

**ORDINANCE NO. 1291**

**AN ORDINANCE AMENDING ARTICLE 8 OF CHAPTER 1 OF THE RALSTON MUNICIPAL CODE, ORDINANCES; TO REPEAL ALL PROVISIONS OF THE RALSTON MUNICIPAL CODE WHICH ARE IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO AUTHORIZE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RALSTON, NEBRASKA.

That on the 17<sup>th</sup> day of August, 2021, the Ralston City Council conducted a regularly scheduled public hearing at which it considered amending Sections §1-801, §1-802, §1-803, §1-805, §1-806, §1-810, and §1-811 pertaining to Ordinances. Upon consideration of such amendment, the Ralston City Council approved said amendments to Sections §1-801, §1-802, §1-803, §1-805, §1-806, §1-810, and §1-811 so that after passage of this ordinance said sections shall read:

**§ 1-801 ORDINANCES; GRANT OF POWER.**

The City Council shall have the responsibility of making all ordinances, by-laws, rules regulations, and resolutions, not inconsistent with the laws of the State of Nebraska, as may be necessary and proper for maintaining the peace, good government, and welfare of the Municipality and its trade, commerce, and security. (Ref. 16-403, 16-404 RS Neb.)

**§ 1-802 ORDINANCES; RULES AND REGULATIONS.**

All ordinances shall be passed pursuant to such rules and regulations as the City Council may provide. All ordinances may be proven by the certificate of the City Clerk under the seal of the City. The passage, approval, and publication or posting of any ordinance shall be sufficiently proven by a certificate under the seal of the City from the City Clerk showing that such ordinance was passed and approved, and when and in what paper the same was published and when and by whom and where the same was posted. When ordinances are published in book, pamphlet, or electronic form, purporting to be published by authority of the City Council, the same need not be otherwise published and such book, pamphlet, or electronic form shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book, pamphlet, or electronic form, in all courts without further proof.. (Ref. 16-403 RS Neb.)

**§ 1-803 ORDINANCES; APPROPRIATION OF MONEY.**

All ordinances, resolutions, or orders for the appropriation or payment of money shall require for their passage or adoption the concurrence of a majority of all members elected to the City Council. The Mayor may vote on such 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 City Council, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the City Council. (Ref. 16-404 RS Neb.)

**§ 1-805 ORDINANCES; PUBLICATION OR POSTING; EFFECTIVE DATE.**

All ordinances of a general nature shall be published one time within 15 days after they are passed in a legal newspaper in or of general circulation within the City, or in book, pamphlet, or electronic form, to be distributed or sold, as may be provided by ordinance. Every ordinance fixing a penalty or forfeiture for its violation shall, before the ordinance takes effect, be published for at least one week in the manner prescribed in this section. In cases of riots, infectious diseases, or other impending danger, or any other emergency requiring its immediate operation, such ordinance shall take effect upon the proclamation of the Mayor immediately upon its first publication as provided in this section. No ordinance for the government of the City, except as provided above for emergencies, which has not been submitted to the voters shall go into effect until 15 days after the passage of such ordinance. (Ref. 16-405, 19-3701 RS Neb.)

**§ 1-806 ORDINANCES; STYLE.**

The style of all City ordinances shall be: "Be it ordained by the Mayor and City Council of the City of Ralston:". (Ref. 16-405 RS Neb.)

**§ 1-810 ORDINANCES; INTRODUCTION.**

Ordinances shall be introduced by members of the City Council in either of the following ways:

1. With the recognition of the Mayor, a Council-member may rise in his place and in the presence and hearing of a majority of the members elected to the Council read aloud the substance of his proposed ordinance and file a copy of the same with the City Clerk for future consideration;
2. With the recognition of the Mayor, a Council-member may present his proposed ordinance to the Mayor, who, in the presence and hearing of a majority of the members elected to the council, shall read aloud the substance of the same and shall file the same for future consideration.

**§ 1-811 ORDINANCES; RESOLUTIONS AND MOTIONS.**

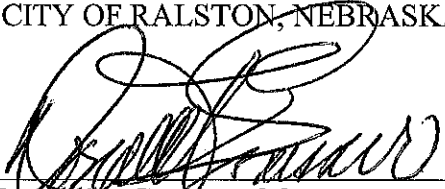
Resolutions and motions shall be introduced in one of the methods prescribed for the introduction of ordinances. After their introduction they shall be fully and distinctly read one time in the presence and hearing of a majority of the members elected to the City Council. The issue raised by said resolutions or motions shall be disposed of in accordance with the usage of parliamentary law adopted for the guidance of the City Council. A majority vote shall be required to pass any resolution or motion. The Mayor may vote on any such 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 City Council, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the City Council. The vote on any resolution or motion shall be viva voce and "yeas" and "nays" thereon shall be recorded by the City Clerk.

Any and all Ordinances or portions thereof, which are in conflict herewith are hereby repealed.

This Ordinance becomes effective upon passage by the Mayor and City Council of the City Council of the City of Ralston, Nebraska and upon its publication as provided by law.


DATED this 17<sup>th</sup> day of August, 2021.

CITY OF RALSTON, NEBRASKA

  
Donald A. Groesser, Mayor

Rosemarie D. Russell, City Clerk

Approved as to form:

  
Donald F. Ficenec, City Attorney