

CHAPTER 14
ORDINANCES

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ARTICLE 1

DEFINITIONS, USAGE

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14-1-1. City defined.

The word “City,” wherever used in this municipal code, shall, unless otherwise clearly indicated, be construed to mean the City of Scottsbluff, Nebraska. The phrases “in the City,” “within the City,” “outside the City” and other phrases denoting location or area shall be construed to mean location or area with reference to the corporate limits of the City of Scottsbluff. (Ord. 1116)

14-1-2. Council; City Council; defined.

The word “Council” and the words “City Council,” whenever used in this municipal code, shall be construed to mean the City Council of the City of Scottsbluff, Nebraska. (Ord. 1116)

14-1-3. Department; board; officer; employee; defined.

Whenever in this municipal code, a department, board, officer, or employee is referred to by a title or other designation that appears in Chapter 6, the department, board, officer, or employee so referred to shall be construed to mean the department, board, officer, or employee of that title or designation that is established or referred to in Chapter 6. (Ord. 1116)

14-1-4. Streets; east; west; Overland Drive.

Whenever in this municipal code, the name of a street includes the term “East” or “West,” the term shall be construed to mean that part of the street referred to that lies east or west, respectively, of Broadway Avenue. The name “Overland Drive” shall be construed to mean 13th Street. (Ord. 1116)

14-1-5. Persons; gender; number; tense; mandatory words.

Whenever used in this municipal code, certain words shall be construed as follows, unless the

context clearly indicates otherwise. The word “person” shall include both natural persons and artificial persons, such as corporations, partnerships, associations and all other aggregate organizations, the masculine gender shall include the feminine and neuter genders, and vice versa, the singular number shall include the plural number, and vice versa, the present tense shall include the future tense: and the word “shall” shall have a mandatory, and not merely a directory, meaning. (Ord. 1116)

14-1-6. Time; defined.

Whenever words fixing or importing time or hour of the day are used in this municipal code, they shall be construed to mean Mountain Standard Time unless otherwise specifically provided. (Ord. 1116)

ARTICLE 2

DESIGNATION, EFFECT, REPEAL

Section

<u>14-2-1</u>	<u>Revision ordinance; designation.</u>
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Nebraska Statutes

For statutory provisions on revision of ordinances, see R.R.S. § 16-247.

14-2-1. Revision ordinance; designation.

This revision ordinance shall be known as the “Municipal Code of the City of Scottsbluff, Nebraska.” It may be referred to generally as the “Scottsbluff Municipal Code” or the “Municipal Code” and any reference to all or a portion of the “Scottsbluff Municipal Code” or the “Municipal Code” shall mean this revision ordinance as amended from time to time. (Ord. 3193, 1991)

14-2-2. Headings; cross references; effect.

The headings of each chapter, article and subdivision of an article; the cross references following such headings; and the headings of the sections of this municipal code have been provided solely for the convenience of the reader, and shall be disregarded in construing the provisions of the municipal code. (Ord. 1116)

14-2-3. State administrative rules; regulations.

Whenever in this municipal code reference is made to rules, regulations, or decisions of executive or administrative officers, departments or agencies of the State of Nebraska such rules, regulations or decisions shall be considered to be those set forth in one (1) written copy thereof on file in the office of the City Clerk, and shall constitute in effect, to the extent of the reference, a part of this municipal code. (Ord. 1116)

14-2-4. Standard codes; incorporation by reference; filing.

Where reference is made in this municipal code to a standard code, or part of a standard code, that has been adopted or recommended by a private association or agency, the terms of such code, or part of a code, and, unless the municipal code otherwise specifically provides, subsequent amendments to such code or part of a code, shall be deemed to have been incorporated into the section of the municipal code in which such reference is contained. The City Clerk shall keep not less than one (1) copy of each of such codes, and amendments thereto, on file in his or her office at all times for use and examination by the public. (Ord. 1116)

14-2-5. Amendments; references; applicability.

Every reference made in this municipal code, and in subsequent ordinances, to any chapter, article, subdivision, section or other part of this municipal code, or of such ordinances, shall, if such chapter, article, subdivision, section or other part be amended, be applicable to such chapter, article, subdivision, section or other part as thus amended, unless otherwise clearly indicated in the amendment. This section shall be applicable to ordinances enacted prior, as well as to ordinances enacted subsequent, to this amendment of this section. (Ord. 1159, 1958; Ord. 1116)

14-2-6. Liability for damage; municipal code; effect.

Nothing contained in this municipal code shall be construed to relieve from or lessen the responsibility or liability of any person for damage to person or property, nor shall the City be held under any provisions of this municipal code to have assumed any such liability. (Ord. 1116)

14-2-7. Invalid provision; separability.

If any section, subsection, sentence, clause, phrase or other part of this municipal code shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such part shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the other parts thereof. (Ord. 1116)

14-2-8. Publication; distribution.

This municipal code shall be printed in book form under the direction of the City Manager, and copies shall be distributed as the City Council, by resolution or motion, shall direct. Parts of the code also may be published in pamphlet form and distributed as the City Council, by resolution or motion, shall direct. (Ord. 1116)

14-2-9. City Clerk; power to make nonsubstantive changes of City ordinances.

The City Clerk, in preparing ordinances and amendments to this code for publication and distribution, or in preparing and distributing substitute pages produced and distributed for the purpose of keeping copies of this municipal code current, shall not alter the sense, meaning, or effect of any act

of the City Council but may:

- (a) renumber sections and parts of sections,
- (b) rearrange sections,
- (c) change reference numbers to agree with renumbered chapters, articles, or sections,
- (d) substitute the proper section, article or chapter number for the terms the preceding section, this article, this act, and like terms,
- (e) strike out figures where they are merely a repetition of written words,
- (f) change capitalization for the purpose of uniformity,
- (g) correct manifest clerical or typographical errors, and
- (h) correct faulty or outdated internal references. (Ord. 3252, 1992)

14-2-10. Revision ordinance; operative; when.

This revision ordinance shall be in full force and take effect from and after its passage, approval and publication according to law. (Ord. 1116)

14-2-11. Prior ordinances; repealed; exceptions; saving clause.

The following prior ordinances of the City are hereby repealed: Ordinance numbers 2600, 2601, 2604, 2605, 2609, 2610, 2612, 2613, 2623, 2625, 2626, 2632, 2637, 2638, 2647, 2653, 2654, 2656, 2657, 2659, 2660, 2663, 2664, 2666, 2667, 2669, 2670, 2671, 2672, 2676, 2677, 2678, 2681, 2682, 2683, 2687, 2688, 2689, 2690, 2693, 2695, 2697, 2699, 2701, 2704, 2709, 2710, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2722, 2723, 2724, 2728, 2730, 2731, 2732, 2734, 2735, 2736, 2739, 2740, 2741, 2742, 2743, 2744, 2750, 2751, 2752, 2759, 2763, 2765, 2766, 2767, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2778, 2784, 2788, 2790, 2791, 2792, 2794, 2798, 2799, 2800, 2801, 2803, 2808, 2809, 2811, 2812, 2817, 2827, 2833, 2836, 2838, 2839, 2840, 2846, 2847, 2848, 2852, 2855, 2859, 2862, 2865, 2866, 2868, 2871, 2872, 2873, 2878, 2879, 2880, 2882, 2883, 2884, 2885, 2887, 2888, 2889, 2890, 2891, 2892, 2894, 2897, 2899, 2900, 2902, 2903, 2904, 2905, 2907, 2909, 2910, 2915, 2916, 2917, 2922, 2928, 2932, 2933, 2934, 2935, 2937, 2938, 2941, 2942, 2946, 2947, 2954, 2959, 2960, 2961, 2962, 2966, 2969, 2970, 2973, 2974, 2977, 2980, 2982, 2985, 2986, 2987, 2990, 2991, 2992, 2993, 2995, 2996, 3000, 3004, 3005, 3006, 3008, 3010, 3014, 3016, 3018, 3019, 3020, 3022, 3024, 3025, 3027, 3029, 3030, 3038, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3050, 3051, 3056, 3059, 3061, 3062, 3063, 3068, 3069, 3070, 3072, 3073, 2074, 3077, 3083, 3084, 3085, 3088, 3092, 3093, 3095, 3097, 3098, 3099, 3100, 3101, 3102, 3104, 3107, 3108, 3109, 3110, 3111, 3112, 3116, 3118, 3121, 3122, 3127, 3129, 3130, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3156, 3157, 3158, 3159, 3161, 3162, 3163, 3168, 3169, 3170, 3172, 3174, 3175, 3176, 3177, 3178, 3179, 3181, 3183, 3184, 3185, 3188, 3192, 3193, 3194, 3195, 3196, 3197, 3199, 3200, 3201, 3202, 3204, 3207, 3208, 3209, 3210, 3214, 3215, 3216, 3217, 3218, 3220, 3222, 3223, 3226, 3228, 3229, 3233, 3235, 3237, 3239, 3240, 3241, 3242, 3243, 3244, 3245, 3246, 3247, 3248, 3249, 3252, 3254, 3255, 3256, 3257, 3258, 3259, 3260, 3261, 3263, 3265, 3266, 3267, 3268, 3270, 3271, 3272, 3275, 3282, 3283, 3285, 3286, 3292, 3293, 3294, 3304, 3305, 3309, 3310, 3311, 3314, 3315, 3316, 3318, 3319, 3321, 3322, 3336, 3337, 3339, 3340, 3341, 3342, 3343, 3344, 3352, 3353, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3364, 3366, 3367, 3371, 3372, 3378, 3379, 3380, 3381, 3385, 3393, 3394, 3395, 3396, 3397, 3398, 3399, 3405, 3406, 3408, 3409, and all other ordinances of a general or permanent nature, in conflict with this municipal code or with any of the provisions of this municipal code. Provided, for the purposes of this section, ordinances of the following types shall not be considered

to be ordinances of a general or permanent nature:

- (1) condemning and appropriating private property for public use,
 - (2) authorizing and directing public improvements to be made,
 - (3) levying taxes (except occupation taxes) and appropriate funds,
 - (4) levying special taxes and assessments,
 - (5) authorizing the issuance, refunding or renewal of bonds and other instruments of indebtedness,
 - (6) providing for submission of questions at special elections,
 - (7) providing for the purchase or sale of real estate in the name of the City,
 - (8) incorporating in the City limits designated additions or tracts of land and approving plats thereof,
 - (9) vacating designated additions and plats thereof,
 - (10) granting specific rights, contracts or franchises to certain persons, or corporations,
- and
- (11) all other ordinances which are special in nature.

Provided further, this municipal code, or any part hereof, shall not be construed so as to affect any rights, liabilities, or causes of action, either criminal or civil, now existing, or that may have existed or accrued before this municipal code takes effect, or actions pending at the time when this municipal code takes effect. (Ord. 1116)