public right-of-way, and replacing same, including pavement, to its previous condition after the service line repair work is completed. Should a curbstop be located directly on the property line and be leaking or damaged, the city shall cause such damage or leak to be immediately repaired and pay all associated costs.

(b) In the event that water service is provided by a lead service line, the city shall be solely responsible for replacement of the lead service line in the event of a leaking or damaged service line. The city shall have and execute a plan to annually remove lead water service lines from its system.

(c) The property owner shall own the water service line from the property line into the property owner's home or business. If neither the owner or customer receiving water service on their private property makes or causes the required repairs to the water service located on their private property to be made, then the manager of utilities, or the manager's duly authorized representative, shall serve written notice by certified mail notifying the owner and/or customer that seven days after the notice is sent, holidays and weekends excluded, the city shall disconnect the water service to the said property unless either the owner and/or customer completes the required repairs to the satisfaction of the city plumbing inspector, or the owner of the property enters into a written agreement authorizing the city to make the necessary repair, and agreeing that the owner shall reimburse the city for the reasonable cost of such repair. Such costs shall be considered as part of

the water service furnished the property, and if not paid shall constitute a lien against the property pursuant to Nebraska Revised Statutes, § 16-682, as the same may from time to time be amended.

(d) In the event that the city causes a service line to be repaired and discovers that the broken pipe or leak existed on the property owner's property, then the property owner shall reimburse the city for said cost. In the event that a property owner causes a service line to be repaired and discovers that the broken pipe or leak existed on public right-of-way, then the city shall reimburse the property owner for said cost.
(Code 1973, § 29-41; Code 2020, § 32-602; Ord. No. 2777; Ord. No. 3160-3/90; Ord. No. 3744-5/00; Ord. No. 4395-7/2014; Ord. No. 4701, § 2, 5-23-2022)

Sec. 52-903. Water supply not to be contaminated.

No person shall place in or near or around the reservoir, catchbasins or any other part of the waterworks system of this city any dirt, filth or impure substance whatsoever, or any substance or fluid by which the water shall be rendered impure, unpalatable or dangerous for human or animal consumption.
(Code 1973, § 29-42; Code 2020, § 32-603)

Sec. 52-904. Location of meters.

All meter pits, if meters are not set in basements, shall be constructed by the applicant or consumer at the consumer's own expense at a point near the property line, and shall be of such design as is sanctioned and approved by the utilities department. All meters shall be set in a horizontal position so that the same may be easily read and readily accessible for servicing or removal, whether set in a meter pit or in a basement. The utilities department or its agent shall, whenever it is inconvenient to make readings of any meter not set or hereafter to be set in meter pits or in basements, be empowered to give the consumer 20 days' notice in writing to reset the meter in a proper position for reading, servicing or removal, and if the consumer refuses or neglects to do so, then the manager or their agents shall reset or cause to be reset the meter horizontally and the cost thereof shall be charged to and paid by the consumer as water rent. All meter pits shall be kept in good repair and free of water, oil, grease and trash at the consumer's own cost and expense, and shall be constructed of such design and in such manner as prescribed by the utilities department.
(Code 1973, § 29-43; Code 2020, § 32-604)

Sec. 52-905. Connection to water mains.

(a) No permit shall be granted to make a connection with any water main of the city from outside the district in which said water main is located until the owner shall have filed a written application for such privilege with the utilities department, mapping and describing the lot, part of lot, subdivision of lot or piece of land for which such connection and water privilege is desired, and designating the point in the water main at and with which such connection is desired, and the utilities department shall have authorized such connection. In determining whether it shall grant such application, the utilities department shall consider such factors as benefit to public health and safety, benefit to the property to be served, the cost to the property owner, any possible expenses to be incurred by the

utilities department, the ability of the city's system to serve the property, the possibility that an improvement district may be created in the foreseeable future, and such other factors as are relevant to the application.

(b) If the utilities department grants the application, the owner shall then, upon payment of the proper fee which shall be determined as provided herein, make connection to the water main, provided that water privileges extended hereunder shall be exercised and enjoyed upon payment for water consumed at the prevailing rates and under the same rules and regulations as are provided generally for the consumers of water furnished by the city water system.

(c) The fee to be paid by the owner of land within the city limits for the right to make a connection to any city water main from out of the district shall be the prevailing average front foot cost of water main construction multiplied by the front footage of the lot or parcel of real estate to be benefitted. The prevailing average front foot cost of water main construction shall be equal to the average cost per lineal foot of water mains constructed and assessed under contract by the city over the previous 24 months, or such other period of time as is necessary to arrive at a reasonable cost. The computation shall be made by the utilities manager and the city engineer and reported to the city council. The fee to be paid by the owner of land outside of the city limits for connection shall be computed similarly, except that computation of the fee shall be based upon 1 ½ times the prevailing average front foot cost. For the purposes of this subsection, all lots or parcels will be deemed to have a minimum front footage of 50 feet.

(d) Upon payment of the fee as determined in subsection (c) of this section to the city treasurer, to the credit and for the use of the sewer and water extension fund of the city, the treasurer shall issue a certificate therefor, describing the real property for the accommodation of which the same was issued, which certificate shall thereafter be receivable at its face value by the authorized collector of any special water district assessment which may be assessed against the real property described therein, for the payment of the cost of constructing any water main in any water district which may be created to include the real property; and in case the face value of the certificate shall exceed the amount of such special tax when so determined and levied against the property, the collector may allow and pay a properly verified claim for such excess to the party entitled to receive the same; this right to claim and receive a refund shall exist for a period of five years from and after the date that the property owner pays the out-of-district connection fee described hereinabove.

(e) No person shall make connection from outside a water district to any water main or pipe served by a water main without complying with the provisions of this section. Any person who shall violate this subsection shall be deemed guilty of a misdemeanor.

(f) Water mains may be extended into unsupplied territory within the city by means of water extension districts as recommended by the utilities department and provided by law. If a water district is required, the utilities department will recommend creation of said district to the mayor and city council.

(g) The provisions of this section shall also apply to:

(1) Any connection to a main from within a water district, if the property to which connection is to be made has not been previously assessed any part of the cost of the improvement; and

(2) Any connection to a water main which is not within any assessment district.
(Code 1988; Code 2020, § 32-605; Ord. No. 3160-3/90)

Sec. 52-906. Connection to public water system required; domestic water wells allowed under certain circumstances.

(a) It shall be unlawful to operate or maintain any domestic water well within the city, or the city's two-mile extraterritorial jurisdiction, except as provided hereinafter and in chapter 16, article IV.

(b) Any person desiring to install any domestic water well within the city, or the city's two-mile extraterritorial jurisdiction, shall make application with the department of development services for the right to install, operate or maintain such well, and shall pay an application fee in the amount established in the city council fee resolution.

(c) The application to the department of development services shall contain the information described in section 16-506. The department of development services shall forward a copy of said application to the utilities department for its review.

(d) If the utilities department determines that:

(1) The application for the domestic water well is complete;

(2) No water main is available to provide the required water;

(3) The health and safety of the public and of the users of said water will not be jeopardized or placed at risk; and

(4) The well will not be located within any institutional control area, then it shall issue a permit to the applicant authorizing the installation of the said well and furnish a copy of said permit to the department of development services.

(e) The utilities department shall keep all well permits on file.

(f) Whenever the utilities department determines that the applicant's water requirements can be satisfied by connection to a water main, the utilities department shall notify the property owner of that fact and of the requirements of the following subsection.

(g) Upon receipt of that notice, the owner of the property shall file the application with the utilities department to connect to the city's water system, as described in section 52-905. The property owner shall pay the proper out-of-district fee and proceed with connection.

(h) Any habitable structure described in subsection (a) of this section which has an approved private existing domestic water well which does not lie in an institutional control area shall be exempt from the requirement to connect to a public water supply main so long as the well is operable. At such time as replacement of such well is necessary, the property shall become subject to this section, and the property owner shall make the application to the utilities department as described above.

(i) The department of development services shall not issue a building permit for any new structure until it is satisfied that the water service to such structure will be connected to the public water supply or that a well permit has been issued.
(Code 1988; Code 2020, § 32-606; Ord. No. 3160-3/90; Ord. No. 3754-11/2000)

Sec. 52-907. Specifications for service and supply lines.

The specifications for all service and supply pipes shall be such as fixed and determined by the building and plumbing codes of the city.
(Code 1973, § 29-45; Code 2020, § 32-607)

Sec. 52-908. Fire mains or sprinkler systems.

Proprietors of business establishments will be permitted to connect such places by larger pipes, with hydrants and hose couplings, with the water mains, for fire mains or sprinkler systems, at their own expense, upon application to the utilities department and under the supervision of its superintendent or the superintendent's agents, and will be allowed to use the water in such mains or systems for fire purposes only.
(Code 1973, § 29-46; Code 2020, § 32-608)

Sec. 52-909. Fire hydrants; drinking fountains.

All hydrants erected by the city for the purpose of extinguishing fire are hereby declared to be public hydrants, and no person other than members of the fire department, and then only for the use and purpose of the department of development services, or persons especially authorized by the utilities department, and then only in the exercise of the authority delegated by the city, shall open any of such hydrants, or attempt to draw water from the same, or in any manner interfere with the same. No person authorized to open fire hydrants shall delegate their authority to another. No hydrants, except the public fire hydrants aforesaid or except public drinking fountains, shall be placed within the limits of any street; and no drinking fountain shall be so erected which has openings by which it can be used as a source of domestic supply.
(Code 1973, § 29-47; Code 2020, § 32-609; Ord. No. 3160-3/90)

Sec. 52-910. Rates.

The tariff of rates based on monthly consumption by each consumer of water from the water distribution system of the city, the attached rate schedules are hereby established.

(1) *WRS-U Water Residential Service—Urban.*

a. Applicability. The WRS-U is applicable to all one and two family dwellings within the corporate limits of the City of Hastings.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$2.15		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10

1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.20
12-inch meter	2,035.38	902.70	2,938.08

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 1, 2025		
Per CCF used per month	$2.15		
Meter Size	Base Fee ($)	Infrastructure Fee($)(1)	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28
10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(2) *WRS-S Water Residential Service—Suburban.*

a. Applicability. The WRS-S is applicable to all one and two family dwellings located outside the corporate limits of the City of Hastings.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$2.99		
Meter Size	Base Fee($)	Infrastructure Fee ($)[1]	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

[1]Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025		
Per CCF used per month	$2.99		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28

10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(3) *WCIS-U Water Commercial/ Industrial Service—Urban.*

a. Applicability. The WCIS-U is applicable to all multifamily apartment buildings and nonresidential business enterprises within the corporate limits of the City of Hastings.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$1.60		
Meter Size	Base Fee($)	Infrastructure Fee($)(1)	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025
Per CCF used per month	$1.60

Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28
10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

[1] Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(4) *WCIS-S Water Commercial/ Industrial Service—Suburban.*

a. Applicability. The WCIS-S is applicable to all multifamily apartment buildings and nonresidential business enterprises within the corporate limits of the City of Hastings.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$2.05		
Meter Size	Base Fee($)	Infrastructure Fee($)[1]	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
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10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 1, 2025		
Per CCF used per month	$2.05		
Meter Size	Base Fee($)	Infrastructure Fee($)(1)	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
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10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(5) *WLIS-U Water Large Industrial Service—Urban.*

a. Applicability. The WLIS-U is applicable to all large user manufacturing and processing establishments with previous annual (calendar year) usage of a minimum of 50,000 per 100 cubic feet (CCF) within the corporate limits of the City of Hastings.

b. Rate.

Effective	October 11, 2024
Per CCF used per month	$1.39

Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

[1] Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025		
Per CCF used per month	$1.39		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28
10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

[1] Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(6) *WLIS-S Water Large Industrial Service—Suburban.*

a. Applicability. WLIS-S is applicable to all large user manufacturing and processing establishments with previous annual (calendar year) usage of a minimum of 50,000 per 100 cubic feet (CCF) located outside the corporate limits of the City of Hastings.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$1.91		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
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8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

[1] Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025		
Per CCF used per month	$1.91		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00-	75.34

2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28
10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(7) *WRS-CMS Water Residential Services—CMS.*

a. Applicability. The WRS-CMS ia applicable to all one- and two-family dwellings located outside the corporate limits of Hastings and in the former Community and Municipal Services, Inc., service area.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$3.66		
Meter Size	Base Fee ($)	Infrastructure Fee ($)(1)	Total Meter Charge per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025		
Per CCF used per month	$3.66		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28
10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

[1] Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(8) *WCIS-CMS Water Commercial/Industrial Services—CMS.*

a. Applicability. The WCIS-CMS is applicable to all multifamily apartment buildings and nonresidential business enterprises located outside the city limits of Hastings and in the former Community and Municipal Services, Inc., service area.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$2.95		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34

2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025		
Per CCF used per month	$2.95		
Meter Size	Base Fee ($)	Infrastructure Fee ($)(1)	Total Meter Charge per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28
10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(9) *WLIS-CMS Water Large Industrial Services—CMS.*

a. Applicability. The WLIS-CMS is applicable to all large user manufacturing and processing establishments with previous annual (calendar year) usage of a minimum of 50,000 per 100 cubic feet (CCF) located outside the city limits of Hastings and in the former Community and Municipal Services, Inc., service area.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$2.56		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

[1] Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025		
Per CCF used per month	$2.56		
Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
2-inch meter	75.72	44.76	120.48
3-inch meter	151.44	89.56	241.00
4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28

10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(10) *WWS Water Wholesale Service.*

a. Applicability. The WWS is applicable to wholesale customers formerly served by Community and Municipal Services, Inc. and by the Village of Trumbull.

b. Rate.

Effective	October 11, 2024		
Per CCF used per month	$1.42		
Meter Size	Base Fee ($)	Infrastructure Fee ($)(1)	Total Meter Charge Per Month ($)
⅝-inch meter	9.47	4.20	13.67
¾-inch meter	14.24	6.33	20.57
1-inch meter	23.63	10.47	34.10
1 ¼-inch meter	33.41	14.82	48.23
1 ½-inch meter	47.34	21.00	68.34
2-inch meter	75.72	33.57	109.29
3-inch meter	151.44	67.17	218.61
4-inch meter	260.56	115.56	376.12
6-inch meter	538.92	239.01	777.93
8-inch meter	852.92	378.27	1,231.19
10-inch meter	1,371.81	608.40	1,980.21
12-inch meter	2,035.38	902.70	2,938.08

(1) Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

Effective	October 11, 2025
Per CCF used per month	$1.42

Meter Size	Base Fee ($)	Infrastructure Fee ($)[1]	Total Meter Charge per Month ($)
⅝-inch meter	9.47	5.60	15.07
¾-inch meter	14.24	8.44	22.68
1-inch meter	23.63	13.96	37.59
1 ¼-inch meter	33.41	19.76	53.17
1 ½-inch meter	47.34	28.00	75.34
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4-inch meter	260.56	154.08	414.64
6-inch meter	538.92	318.68	857.60
8-inch meter	852.92	504.36	1,357.28
10-inch meter	1,371.81	811.20	2,183.01
12-inch meter	2,035.38	1,203.60	3,238.98

[1] Amounts collected for the infrastructure fee shall be segregated into a separate revenue account. Such amounts shall only be used to fund the construction, rehabilitation or rebuilding of capital assets used in the production and delivery of water to customers.

1 CCF = 100 cubic feet of water

c. The minimum bill shall be the base fee and infrastructure fee.

(Code 1973, § 29-48; Code 2020, § 32-610; Ord. No. 1722; Ord. No. 2342; Ord. No. 2638; Ord. No. 2688; Ord. No. 2765; Ord. No. 3162-2/1990; Ord. No. 3244-1/1992; Ord. No. 3450-11/1994; Ord. No. 3570-11/1996; Ord. No. 3623-3/1998; Ord. No. 3666-11/1998; Ord. No. 3774-12/2000; Ord. No. 4154-11/2007; Ord. No. 4314, 11-28-2011; Ord. No. 4331, 11-26-2012; Ord. No. 4379, 11-25-2013; Ord. No. 4419, 11-24-2014; Ord. No. 4462, 11-23-2015; Ord. No. 4485, 8-22-2016; Ord. No. 4515, 8-22-2017; Ord. No. 4561, 9-10-2018; Ord. No. 4716, § 1, 9-27-2022; Ord. No. 4743, § 1, 9-27-2023; Ord. No. 4776, § 1, 9-9-2024)

Chapter 53

RESERVED

Chapter 54

ZONING

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Sec. 54-202. License—Recommendations of board of health; inspection of premises; issuance; scope.
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ARTICLE I. IN GENERAL

Sec. 54-101. Saved from repeal.

Nothing in this Code or the ordinance adopting this Code shall affect the validity of the city's zoning ordinance, being chapter 34 of The Code of the city (2020 edition).

ARTICLE II. MOBILE HOME COURTS

Sec. 54-201. License—Required; application; term; fees; bond; renewal.

(a) It shall be unlawful for any person to establish, operate or maintain or permit to be established, operated or maintained upon any property owned or controlled by the person a mobile home court without having first secured a license therefor and for each of them from the city council. Such license shall be granted and existing in compliance with the terms of this chapter and any other applicable ordinance. Such license shall expire on May 1 following the date of its issuance but may be renewed under the provisions of this article for additional periods of one year.

(b) The application for such license or the renewal thereof shall be filed with the department of environmental health and shall be accompanied by a fee for each mobile home court as provided in the most recent council fee resolution. Where two or more mobile homes are parked on a tract of land designated, maintained or intended for the purpose of supplying a location or accommodation for mobile homes, a license bond in the sum of $2,000.00 to guarantee compliance with the terms of this article shall be furnished. Applications for a renewal license shall be filed in the office of the department of environmental health no later than April 1 of each year. The application for a license or a renewal thereof shall be made on printed forms furnished by the board of health and shall include the name and address of the owner and the location of the tract and, if the ownership of said tract is vested in some person other than the applicant, a duly verified statement by that person that the applicant is authorized by the same to construct or maintain the mobile home court and make the application, and such a legal description of the premises upon which the mobile home court is or will be located as will readily identify and definitely locate the premises. The application shall be accompanied by four copies of the specifications and court plans in scale, one copy of which shall be placed permanently on file in the office of the department of environmental health and showing the following existing as proposed information:

(1) The extent and area used for camp purposes;

(2) Roadways and driveways;

(3) Location and number of sites or units for mobile homes;

(4) That there has been proper conformance with city building, zoning, plumbing and other ordinances;

(5) Method and plan of sewage disposal;

(6) Method and plan of garbage removal.

(c) This section shall also apply to all renewal licenses.
(Code 1973, 37-4; Code 2020, § 35-201; Ord. No. 1703; Ord. No. 2382; Ord. No. 2434; Ord. No. 2483; Ord. No. 2726)

Sec. 54-202. License—Recommendations of board of health; inspection of premises; issuance; scope.

(a) Before such license shall be issued, there shall be a favorable recommendation by a majority of the board of health of the city; and the premises must be inspected and approved by the board or its duly authorized representative or other city officers as complying with all provisions of this article and all other applicable ordinances of the city, whereupon it shall be at the discretion of the city council to issue the same.

(b) Licenses issued under the terms of this article shall convey no right to erect any building, to do any plumbing work, or to do any electrical work except upon a permit issued in conformity with existing building, electrical and plumbing codes of the city.
(Code 1973, 37-5; Code 2020, § 35-202; Ord. No. 1703)

Sec. 54-203. License—Revocation.

The city council is hereby authorized to revoke any license issued pursuant to the terms of this article if, after due investigation, they determine that the holder thereof has violated any of the provisions of this article or that any mobile home or mobile home court is being maintained in an unsanitary or unsafe manner or is a nuisance.
(Code 1973, 37-6; Code 2020, § 35-203; Ord. No. 1703)

Sec. 54-204. Location of camps.

(a) No mobile home court shall be located at any site without obtaining a special use permit.

(b) No mobile home court shall be located within the limits of the city unless city water, sewer and fire protection facilities are available and the applicant, in the application, clearly manifests the intention to connect thereto before the court is occupied.

(c) No occupied mobile home shall be located in any mobile home court within the city outside the recognized setback line for the zoning district in which such court is located, and such mobile homes shall be no less than ten feet from any other building, vehicle or the boundary line of the tract upon which it is located.
(Code 1973, 37-7; Code 2020, § 35-204; Ord. No. 1703; Ord. No. 2382)

Sec. 54-205. Arrangement, design, etc.

(a) *Location.* The mobile home court shall be well-drained and shall not be adjacent to swamps, marshes, breeding places for insects or rodents, or heavy industrial zones with objectionable odors or noise. The mobile home court shall have good natural drainage, or storm drainage systems shall be provided; this drainage shall not endanger any water supply. All sides of the mobile home court shall be graded and ditched to eliminate standing water; however, ditching shall not create accident

hazards. The area of the mobile home court shall be sufficient to accommodate the number of the mobile home spaces for which the mobile home court is designed, parking areas for motor vehicles, and service areas and playgrounds.

(b) *Arrangement of units; driveways.* Units shall be clearly designated and the mobile home court so arranged that all units shall face or abut on a driveway of not less than 16 feet in width, giving easy access from all units to a public street. Such driveway shall be at least graveled or cindered and maintained in good condition, having proper drainage into the city's drainage system, be well-lighted at night, and shall not be obstructed.

(c) *Spacing of units.* The mobile home court shall be so laid out that no dependent mobile home shall be located farther than 200 feet from the toilets and service buildings provided for herein; and walkways to such buildings shall be at least graveled or cindered and well-lighted at night.
(Code 1973, 37-8; Code 2020, § 35-205; Ord. No. 1703)

Sec. 54-206. Size of spaces.

Each mobile home space shall contain a minimum of 3,000 square feet and shall have at least 15 feet of clearance on all sides, between mobile homes, buildings, lot lines or any other improvements on the premises, provided that, if a mobile home space shall have had at least ten feet of clearance on all sides, as described above, on 1988, and said clearance shall not thereafter be decreased, then this section shall be deemed to be satisfied.
(Code 1973, 37-9; Code 2020, § 35-206; Ord. No. 1703; Ord. No. 2483)

Sec. 54-207. Water supply and distribution.

(a) An adequate supply of pure water for each mobile home and each shower, toilet, washing or other similar facility for common usage in a mobile home court shall be furnished through a piped distribution system laid at a depth of not less than 4 ½ feet from the surface of the ground and connected with the city water main. There shall be supply faucets located not more than 200 feet from any mobile home and each of these supply pipes shall be capable of supplying at least 125 gallons of water per day per mobile home.

(b) The water distribution system shall be constructed from cast iron or three-fourths-inch Type K copper pipe. The piping shall be able to supply six to eight gallons per minute at a minimum pressure of 20 pounds per square inch at each mobile home space outlet, and the individual mobile home supply lines shall be not less than three-fourths-inch Type K copper pipe terminating with a connection at an appropriate location at each mobile home space with a riser extending at least four inches above the ground surface with two three-fourths-inch valve outlets. Check valves shall not be installed on any riser. The outlets shall be threaded so that a screwed connection, using flexible copper tubing may be made from one outlet to the mobile home's water piping system, leaving the other for use as a hose connection for fire control or other uses. The ground surface around the riser pipe shall be graded so as to divert surface drainage away from the connection. The riser pipe shall be encased in a six-inch cast iron pipe, with the intervening space filled with an insulating material to protect it from freezing. An insulated cover shall be provided which will encase both valve outlets but not prevent connections to the trailer during freezing weather. When the mobile home space is

unoccupied during cold weather, the outlet shall be protected from freezing by draining of the pipes. A shutoff valve or other approved frost-free arrangement shall be placed below frost depth on the service line; it shall in no instance be a stop and waste cock. All necessary precautions shall be taken in laying all water pipes. They shall not be laid in water, nor where they can be flooded by water or sewage during the laying process period. Dirt and other contaminating material shall be excluded from the pipe.

(c) Mobile homes outside the limits of the city, but within the limits provided for the enforcement of building, construction and installation codes, but for which appropriate water mains are unavailable, shall have a water system for each mobile home installation, approved by the plumbing inspector and the department of environmental health.

(d) Each water supply distribution system provided for a mobile home shall be approved by the plumbing inspector after construction and before it is covered or placed in service.

(e) No common drinking vessels shall be permitted, nor shall any common drinking water faucets or drinking fountains be placed in any toilet room.

(f) An abundant supply of hot water shall be provided at all times for laundry and bathing facilities.
(Code 1973, 37-10; Code 2020, § 35-207; Ord. No. 1703; Ord. No. 2477)

Sec. 54-208. Refuse disposal.

(a) The storage, collection, and disposal of refuse from the mobile home court shall be so conducted as to avoid the creation of health hazards, such as rodent harborages or insect breeding areas, air pollution and accidents. The mobile home court area shall be kept free of litter, rubbish and all other inflammable material at all times.

(b) All refuse shall be stored in double, flytight, watertight and rodentproof containers in accordance with rules and regulations set by the board of health, and they shall be maintained in a clean and sanitary condition and in good repair at all times. Sufficient capacity shall be provided to prevent the overflowing of any refuse container between collections. Each mobile home shall be provided with a minimum of 30 gallons of refuse storage capacity.
(Code 1973, 37-12; Code 2020, § 35-208; Ord. No. 1703)

Sec. 54-209. Waste and sewage disposal.

(a) Each mobile home space shall be equipped with at least a four-inch cast iron sewer connection, trapped by a cast iron soil pipe P-trap below frost line and reaching at least four inches above the surface of the ground. The sewer connection shall be protected by a concrete collar, at least three inches deep and reaching eight inches in all directions. The connection between the mobile home drain and the sewer shall be made watertight by suitable fittings. A threaded or fitted-in clamp connection shall be made at the trailer coach drain and at the sewer outlet drain. The sewer outlet shall consist of a standard ferrule with a four-inch by three-inch screw plug. The screw plug shall be fastened by chain or other device to the concrete collar surrounding the sewer connection to prevent its removal from the site while the sewer connection is in use. The threaded hose connection may be connected to the ferrule directly or by use of pipe fittings. In the case of temporary

pipe connections, the two-inch pipe can be inserted into the ferrule and caulked to make an acceptable connection. For overnight parking of mobile homes, the plumbing fixtures within the mobile homes shall not be used unless provided with satisfactory means of disposal of all sewage wastes. These overnight mobile homes shall be parked close to the service buildings and the mobile home occupants shall be directed to use the facilities in the service building or the mobile home shall be connected to the sewage system. All sewer lines or parts thereof shall be accessible for cleaning out and shall be properly vented at each trailer site.

(b) All sewer lines shall be laid in trenches separated at least ten feet horizontally from any drinking water supply line under pressure, at a grade of one-fourth-inch per foot; except that when sewer lines and water lines are laid in the same ditch, the sewer line shall be permanently made root-proof and watertight by means of approved hot-poured joints. All joints on the sewer lines shall be made watertight and every effort shall be made to minimize groundwater infiltration into the sewage system. Connections in access holes shall be so constructed as to prevent surface water from entering the sanitary sewers. Access holes shall be provided at every change in direction, at every junction of two or more branch sewers, and at intervals of not more than 300 feet. Cleanouts extending to grade may be used instead of access holes on four-inch and six-inch lines. They should be provided wherever a access hole would otherwise be necessary and at intervals of not more than 100 feet. All cleanouts shall be capped with cleanout plugs. Each sewer lateral serving a row of mobile homes shall be vented at its upper end. Sewer mains shall be designed to handle the estimated sewage flow and shall be a minimum of four-inch lines that service each mobile home. These four-inch lines shall be connected to an eight-inch main which empties into the city's sewer system. All material used and installation shall be subject to approval of the plumbing inspector before installation. Mobile homes outside the limits of the city, but within the limits of the city's jurisdiction for the enforcement of its codes, but for which sewer mains are unavailable, shall have a sewer system consisting of septic tank and drain field or approved lagoon system approved by the department of environmental health of the city and the department of environmental control of the state.

(Code 1973, 37-13; Code 2020, § 35-209; Ord. No. 1703; Ord. No. 2477)

Sec. 54-210. Electricity.

Every mobile home court shall be governed by the National Electrical Code, as provided in section 8-701.

(Code 1973, 37-14; Code 2020, § 35-210; Ord. No. 1703)

Sec. 54-211. Fuel.

Cylinders containing liquefied petroleum gas, to be used as fuel by mobile home occupants, shall be connected to the stoves or heaters of the mobile home by copper or other metallic tubing in such a manner as to provide leakproof connections. The cylinders shall be securely fastened in place outside of and not less than five feet from any mobile home exit. State and local regulations applicable to the installation of equipment and the handling of liquefied petroleum gas and fuel oil shall be followed.

(Code 1973, 37-15; Code 2020, § 35-211; Ord. No. 1703)

Sec. 54-212. Fire protection.

No mobile home shall be located farther than 300 feet from an approved fire hydrant. Fires shall not be permitted within the area of a mobile home court except in equipment specifically designed for such purpose and approved by the fire chief as being in compliance with the existing regulations governing such fires.
(Code 1973, 37-16; Code 2020, § 35-212; Ord. No. 1703; Ord. No. 2477; Ord. No. 2837)

Sec. 54-213. Alterations, repairs and additions.

All plumbing and electrical alterations or repairs shall be made in accordance with local regulations. Permanent additions or other accessory buildings may be built onto, or become a part of, a mobile home or a Type A or Type B manufactured dwelling only when authorized pursuant to section 34-312. The skirting of mobile homes shall be permitted, but skirting shall not attach a mobile home permanently to the ground, not provide a harborage for rodents, nor create a fire hazard. The wheels of those mobile homes which are designed for use as conveyances on highways or city streets propelled or drawn by their own or other motive power shall not be removed except temporarily for repairs not to exceed 24 hours. This provision shall not prevent the placing of jacks or stabilizers under the frame of a mobile home to prevent movement on the springs while it is parked and occupied.
(Code 1973, 37-17; Code 2020, § 35-213; Ord. No. 1703; Ord. No. 3428-10/1994)

Sec. 54-214. Restrictions on pets.

No dogs, cats or other domestic animals shall be permitted to run at large in the mobile home court. Such animals shall be kept in restricted enclosures on the individual coach space. The enclosures shall be maintained in a clean and sanitary condition at all times.
(Code 1973, 37-18; Code 2020, § 35-214; Ord. No. 1703)

Sec. 54-215. Duties of manager or owner.

The owner or manager of every mobile home court shall maintain in the near vicinity of such mobile home court an office in which there shall be a copy of the mobile home court license and of this article and the mobile home court register. It shall be the duty of the owner or manager together with the licensee to:

(1) Keep at all times a register of all guests which shall be open to state and federal officers and officers of the city showing for all guests:
    a. Names and addresses.
    b. Dates of entrance and departure.
    c. License numbers of all automobiles and mobile homes entowing.
    d. The state issuing such licenses.
    e. The place of last location and length of stay.
    f. The color and make of the mobile home.

(2) Maintain the mobile home court in a clean, orderly and sanitary condition at all times.

(3) See that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of the law which may come to such manager's or owner's attention.

(4) Notify the department of environmental health immediately upon any known or suspected case of communicable disease. In case of a disease diagnosed as quarantinable, the owner or manager shall not permit the departure of a trailer coach or its occupants or the removal therefrom of clothing or other articles that have been exposed to the infection without approval of the department of environmental health.

(5) Prohibit the use of any mobile home by a greater number of occupants than that for which it is designed to accommodate.

(Code 1973, 37-19; Code 2020, § 35-215; Ord. No. 1703)

Sec. 54-216. Limitations on number of occupants per trailer.

No mobile home may be inhabited by a greater number of occupants than that for which it was designed.

(Code 1973, 37-20; Code 2020, § 35-216; Ord. No. 1703)

ARTICLE III. SUPERVISED HOMES

Sec. 54-301. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Health department means the department of environmental health of the city.

Inhabitant means any person accommodated, cared for or boarded in any supervised home; also, any person who has suffered or sustained any physical or mental ailment or disability or has been hospitalized or institutionalized therefor and is in any state or degree of recovery, readjustment or care from the result of any mental or physical ailment, including, but not limited to, mental retardation or alcoholism.

Licensee means the individual, partnership, corporation, association, company or organization responsible for operating the supervised home and the maintaining of acceptable standards both as to care provided for inhabitants, the physical facilities for housing, outside conditions of the housing and property and the residents therein.

Supervised home means:

(1) Any nursing home, halfway home, convalescent home or group care facility in which 16 or more persons who are unrelated to each other by blood, adoption, or marriage reside while receiving therapy, counseling or rehabilitation for any of the following purposes, but not limited to:

a. Battered children, aged, sick, infirm, convalescent, invalid, mentally ill or mentally retarded, feeble minded or drug-dependent persons;

b. Persons recently discharged from any hospital, clinic or mental institution;

c. Decrepit, blind, disabled, injured, chronically ill, or alcoholic persons;

d. Persons who are being assisted in rehabilitation and recuperation from the effects of drugs and alcohol;

e. Persons who are being assisted in rehabilitation and adjusting to living with the handicaps of emotional or mental disorder, or mental retardation;

f. Persons who are being assisted in rehabilitation and adjusting to living with the handicaps of physical disability;

g. Persons who are being housed and provided therapy and supervision while under constraints of alternatives to imprisonment, including, but not limited to, probationary programs; and

(2) Any other facility regulated by the state or federal authorities as described in section 36-117; for which a charge is made or compensation is required or expected, whether by fee or gift or government grant, provided this article shall not apply to a duly constituted and licensed hospital or to a facility having in excess of 50 rooms for inhabitants. The number of persons residing in a facility, place or building shall be determined based upon the total facility, place or building, whether or not said persons reside in separate and independent rooms or groups of rooms.

(Code 1973, 23-1; Code 2020, § 36-101; Ord. No. 2615; Ord. No. 3215-6/1991)

Sec. 54-302. Special use permit required.

All supervised homes shall, after December 1, 1977, require a special use permit in accordance with applicable zoning requirements. However, no special use permit shall be issued for a supervised home outside the city limits but within the zoning jurisdiction of the city.

(Code 1973, 23-2; Code 2020, § 36-102; Ord. No. 2615)

Sec. 54-303. License required.

It shall be unlawful for any person to conduct, operate or maintain or permit to be conducted, operated or maintained or to participate in the conduct, maintenance or operation of a supervised home within the city limits unless the health department has inspected and has issued a valid license therefor which is in full force and effect. Said license shall only be issued after all requirements have been met, including, but not limited to, zoning, building, fire, electrical, gas and plumbing codes of the city and codes adopted therefor. Such license shall only be issued after a hearing before the city council and the issuance of such license is approved by a majority of the city councilmembers voting.

(Code 1973, 23-3; Code 2020, § 36-103; Ord. No. 2615)

Sec. 54-304. Application.

Application for a license under this article shall be made to the health department in such form and manner as it may prescribe. The application shall include such information and data respecting the supervised home for the license as the health department may require, including, but not limited to,

a description of the facility and service, a plat of the premises showing structures, lot lines and appurtenance, a description of required automobile parking, a statement as to whether the service is to include convalescent treatment or rehabilitation care for any person who has been hospitalized for mental or emotional ailments, drug addiction, alcoholism; and a statement of the personnel and program that are to be used therefor. The application shall then be delivered to the health department, which, upon receipt of the application, shall make an inspection. Upon completion of the inspection, the health department shall advise the city council, who shall set a public hearing date at the next regularly scheduled council meeting.
(Code 1973, 23-4; Code 2020, § 36-104; Ord. No. 2615)

Sec. 54-305. Investigation.

The investigation by the health department shall be of the activities, services and facilities of the applicant, including the character, reputation, health and qualifications of the applicant and members of the applicant's staff, and of the applicant's financial responsibility. The applicant shall afford representatives of the health department reasonable opportunity to inspect the applicant's premises for which the license is requested, its books and records and to interview the applicant's agents and employees and any inhabitant within the care or custody of the applicant in such supervised home. Such report shall be presented in writing to the city council for their use at the public hearing in determining if the license shall be granted.
(Code 1973, 23-5; Code 2020, § 36-105; Ord. No. 2615)

Sec. 54-306. Denial, suspension or revocation of license.

The city council shall deny or suspend a license for a supervised home if it shall appear that the applicant, or, if the applicant is a corporation, any officer or person who is to be in charge of such supervised home, has been convicted of a felony or of a misdemeanor involving moral turpitude or has had inadequate training or experience in the care of the inhabitants. The health department may revoke or suspend any license for a supervised home if it is determined that the supervised home is being operated or maintained in violation of the requirements of this article or of the regulations promulgated pursuant to this article or for any of the additional following causes: fraud or misrepresentation in obtaining the license; maltreating or abusing any residents of such supervised home; using practices inimical to the physical, mental or moral well-being of any inhabitant; conducting the supervised home in a manner constituting a breach of the public peace to the city or the neighborhood, or a menace to the public health, safety, morals or welfare of the citizens of the city. Such revocation or suspension of the license shall be in addition to any other penalty that may be provided by law.
(Code 1973, 23-6; Code 2020, § 36-106; Ord. No. 2615)

Sec. 54-307. Issuance of license.

Upon direction of the city council, the health department shall issue a city license to the applicant for the supervised home if said health department finds and determines that the applicant is adequately qualified and equipped to conduct, operate and maintain the supervised home for which the license is to be issued; that such supervised home conforms to the requirements of this article;

that the supervised home shall not disturb the nature of the neighborhood; that adequate parking and other facilities on the approved site plan shall be provided for inhabitants and employees and other persons in the supervised home; that the supervised home will be operated and maintained in such manner as to be conducive to the benefit and welfare of the inhabitants in such supervised home; that the applicant's financial responsibility is such as to give reasonable assurance of the continued operation and maintenance of such facility; that the applicant and applicant's staff are of good character and reputation; and that the appearance of the supervised home shall be compatible with the neighborhood.
(Code 1973, 23-7; Code 2020, § 36-107; Ord. No. 2615)

Sec. 54-308. Number of inhabitants; expiration; form; fees; complaints; separate license.

(a) *Number of inhabitants.* The license when issued shall designate the maximum number of inhabitants to be accommodated in the supervised home to which it applies and this number shall at no time be exceeded.

(b) *Expiration.* Each license, whether an original or a renewal license, shall expire on June 30 of each year, unless sooner revoked or surrendered.

(c) *Form; transferability.* Licenses shall be issued on forms prescribed by the health department. Licenses shall not be transferable either as to place or person.

(d) *Fees.* There shall be collected by the health department before the issuance of any license or license renewal an annual fee for each individual facility operated by the applicant in an amount as set forth in the most recent council fee resolution.

(e) *Complaints.* The health department shall investigate any and all complaints filed with its office and report the results of such investigation in writing to the city attorney for the attorney's disposition. Any complaint filed with the health department shall require the name of the complainant, their address and the nature of the complaint filed. All complaints received shall become a permanent part of the licensee's file.

(f) *Separate licenses.* Separate buildings or structures on the same premises under one licensee shall require only one license; however, upon request by the licensee, a separate license may be issued.

(1) No license shall be issued for any supervised home which will be located within 150 feet of a business holding an existing license from the Nebraska Liquor Control Commission.

(2) No supervised home shall be granted a license under this article if it shall be within 1,200 feet of an existing supervised home, unless the city council shall grant a special use permit therefor to said supervised home.

(3) The total number of supervised homes in the city shall not exceed one supervised home for each 3,000 residents of the city, and no license shall be granted under this article for any

supervised home which would cause the number of supervised homes in the city to exceed that number, provided that the council may waive this restriction upon application for said waiver by the applicant for a supervised home license.

(Code 1973, 23-8; Code 2020, § 36-108; Ord. No. 2615)

Sec. 54-309. Rules and regulations.

The health department shall have the power and is hereby authorized to promulgate such rules and regulations for the operation of supervised homes within its jurisdiction which it finds necessary or proper to carry out the intent of this article.

(Code 1973, 23-9; Code 2020, § 36-109; Ord. No. 2615)

Sec. 54-310. Records and reports required.

(a) Every licensee under this article shall provide and maintain in such supervised home a register in bound book form setting forth the following facts concerning each inhabitant received, cared for or accommodated in such supervised home: Name; last previous address; age; date of admission; next of kin; name and address of the responsible person for the inhabitant's care and maintenance; phone numbers of each or where they can be contacted; name of inhabitant's attending physician and phone numbers, both office and residence; all written or verbal orders of the inhabitant's attending physician, and the date on which such orders were given; date of discharge or death; cause of death; disposition of personal property at death; and the amount and disposition of any money or other valuables deposited with the licensee to the credit of the inhabitant. Every licensee who accommodates any person who has been or is an inhabitant of any mental or penal institution in this or any other state shall furnish, within five days after receiving any such person, the following facts, information and documents about any such person to the chief of police: name; name of mental or penal institution of which the person was an inmate; nature of any mental or physical ailment; number of admissions to mental institutions; number and nature of crimes any such person has been either accused of or convicted of. All entries required by this subsection shall be made within 24 hours from the time of admission, or from the time of occurrence of the event required to be recorded. Every licensee shall keep and maintain such other records and make such report to the health department as it may reasonably require upon such forms as it may prescribe.

(b) Every licensee shall maintain a record setting forth the following facts concerning each nurse, attendant or other employee in such supervised home: name; age; date of employment began in the supervised home; present and last previous address; name and address of employers during the preceding three year period; position and duties, if employed as a nurse, date and state of registration; date employment terminated; and reason for termination.

(c) A copy of such record shall be delivered to the health department at its office in the city upon request.

(Code 1973, 23-10; Code 2020, § 36-110; Ord. No. 2615)

Sec. 54-311. Inspection of records.

All records required to be kept under the terms of this article by the licensee shall be open to inspection by the health department at all reasonable hours. It shall be unlawful to make any false entries in the records. In addition to the penalties provided in this Code, falsification of such records or omission of information required thereon shall be cause for revocation of the license.
(Code 1973, 23-11; Code 2020, § 36-111; Ord. No. 2615)

Sec. 54-312. Inspection of home; enforcement of article; correction of noncompliance with article.

(a) It shall be the duty of the health department to inspect supervised homes for which licenses have been issued under this article as often as it shall be necessary for the adequate control and supervision of the same, and the health department shall have the right to enter all such homes at any reasonable time for the purpose of making necessary investigations and inspections and shall be charged with the responsibility of enforcing and administering the provisions of this article. Every supervised home shall at all reasonable times be open for inspection by the fire chief and representatives of the engineering department of the city as well as the health department. The health department may call upon any department or agency to evaluate any aspects of the supervised home.

(b) In case of any failure by a licensee to comply with the requirements of this article or any rules and regulations promulgated pursuant thereto, the health department shall notify the licensee to correct the noncompliance, breach, default or illegal condition within such number of days as is reasonable in light of the conditions to be remedied. In the event of failure, or upon refusal of the licensee to comply with the health department's instructions, the health department shall revoke the license in writing, provided that, upon a showing of hardship or other circumstances warranting such action, the health department shall have the authority to grant an extension of time for compliance with the health department instructions.
(Code 1973, 23-12; Code 2020, § 36-112; Ord. No. 2615)

Sec. 54-313. Compliance with city codes and ordinances.

No license for a supervised home shall be issued unless it is determined that this Code and the ordinances of the City of Hastings which are applicable to such supervised homes are being observed and complied with, including, but not limited to, chapter 31 thereof and codes and ordinances relating to health, sanitation, safety, fire, building, housing, zoning, and electrical.
(Code 2020, § 36-113)

Sec. 54-314. Alterations, additions or conversion of an existing facility.

Any licensee or applicant desiring to add new construction to an existing facility or to make alterations, additions or conversions of an existing facility for use as a supervised home, before commencing such new construction, alterations, additions or conversions, shall apply to the planning and zoning commission for a new special use permit and shall prepare a revised site plan,

plus such other plans as may be necessary to assist the planning and zoning commission in review of the request. This standard shall not apply in the making of repairs or in matters of general maintenance.
(Code 2020, § 36-114)

Sec. 54-315. Required parking spaces.

For all supervised homes, there shall be provided one off-street parking space for each three occupants, plus one space for each two staff members and employees. Such parking shall be located on the same lot as the main building or immediately adjacent to such supervised home. Parking facilities shall be hard surfaced in accordance with the requirements of chapter 40 and parking on the streets shall be limited in accordance with this Code.
(Code 1973, 23-13; Code 2020, § 36-115; Ord. No. 2615)

Sec. 54-316. Building and structural standards generally.

(a) *Approval of plans.* Whenever construction of or addition to a supervised home is contemplated by any licensee or applicant, and following approval of a special use permit, copies of plans and specifications shall simultaneously be submitted in duplicate to the health department, fire chief and the engineering department for review and approval. The submission shall be made in not less than two stages, preliminary and final. After each stage has been reviewed, each copy will be returned to the applicant with comments. Construction work shall not be placed on the market for bids or work commenced until the above departments have approved the final drawings and specifications. Any deviations from these final documents must have approval from each department which previously reviewed the documents in writing prior to work being performed. This standard shall not apply in the making of minor repairs or in matters of general maintenance.

(b) *New construction and additions; preliminary stage.* For new construction and additions at the preliminary plat stage, the following shall be submitted:

(1) A plot plan showing the size, shape of the entire site, location of proposed building or structure, and relation to any existing buildings or structures, streets, roads, highways, sidewalks or railroads. The plan shall also show properly designated size, characteristics, and location of connections to water, sewer and gas lines.

(2) Floor plans showing the overall dimensions of the buildings or structures; location, size and purpose of all rooms; location of all doors, windows, fire escapes and other openings, with the swing of the doors properly indicated; and location of stairs, elevators, vertical shafts and chimneys.

(3) Outline of specifications giving the kind and type of material to be provided.

(4) Final floor plans and specifications shall include complete working drawings and contract specifications including layout for plumbing, heating, ventilation and electrical work.

(c) *Alteration, remodeling or conversion.* All plans and specifications as required for new construction or additions shall be provided to the health department, fire chief and the engineering department.

(d) *Requirements; generally.* If construction or addition is delayed for a period of time exceeding one year from the time of review of the final drawings or if any major changes are made, a new evaluation is required.
(Code 1973, 23-14; Code 2020, § 36-116; Ord. No. 2615)

Sec. 54-317. Adoption of federal and state regulations.

The health department hereby adopts by reference the following state and federal regulations and standards, three copies of each of which are on file in the office of the city clerk:

(1) Regulations and Standards for Centers for the Developmentally Disabled, effective date May 8, 1984.

(2) Regulations and Standards for Centers for Residential Care Facilities, effective date July 28, 1986.

(3) Regulations and Standards for Intermediate Care Facilities, title 175, chapter 8, effective date July 2, 1986.

(4) Regulations and Standards for Skilled Nursing Facilities, title 175, chapter 12, June 20, 1986.

(5) Regulations and Standards Governing Drug Treatment Centers, effective date January 28, 1974.

(6) Regulations and Standards Governing Treatment Centers for Persons With Alcohol Problems or the Chemically Dependent, effective date March 21, 1974.

(7) Regulations and Standards for Health Clinics, effective date September 2, 1975.

(8) Regulations and Standards for Domiciliary Facilities, effective date April 30, 1984.

(9) Regulations and Standards for Boarding Homes, effective date December 12, 1984.

(10) Regulations and Standards for Hospitals, title 175, chapter 9, Nebraska Revised Statutes, 1943, as amended.

(11) Hastings Food Service Code, chapter 6, effective date December 1, 1988.

(12) Food Service Ordinance and Code, U.S. Department of Health, Education, and Welfare, Public Health Service, Food and Drug Administration, effective 1976.

(Code 2020, § 36-117)

Sec. 54-318. Noncompliance with this article.

After the effective date of the ordinance from which this article is derived, no original license and no renewal license shall be issued for any supervised home as defined in section 54-301 not in compliance with the provisions as set forth in this article. Any supervised home in existence and in actual operation on the effective date of the ordinance from which this article is derived shall have until May 1, 1978, within which to comply as a condition of licensure.
(Code 1973, 23-15; Code 2020, § 36-118; Ord. No. 2615)

CODE COMPARATIVE TABLE

1952 CODE

The following table gives the location within the Code of sections of the 1952 Code.

1952 Code Section	Code Section
6-302	2-101

CODE COMPARATIVE TABLE

1973 CODE

The following table gives the location within the Code of sections of the 1973 Code.

1973 Code Section	Code Section	1973 Code Section	Code Section
1-1	1-101	2-69	38-206
1-2	1-102	2-73	2-1222
1-3	1-103	2-74	2-1223
1-4	1-108	2-75	2-1224
1-5	1-103	2-76	2-1225
1-6	1-104	2-77	2-1226
1-7	1-105	2-78	2-1227
1-9	2-101	2-79	2-1228
1-10	1-107	2-80	2-1229
2-4	2-201	2-81	2-1230
2-5	2-202	2-86	2-103
2-6	2-203	—	10-101
2-7	2-204	2-87	10-102
2-8	2-205	2-88	10-102
2-11	2-301	2-89	10-103
2-12	2-302	2-90	2-401
2-13	2-303	2-91	2-402
2-15	2-304	2-92	2-403
2-19	2-801	2-94	2-404
2-24	2-701	3-1	4-101
2-27	2-1548	3-3	4-102
2-33	2-501	3-5	4-104
2-34	2-502	3-9	4-105
2-39	2-601	3-10	4-106
2-40	2-602	3-11	4-107
2-41	2-603	3-12	4-108
2-42	2-604	3-14	4-109
2-43	2-605	3-15	4-110
2-50	2-1544	3-16	4-111
2-51	2-1545	5- 30	6-312
2-52	2-1546	5-1	6-202
2-53	2-1547	5-1.1	6-203
2-56	22-201	5-2	6-204
2-58	22-202	5-3	6-205
2-59	22-203	5-4	6-206
2-60	22-101	5-5	6-207
2-61	38-201	5-6	6-208
2-62	38-202	5-7	6-209
2-63	38-203	5-10	6-212
2-64	38-101	5-11	6-213
2-65	38-204	5-12	6-214
2-66	38-205	5-13	6-215

1973 Code Section	Code Section	1973 Code Section	Code Section
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5-15	6-217	12-12	8-710
5-16	6-218	12-13	8-711
5-17	6-219	12-15	8-712
5-18	6-201	12-16	8-713
5-19	6-302	12-17	8-714
5-20	6-303	12-18	8-715
5-21	6-304	12-20	8-719
5-24	6-305	12-21	8-720
5-25	6-306	12-22	8-741
5-26	6-307	12-23	8-742
5-27	6-102	12-24	8-743
5-28	6-309	12-27	8-765
5-29	6-310	12-28	8-766
5-31	6-313	12-29	8-767
5-32	6-314	—	8-768
5-33	6-315	12-30	8-769
5-34	6-316	12-31	8-770
5-35	6-319	12-32	8-771
5-36	6-320	12-33	8-772
6-16	50-702	12-34	8-773
8-2	8-606	12-35	8-774
8-3	8-608	12-36	8-775
8-4	8-609	12-37	8-767
8-5	8-301	12-38	8-776
8-6	8-302	—	8-1213
8-11	8-402	12-39	8-777
8-12	8-403	12-40	8-778
8-13	8-404	13-4	2-1301
8-14	8-501	13-5	2-1302
8-15	8-502	13-6	2-1303
8-16	8-503	13-7	2-1304
8-17	8-504	13-9	2-1305
8-18	8-505	13-10	2-1306
8-19	8-506	13-21	48-201
8-20	8-507	13-22	48-202
8-21	8-508	13-23	48-204
8-22	8-509	13-24	48-205
8-23	8-510	14-1	18-101
8-27	8-201	14-15	18-201
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9-5	2-1308	14-17	18-203
12-1	8-701	14-18	18-204
12-2	8-702	14-19	18-205
12-3	8-703	14-20	18-206
12-4	8-704	14-21	18-207
12-5	8-705	14-22	18-208
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14-31	18-215	16-43	20-201
14-32	18-216	16-45	20-203
14-34	18-217	16-46	20-204
14-36	18-218	16-47	20-205
15-1	42-201	16-48	20-206
15-2	42-202	16-49	20-207
15-3	42-203	16-50	20-208
15-4	42-204	16-51	20-209
15-6	42-205	16-52	20-210
16-1	8-901	16-53	20-211
16-2	8-902	16-54	20-212
16-3	8-903	16-55	20-213
16-4	8-904	16-56	20-214
16-5	8-905	16-57	20-215
16-6	8-906	16-58	20-216
16-7	8-907	16-59	20-217
16-9	8-908	16-60	20-218
16-10	8-909	16-61	20-301
16-11	8-910	16-62	20-302
16-12	8-911	16-63	20-303
16-13	8-912	16-64	20-304
16-14	8-933	16-65	20-305
16-15	8-934	16-66	20-306
16-16	8-935	16-67	20-307
16-17	8-936	16-68	20-308
16-18	8-937	16-69	20-401
16-19	8-938	16-70	20-402
16-20	8-939	16-71	20-403
16-21	8-940	16-72	20-404
16-22	8-941	16-73	20-405
16-23	8-942	16-74	20-406
16-24	20-102	16-75	20-407
16-25	20-103	16-76	20-408
16-26	20-104	16-77	20-409
16-27	20-105	16-78	8-971
16-28	20-106	16-79	8-972
16-29	20-107	16-80	8-973
16-30	20-108	16-81	8-974
16-31	20-109	16-82	8-975
16-32	20-110	16-83	8-1201
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16-34	20-112	16-85	8-1203
16-35	20-113	16-86	8-1204
16-36	20-114	16-87	8-1205
16-37	20-115	16-88	8-1206
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16-92	8-1210	21-66	50-404
16-93	8-1211	21-67	50-405
16-94	8-1212	21-70	50-501
18-2	36-303	21-71	50-502
18-3	36-301	21-72	50-503
18-4	36-306	21-73	50-505
18-6	36-307	21-73.1	50-506
18-7	36-308	21-74	50-507
18-8	36-309	21-75	50-508
18-9	36-310	21-76	50-509
18-10	36-311	21-77	50-510
18-11	36-312	21-78	50-511
18-12	36-313	21-79	50-512
18-13	36-314	21-80	50-513
18-14	36-315	21-80.3	50-516
18-15	36-316	21-81	50-517
18-16	36-317	21-85	50-520
18-17	36-318	21-86	50-521
18-18	36-304	21-88	50-544
18-19	36-319	21-89	50-545
18-21	36-305	21-90	50-546
18-22	36-302	21-91	50-547
19-1	26-201	21-92	50-548
19-3	26-232	21-93	50-549
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19-5	26-234	21-100	50-602
19-6	26-235	21-101	50-603
19-7	26-202	21-102	50-604
19-8	26-203	21-103	50-605
19-9	26-204	21-104	50-607
19-10	26-205	21-105	50-608
19-11	26-206	21-106	50-609
19-12	26-207	21-107	50-610
19-13	26-208	22-1	26-301
19-14	26-209	22-2	26-302
19-15	26-210	22-3	26-303
19-16	26-211	22-4	26-304
21-1	50-101	22-5	26-305
21-2	50-102	22-6	26-306
21-5	50-103	22-7	26-307
21-6	50-104	22-8	26-308
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21-27	50-301	22-10	26-310
21-27.1	50-302	22-11	26-311
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23-6	54-306	29-7	52-307
23-7	54-307	29-8	52-308
23-8	54-308	29-9	52-309
23-9	54-309	29-10	52-310
23-10	54-310	29-11	52-311
23-11	54-311	29-12	52-201
23-12	54-312	29-13	52-202
23-13	54-315	29-15	52-203
23-14	54-316	29-17	52-204
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24-1	34-103	29-20	52-101
24-2	34-104	29-21	52-102
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24-13	34-501	29-25	52-402
24-21.1	42-101	29-26	52-403
24-24	32-101	29-27	52-404
24-35	34-503	29-29	52-502
24-42	34-402	29-30	52-801
26-7	2-1201	29-31	52-802
26-47	2-1274	29-32	52-803
27-1	8-801	29-33	52-804
27-2	8-802	29-34	52-805
27-3	8-803	29-35	52-806
—	8-804	29-36	52-807
27-6	8-806	29-40	52-901
27-7	8-807	29-41	52-902
27-23	8-1214	29-42	52-903
27-30	8-1215	29-43	52-904
—	8-1216	29-45	52-907
27-32	8-1215	29-46	52-908
—	8-1216	29-47	52-909
27-33	8-1215	29-48	52-910
—	8-1216	30-2	40-101
27-34	8-1215	30-3	40-102
—	8-1216	30-5	40-103
27-35	8-1215	30-6	40-104
—	8-1216	30-8	40-105
27-36	8-1215	30-9	40-106
—	8-1216	32-1	22-301
27-37	8-1215	32-2	22-302
—	8-1216	32-3	22-303
28-6	24-201	32-4	22-304
28-9	24-202	32-5	22-305
29-1	52-301	32-6	22-306
29-2	52-302	32-7	22-307
29-3	52-303	32-8	22-308
29-4	52-304	32-9	22-309
29-5	52-305	33-2	44-101

1973 Code Section	Code Section
33-3	44-102
33-4	44-103
33-5	44-104
33-6	44-105
33-7	44-106
33-8	44-107
33-9	44-108
33-10	44-109
33-12	44-110
33-13	44-111
33-14	44-112
33-15	44-113
33-16	44-114
33-17	44-115
33-18	44-116
33-19	44-117
33-20	44-118
33-22	44-119
33-23	44-120
33-24	44-121
33-25	44-202
33-26	44-203
33-27	44-204
33-29	44-205
33-30	44-206
33-31	44-207
33-32	44-208
33-33	44-209
33-34	44-210
33-35	44-211
33-36	44-212
33-38	44-213
33-40	44-214
33-41	44-215
33-42	44-216
33-44	44-217
33-45	44-301
33-46	44-302
33-47	44-303
33-48	44-304
33-49	44-305
34-1	46-108
34-4	46-201
34-5	46-202
34-6	46-203
34-7	46-205
34-9	46-301
34-11	46-304
34-12	46-304
34-14	46-302
34-15	46-401
36-1	8-1101
36-2	8-1102
36-4	8-1103
36-5	8-1104
36-6	8-1105
36-7	8-1106
36-8	8-1107
37-4	54-201
37-5	54-202
37-6	54-203
37-7	54-204
37-8	54-205
37-9	54-206
37-10	54-207
37-12	54-208
37-13	54-209
37-14	54-210
37-15	54-211
37-16	54-212
37-17	54-213
37-18	54-214
37-19	54-215
37-20	54-216
38-1	16-301
38-2	16-302
38-3	16-303
38-4	16-305
38-5	16-359
38-6	16-360
38-7	16-361
38-9	16-362
39-3	34-401
40-18	8-401
80-82	50-518

CODE COMPARATIVE TABLE

2020 CODE

The following table gives the location within the Code of sections of the 2020 Code, as supplemented through March 11, 2024.

2020 Code Section	Code Section	2020 Code Section	Code Section
1-101	1-101	2-401	2-301
1-102	1-102	2-402	2-302
1-103	1-103	2-403	2-303
1-104	1-108	2-405	2-304
1-105	1-103	2-501	2-305
1-106	1-104	2-502	2-401
1-107	1-105	2-503	2-402
1-108	2-101	2-504	2-403
1-109	1-107	2-505	2-404
1-111	2-1307	2-507	2-501
2-101	12-101	2-508	2-502
2-102	2-102	2-509	2-601
2-103	2-104	2-510	2-602
2-104	2-105	2-511	2-603
2-105	2-106	2-512	2-604
2-106	2-107	2-513	2-605
2-117	2-326	2-518	2-701
2-118	2-327	2-527	2-801
2-119	2-328	2-528	2-901
2-120	2-329	2-529	2-1001
2-121	2-330	2-601	38-201
2-122	2-331	2-602	38-202
2-123	2-332	2-603	38-203
2-124	2-333	2-604	38-101
2-127	2-335	2-605	38-204
2-128	2-336	2-606	38-205
2-129	2-337	2-608	38-206
2-130	2-338	2-612	2-103
2-141	2-1421	—	10-101
2-142	2-1422	2-613	10-102
2-143	2-1423	2-614	10-102
2-144	2-1424	2-615	10-103
2-145	2-1425	2-616	10-104
2-146	2-1426	2-619	10-201
2-147	2-1427	2-620	10-202
2-148	2-1428	2-621	10-203
2-202	2-201	2-622	2-1521
—	2-202	2-623	2-1522
2-203	2-203	2-624	2-1523
2-204	2-204	2-701	2-1544
2-205	2-205	2-702	2-1545
2-303	2-1548	2-703	2-1546

2020 Code Section	Code Section	2020 Code Section	Code Section
2-704	2-1547	5-204	48-205
2-801	22-201	5-205	48-301
2-803	22-202	5-206	48-302
2-804	22-203	5-207	48-303
2-805	22-101	5-208	48-304
2-901	2-1222	5-209	48-305
2-902	2-1223	5-210	48-401
2-903	2-1224	5-211	48-402
2-904	2-1225	5-212	48-403
2-905	2-1226	5-213	48-404
2-906	2-1227	5-214	48-405
2-907	2-1228	5-215	48-406
2-908	2-1229	5-216	48-407
2-909	2-1230	5-301	28-301
3-102	2-1101	5-302	28-302
3-108	2-1102	6-101	16-201
3-201	2-1128	6-102	16-202
3-202	2-1129	6-103	16-203
3-204	2-1132	6-104	16-204
3-205	2-1133	6-105	16-205
3-206	2-1134	7-102	2-1449
3-207	2-1135	7-103	2-1450
3-208	2-1136	7-104	2-1451
3-209	2-1137	7-106	2-1453
3-210	2-1138	7-107	2-1454
3-302	2-1103	7-108	2-1455
3-303	2-1104	7-109	2-1456
3-305	2-1105	7-110	2-1457
3-305.01	2-1106	7-150	2-1452
3-306	2-1107	8-101	4-101
3-309	2-1108	8-103	4-102
3-311	2-1109	8-104	4-103
3-312	2-1110	8-105	4-104
4-101	2-1201	8-107	4-105
4-201	2-1251	8-108	4-106
4-202	2-1252	8-109	4-107
4-203	2-1253	8-110	4-108
4-301	2-1274	8-112	4-109
4-302	2-1275	8-113	4-110
4-303	2-1276	8-114	4-111
5-104	2-1301	8-115	4-112
5-105	2-1302	8-116	4-113
5-106	2-1303	8-117	4-114
5-107	2-1304	8-118	4-115
5-108	2-1305	8-119	4-116
5-109	2-1306	8-120	4-117
5-201	48-201	9-101	42-201
5-202	48-202	9-102	42-202
5-202.01	48-203	9-103	42-203
5-203	48-204	9-104	42-204

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2020 Code Section	Code Section	2020 Code Section	Code Section
9-105	42-205	10-227	6-223
9-106	42-206	11-101	22-301
9-107	42-207	11-102	22-302
9-108	42-208	11-103	22-303
9-109	42-209	11-104	22-304
9-110	42-210	11-105	22-305
10-101	6-201	11-106	22-306
10-102	6-202	11-107	22-307
10-103	6-203	11-108	22-308
10-104	6-204	11-109	22-309
10-105	6-205	12-104	24-201
10-106	6-206	12-107	24-202
10-107	6-207	13-101	18-101
10-108	6-208	13-201	18-201
10-109	6-209	13-202	18-202
10-111	6-211	13-203	18-203
10-112	6-212	13-204	18-204
10-113	6-213	13-205	18-205
10-114	6-214	13-206	18-206
10-115	6-215	13-207	18-207
10-116	6-216	13-208	18-208
10-117	6-217	13-209	18-209
10-118	6-218	13-210	18-210
10-119	6-219	13-211	18-211
10-120	6-220	13-212	18-212
10-121	6-221	13-214	18-213
10-201	6-302	13-215	18-214
10-202	6-303	13-216	18-215
10-203	6-304	13-217	18-216
10-206	6-305	13-219	18-217
10-207	6-101	13-220	18-218
10-208	6-306	13-501	18-301
10-209	6-307	13-502	18-302
10-210	6-102	13-503	18-303
10-211	6-308	13-504	18-304
10-212	6-309	13-505	18-305
10-213	6-310	13-506	18-306
10-214	6-311	13-507	18-307
10-215	6-312	13-508	18-308
10-216	6-313	14-102	14-201
10-217	6-314	14-103	14-202
10-218	6-315	14-104	14-203
10-219	6-316	14-105	14-204
10-220	6-317	14-106	14-205
10-221	6-318	14-107	14-206
10-222	6-319	14-108	14-207
10-223	6-320	14-110	14-208
10-224	6-321	14-111	14-209
10-225	6-322	14-112	14-210
10-226	6-222	14-113	14-211

2020 Code Section	Code Section	2020 Code Section	Code Section
15-101	50-101	15-505	50-605
15-102	50-102	15-506	50-606
15-104	50-103	15-507	50-607
15-105	50-104	15-508	50-608
15-106	50-105	15-509	50-609
15-201	50-301	15-510	50-610
15-202	50-302	15-511	50-611
15-203	50-303	16-102	40-101
15-204	50-304	16-103	40-102
15-205	50-305	16-105	40-103
15-206	50-306	16-106	40-104
15-207	50-307	16-108	40-105
15-301	50-401	16-109	40-106
15-304	50-402	17-115	50-702
15-309	50-403	17-117	50-703
15-310	50-404	17-118	50-701
15-311	50-405	18-101	34-103
15-401	50-501	18-102	34-104
15-402	50-502	18-103	34-105
15-403	50-503	18-106	34-201
15-404	50-504	18-112	34-501
15-405	50-505	18-113.01	34-502
15-406	50-506	18-116	42-101
15-407	50-507	18-118	32-101
15-408	50-508	18-119	32-102
15-409	50-509	18-120	16-101
15-410	50-510	18-123	34-701
15-411	50-511	18-133	34-503
15-412	50-512	18-136	34-402
15-413	50-513	18-137	34-601
15-414	50-514	18-138	34-601
15-415	50-515	18-139	34-601
15-416	50-516	18-140	22-401
15-417	50-517	18-141	22-402
15-418	50-518	18-142	22-403
15-419	50-519	18-143	22-404
15-420	50-520	18-144	22-405
15-421	50-521	18-145	22-406
15-422	50-522	18-146	22-407
15-422.5	50-523	18-147	22-408
15-423	50-544	18-148	34-403
15-424	50-545	18-150	34-504
15-425	50-546	18-151	34-301
15-426	50-547	21-102	34-401
15-427	50-548	22-501	28-201
15-428	50-549	22-502	28-202
15-501	50-601	22-503	28-203
15-502	50-602	22-504	28-204
15-503	50-603	22-505	28-205
15-504	50-604	22-506	28-206

2020 Code Section	Code Section	2020 Code Section	Code Section
22-507	28-207	25-202	44-202
22-508	28-208	25-203	44-203
22-509	28-209	25-204	44-204
22-510	28-210	25-205	44-205
23-105	2-1308	25-206	44-206
23-201	36-201	25-207	44-207
23-202	36-202	25-208	44-208
23-203	36-203	25-209	44-209
23-204	36-204	25-210	44-210
24-102	36-303	25-211	44-211
24-201	36-301	25-212	44-212
24-202	36-306	25-214	44-213
24-203	36-307	25-215	44-214
24-204	36-308	25-216	44-215
24-205	36-309	25-217	44-216
24-206	36-310	25-219	44-217
24-207	36-311	25-301	44-301
24-208	36-312	25-302	44-302
24-209	36-313	25-303	44-303
24-210	36-314	25-304	44-304
24-211	36-315	25-305	44-305
24-212	36-316	25-401	44-401
24-213	36-317	25-402	44-402
24-214	36-318	25-403	44-403
24-215	36-304	25-404	44-404
24-216	36-319	26-101	26-201
24-218	36-305	26-103	26-232
24-219	36-302	26-104	26-233
25-102	44-101	26-105	26-234
25-103	44-102	26-106	26-235
25-104	44-103	26-107	26-202
25-105	44-104	26-108	26-203
25-106	44-105	26-109	26-204
25-107	44-106	26-110	26-205
25-108	44-107	26-111	26-206
25-109	44-108	26-112	26-207
25-110	44-109	26-113	26-208
25-112	44-110	26-114	26-209
25-113	44-111	26-115	26-210
25-114	44-112	26-116	26-211
25-115	44-113	27-101	26-301
25-116	44-114	27-102	26-302
25-117	44-115	27-103	26-303
25-118	44-116	27-104	26-304
25-119	44-117	27-105	26-305
25-120	44-118	27-106	26-306
25-121	44-119	27-107	26-307
25-122	44-120	27-108	26-308
25-123	44-121	27-109	26-309
25-201	44-201	27-110	26-310

2020 Code Section	Code Section	2020 Code Section	Code Section
27-111	26-311	29-118	8-718
27-112	26-312	29-119	8-719
28-101	8-601	29-120	8-720
28-102	8-602	29-201	8-741
28-103	8-603	29-202	8-742
28-104	8-604	29-203	8-743
28-105	8-605	29-204	8-744
28-106	8-606	29-302	8-765
28-107	8-607	29-303	8-766
28-108	8-608	29-304	8-767
28-109	8-609	29-305	8-768
28-201	8-301	29-306	8-769
28-202	8-302	29-307	8-770
28-301	8-401	29-308	8-771
28-302	8-402	29-309	8-772
28-303	8-403	29-310	8-773
28-304	8-404	29-311	8-774
28-305	8-405	29-312	8-775
28-306	8-406	29-313	8-776
28-307	8-407	29-314	8-777
28-401	8-501	29-315	8-778
28-402	8-502	30-101	8-801
28-403	8-503	30-102	8-802
28-404	8-504	30-103	8-803
28-405	8-505	30-104	8-804
28-406	8-506	30-105	8-805
28-407	8-507	30-106	8-806
28-408	8-508	30-107	8-807
28-409	8-509	30-108	8-808
28-410	8-510	30-109	8-809
28-601	8-201	30-110	8-810
28-602	8-202	30-111	8-811
28-603	8-203	30-112	8-812
29-101	8-701	30-113	8-813
29-102	8-702	30-114	8-814
29-103	8-703	30-115	8-815
29-104	8-704	30-116	8-816
29-105	8-705	30-201	8-839
29-106	8-706	30-202	8-840
29-107	8-707	30-203	8-841
29-108	8-708	30-204	8-842
29-109	8-709	30-301	8-863
29-110	8-710	30-302	8-864
29-111	8-711	30-303	8-865
29-112	8-712	30-304	8-866
29-113	8-713	30-401	8-817
29-114	8-714	30-402	8-818
29-115	8-715	30-501	30-101
29-116	8-716	30-502	30-102
29-117	8-717	30-503	30-103

2020 Code Section	Code Section	2020 Code Section	Code Section
30-601	52-712	30-1001	8-933
30-602	52-713	30-1002	8-934
30-603	44-122	30-1003	8-935
30-604	52-714	30-1004	8-936
30-701	52-701	30-1005	8-937
30-702	52-702	30-1006	8-938
30-703	52-703	30-1007	8-939
30-704	52-704	30-1008	8-940
30-705	52-705	30-1009	8-941
30-706	52-706	30-1010	8-942
30-707	52-707	30-1011	8-943
30-708	52-708	30-1012	8-944
30-709	52-709	30-1013	8-945
30-710	52-710	30-1014	8-946
30-711	52-711	30-1015	8-947
30-712	52-736	30-1016	8-948
—	52-737	30-1017	8-949
—	52-738	30-1018	8-950
—	52-739	30-1101	20-102
—	52-740	30-1102	20-103
—	52-741	30-1103	20-104
—	52-742	30-1104	20-105
—	52-743	30-1105	20-106
—	52-744	30-1106	20-107
—	52-745	30-1107	20-108
—	52-746	30-1108	20-109
30-801	52-601	30-1109	20-110
30-802	52-602	30-1110	20-111
30-803	52-603	30-1111	20-112
30-804	52-604	30-1112	20-113
30-805	52-605	30-1113	20-114
30-806	52-606	30-1114	20-115
30-807	52-607	30-1115	20-116
30-808	52-608	30-1116	20-117
30-809	52-609	30-1117	20-118
30-810	52-610	30-1118	20-119
30-811	52-611	30-1119	20-120
30-812	52-612	30-1120	20-201
30-901	8-901	30-1121	20-202
30-902	8-902	30-1122	20-203
30-903	8-903	30-1123	20-204
30-904	8-904	30-1124	20-205
30-905	8-905	30-1125	20-206
30-906	8-906	30-1126	20-207
30-907	8-907	30-1127	20-208
30-909	8-908	30-1128	20-209
30-910	8-909	30-1129	20-210
30-911	8-910	30-1130	20-211
30-912	8-911	30-1131	20-212
30-913	8-912	30-1132	20-213

2020 Code Section	Code Section	2020 Code Section	Code Section
30-1133	20-214	32-111	52-103
30-1134	20-215	32-113	52-104
30-1135	20-216	32-201	52-301
30-1136	20-217	32-202	52-302
30-1137	20-218	32-203	52-303
30-1138	20-301	32-204	52-304
30-1139	20-302	32-205	52-305
30-1140	20-303	32-206	52-306
30-1141	20-304	32-207	52-307
30-1142	20-305	32-208	52-308
30-1143	20-306	32-209	52-309
30-1144	20-307	32-210	52-310
30-1145	20-308	32-211	52-311
30-1146	20-401	32-212	52-105
30-1147	20-402	32-213	52-105
30-1148	20-403	32-214	52-105
30-1149	20-404	32-301	52-401
30-1150	20-405	32-302	52-402
30-1151	20-406	32-303	52-403
30-1152	20-407	32-304	52-404
30-1153	20-408	32-305	52-405
30-1154	20-409	32-401	52-501
30-1201	8-971	32-402	52-502
30-1202	8-972	32-501	52-801
30-1203	8-973	32-502	52-802
30-1204	8-974	32-503	52-803
30-1205	8-975	32-504	52-804
30-1301	8-1201	32-505	52-805
30-1302	8-1202	32-506	52-806
30-1303	8-1203	32-507	52-807
30-1304	8-1204	32-508	52-715
30-1305	8-1205	32-509	52-808
30-1306	8-1206	32-601	52-901
30-1307	8-1207	32-602	52-902
30-1308	8-1208	32-603	52-903
30-1309	8-1209	32-604	52-904
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*Note—The adoption, amendment, repeal, omissions, effective date, explanation of numbering system and other matters pertaining to the use, construction and interpretation of this Code are contained in the adopting ordinance and preface which are to be found in the preliminary pages of this volume.

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