

**ORDINANCES OF A GENERAL
AND PERMANENT NATURE
OF THE CITY OF INDIANOLA, NEBRASKA**

ORDINANCE NO. 488

**AN ORDINANCE OF THE CITY OF INDIANOLA, NEBRASKA, RECODIFY-
ING THE GENERAL ORDINANCES OF THE CITY; REPEALING PRIOR ORDIN-
ANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
INDIANOLA, NEBRASKA, AS FOLLOWS:**

SECTION 0-001: RECODIFICATION

The ordinances of the City of Indianola, Nebraska, are hereby compiled and classi-
fied into ten chapters and the sections thereunder, which are adopted and declared
to be the ordinances of this city.

SECTION 0-002: REPEAL PRIOR ORDINANCES IN CONFLICT

All ordinances and parts of ordinances of a general or permanent nature passed and
approved prior to the passage and approval of this codification ordinance and in con-
flict with this ordinance are hereby repealed; provided, in construing the provisions of
this ordinance, the following ordinances shall not be considered or held to be ordin-
ances of a general or permanent nature, to-wit:

1. Ordinances vacating streets or alleys;
2. Ordinances authorizing or directing public improvements to be made;
3. Ordinances levying taxes or special assessments;
4. Ordinances granting any right, privilege, franchise, or license to persons,
firms, or corporations;
5. Ordinances providing for the issuance of bonds or other instruments of in-
debtedness;
6. Any other ordinance which by nature would be considered special.

SECTION 0-003: EXCEPTIONS

The repeal of ordinances as provided in the preceding section hereof shall not affect
any right acquired, fines, penalties, forfeitures, or liabilities incurred thereunder, or
actions involving any of the provisions of such ordinances and parts thereof. Said or-
dinances above repealed are hereby continued in force and effect after the passage,
approval and publication hereof for the purpose of all such rights, fines, penalties, for-
feitures, and liabilities and actions therefor.

SECTION 0-004: CONSTRUCTION OF CHAPTERS

For purposes of construction, each chapter contained and arranged in this code shall be considered as a separate and distinct ordinance grouped for convenience under General Codification Ordinance No. 488, and each section appearing in the several chapters of this code shall be considered a separate and distinct unit of legislation germane to the chapter or article under which it is considered.

SECTION 0-005: DEFINING CHAPTERS AND SECTIONS; ORDINANCE NUMBERING

The chapters and sections as set forth herein shall be and hereby are declared to be the chapters and sections to designate said provisions, and all ordinances hereafter passed shall be numbered consecutively beginning with 489.

SECTION 0-006: GENERAL DEFINITIONS

1. *Person*. Whenever used in this code, "person" shall include persons, artificial persons such as corporations, co-partnerships, associations, and all aggregate organizations of whatever character.

2. *Gender, number*. All words used herein implying the masculine gender may apply to and include the feminine or neuter gender, and all words importing the plural may be applied to and mean a single person, firm or thing, or vice versa; and all words importing the singular number may be applied to and mean plural number.

3. *Code, ordinance, article*. "Municipal code" shall mean General Codification No. 488. "Ordinance" and "article" are used synonymously, unless from the context the contrary clearly appears.

4. *City, municipal, municipality*. These terms, whenever used in this code, refer to the City of Indianola, Nebraska, a municipal corporation.

SECTION 0-007: VALIDITY

Each chapter, section, and subdivision of a section of each ordinance is hereby declared to be independent of each other chapter, section, or subdivision of a section so far as inducement of the passage of this ordinance is concerned; and the invalidity of any chapter, section, or subdivision of a section of this ordinance shall not invalidate any other chapter, section, or subdivision of a section thereof.

SECTION 0-008: NONSUBSTANTIVE CHANGES

Municipal Code Services, Inc., and the city clerk be and hereby are authorized to make nonsubstantive changes in this ordinance to correct the spelling of words, capitalize or uncapitalize words, and make other similar changes in accordance with ac-

cepted usage or for consistency with terminology used in other provisions of this code. Municipal Code Services, Inc., and the city clerk are further authorized to make other nonsubstantive changes necessary to incorporate ordinance material into this code while preserving the original meaning of the ordinance sections.

SECTION 0-009: EMPOWERMENT OF OTHER LAW ENFORCEMENT PERSONNEL

The terms "city police" or "city law enforcement" shall apply in all instances to all other law enforcement officials, including Red Willow County sheriff and deputies and Nebraska State Patrol troopers. Whenever this codifying ordinance empowers the city police to take any action, such empowerment shall extend to and apply equally to the Red Willow County sheriff or deputies or any Nebraska State Patrol troopers.

SECTION 0-010: DOLLAR AMOUNTS NOT REQUIRED TO BE INCORPORATED

All compensation amounts for city officials and employees, fees and charges for providing municipal services to the customers of such services, occupation taxes, and minimum fines for violation of municipal ordinances may be established from time to time by ordinance or resolution as required or permitted by Nebraska law. Any such ordinance or resolution shall be on file with the city clerk and available for public inspection during normal office hours. Such ordinances containing compensation, fees, charges, taxes and fines shall be published as required by law but it shall not be required that they be incorporated as part of the general ordinances in book form.

SECTION 0-011: FINES, COSTS, COMMITMENTS

In any case where any person, including a partnership or corporation, shall have been found guilty of the violation of any ordinance of the City of Indianola, such person shall pay the costs of prosecution and court costs and shall stand committed until the same shall have been paid in full.

SECTION 0-012: BLANKET PENALTY

Any person, firm, or corporation, their agents or servants, who shall violate any of the provisions of the within municipal code of ordinances, chapters, sections, or subdivisions of sections included herein, unless specifically otherwise provided herein, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not to exceed \$500.00.

SECTION 0-013: PUBLICATION AND DISTRIBUTION

This code was printed in book form under the direction of the Mayor and City Council and shall be distributed as they may see fit.

SECTION 0-014: WHEN OPERATIVE

This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.

Passed and approved this 3rd day of December, 2012.

CITY OF INDIANOLA, NEBRASKA

/s/ Brent May
Mayor

ATTEST:

/s/ Ona Malleck
City Clerk

CERTIFICATION OF PASSAGE

STATE OF NEBRASKA)
) ss.
COUNTY OF RED WILLOW)

I, Ona Malleck, City Clerk in and for the City of Indianola, Nebraska, do hereby certify that Ordinance No. 488, which is herein set out, was duly passed by the City Council of the City of Indianola on the 3rd day of December, 2012, and was duly approved by the Mayor of said city on the same date.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 3rd day of December, 2012.

/s/ Ona Malleck
City Clerk

(S E A L)

RESOLUTION NO. 2012-12-01

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF INDIANOLA, NEBRASKA, DIRECTING THE CITY CLERK TO CAUSE ORDINANCE NO. 488 TO BE PRINTED AND PUBLISHED IN BOOK FORM BY MUNICIPAL CODE SERVICES OF NELIGH, NEBRASKA.

BE IT RESOLVED by the Mayor and City Council of the City of Indianola, Nebraska, that the City Clerk of said city be and hereby is directed to cause Ordinance No. 488, which was on this date duly passed by said City Council and approved by the Mayor, to be printed and published in book form by Municipal Code Services of Neligh, Nebraska, within 30 days after this date.

PASSED AND ADOPTED this 3rd day of December, 2012.

CITY OF INDIANOLA, NEBRASKA

/s/ Brent May
Mayor

ATTEST:

/s/ Ona Malleck
City Clerk

(S E A L)