ORDINANCE NO. 476

AN ORDINANCE TO GIVE THE GOVERNING BODY DISCRETION TO DENY PETITIONS FOR IMPROVEMENTS, WHEN CERTAIN CONDITIONS EXIST.

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

Section 1. That Chapter 8, Article 3, Section 8-313, of the Municipal Code of Gothenburg, Nebraska, be amended to read as follows:

8-313. STREETS; PETITION FOR IMPROVEMENTS. Whenever a petition signed by the owners of record title representing more than sixty (60%) per cent of the front footage of the property directly abutting upon the street, streets, alley, alleys, public way, or the public grounds proposed to beimproved, shall be presented and filed with the Municipal Clerk, petitioning therefor, the Governing Body shall by ordinance create a paving, graveling, or other improvement district or districts, and shall cause such work to be done or such improvements to be made, and shall contract therefor, and shall levy assessments on the lots and parcels of land abutting on or adjacent to such street, streets, alley or alleys, especially benefited thereby in such district in proporation to such benefits, to pay the cost of such improvement. The Governing Body shall have the discretion to deny the formation of the proposed district when the area has not previously been improved with a water system, sewer system, and grading of streets. If the Governing Body should deny a requested improvement district formation, it shall state the grounds for such denial in a written letter to interested parties. (Ref. 17-510 RS Neb.)

Section 2. That the original Section 8-313 and 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to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.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 3. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and approved this 15th day of May, 1983.

BY Blaine Peterson
Mayor Blaine Peterson

ATTEST:

Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael I. Bacon, City Attorney