

## **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 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 28<sup>th</sup> day of April, 2025.

**CITY OF HASTINGS, NEBRASKA**

By: \_\_\_\_\_

George J.J. Beckby, Mayor

ATTEST:

By: \_\_\_\_\_

Tyler Ficken, Clerk



Approved as to form: \_\_\_\_\_

Jesse Oswald, City Attorney