

LEGISLATIVE BILL 679

Approved by the Governor April 14, 1987

Introduced by Urban Affairs Committee, Hartnett, 45,
Chairperson; Korshoj, 16; Landis, 46;
Higgins, 9; Labeledz, 5; Hall, 7

AN ACT relating to municipal improvements; to amend sections 19-2427 to 19-2429, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to improvement districts as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 19-2427, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

19-2427. Supplemental to any existing law on the subject, any first or second-class city or village may, when creating a sewer or paving district, include land adjacent to such city or village when creating an improvement district, such as a sewer, paving, water, water extension, or sanitary sewer extension district. The city council or board of trustees shall have power to assess, to the extent of special benefits, the costs of such improvements upon the properties found especially benefited thereby, except as provided in sections 19-2428 to 19-2431.

Sec. 2. That section 19-2428, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

19-2428. (1) Whenever the governing body of a city of the first or second class or village creates a sewer or paving an improvement district as specified in section 19-2427 which includes land adjacent to such city or village and such adjacent land is within an agricultural use zone and is used exclusively for agricultural use, the owners of record title of such adjacent land may apply for a deferral from special assessments pursuant to sections 19-2428 to 19-2431.

(2) For purposes of sections 19-2428 to 19-2431 the terms agricultural use and agricultural use zone shall have the meaning specified in section 77-1343.

Sec. 3. That section 19-2429, Reissue Revised

Statutes of Nebraska, 1943, be amended to read as follows:

19-2429. (1) Any owner of record title eligible for the deferral granted by section 19-2428 shall, to secure such assessment, make application to the city council or board of trustees of any city of the first or second class or village within ninety days after creation of the sewer or paving an improvement district as specified in section 19-2427 which includes land adjacent to such city or village which is within an agricultural use zone and is used exclusively for agricultural use.

(2) Any owner of record title who makes application for the deferral provided by sections 19-2428 to 19-2431 shall notify the county register of deeds of such application in writing prior to approval by the city council or board of trustees.

(3) The city council or board of trustees shall approve the application of any owner of record title upon determination that the property (a) is within an agricultural use zone and is used exclusively for agricultural use, and (b) the owner has ~~met the requirement of~~ complied with subsection (2) of this section.

Sec. 4. That original sections 19-2427 to 19-2429, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.