

PROCEEDINGS AND PASSAGE OF ORDINANCE NO. 454:

The Mayor and City Council of the City of Bennington, Nebraska, met in regular session on December 11, 2017, at 6:30 p.m., at the Community Room, 15509 Warehouse Street, and passed the following described ordinance:

ORDINANCE NO. 454

AN ORDINANCE AMENDING SECTION 3-307 OF ARTICLE III OF CHAPTER III OF THE CITY OF BENNINGTON MUNICIPAL CODE AS ENACTED IN CITY OF BENNINGTON ORDINANCE NO. 313 REGARDING PROHIBITED PARKING.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BENNINGTON, DOUGLAS COUNTY, NEBRASKA:

WHEREAS, it appears desirable and for the public good and the best interests of the City of Bennington that an Ordinance be passed amending Section 3-307 of Article III of Chapter III of the City of Bennington Municipal Code as enacted in City of Bennington Ordinance No. 313 regarding prohibited parking,

Section 1. Section 3-307 of Article III of Chapter III of the City of Bennington's Municipal Code as enacted in City of Bennington Ordinance No. 313 is amended as follows:

SECTION 3-307: PROHIBITED PARKING; NUISANCE

It shall be unlawful to park on the public streets in the City:

- (1) Any vehicle without current annual license plates and registration.
- (2) Any licensed and registered vehicle continuously in one place in the same block on any street for a period in excess of 48 hours.
- (3) Notwithstanding technical compliance with Subsection 3-307(2) via movement of a vehicle every 48 hours or less for a few feet, no licensed and registered vehicle shall be continuously parked in the same block and street and not used for travel, so as to constitute storage of a vehicle on a public street.
- (4) Any detached boat trailer, camping trailer, truck trailer, utility trailer, horse trailer, or other trailers, except when the owner or operator is performing a service for an adjacent or abutting property owner and the location of the detached trailer does not impede traffic safety.
- (5) Any semi-truck or any truck with an attached trailer which exceeds seven feet in width or 21 feet in length, except when being used for delivering or collecting goods, merchandise, materials or passengers and the driver is present, or when being used in connection with building, repair, service or moving operations.

Any vehicle parked in violation of this Section is hereby declared to be a public nuisance and may be removed as provided in Sections 3-309 through 3-314.

Section 2. The previous Section 3-307 of Article III of Chapter III of the City of Bennington's Municipal Code as enacted in City of Bennington Ordinance No. 313 is hereby repealed, and the foregoing Section 1 of this Ordinance shall be codified in the City of Bennington Municipal Code as Section 3-307 of Article III of Chapter III.

Following the introduction, the Ordinance was read by title for the first time at which time Council member Bridgford moved that the statutory rule requiring that an ordinance be read by title on three separate occasions be dispensed with. Council member Johns seconded the motion. Upon roll call vote the following Council members voted YEA: all. The following voted NAY: none. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Said Ordinance was then read by title and thereafter Council member Bridgford moved for final passage of the Ordinance, which motion was seconded by Council member Johns. The Mayor then stated the question was "Shall Ordinance No. 454 be passed and adopted?" Upon roll call vote, the following Council members voted YEA: all. The following voted NAY: none. The passage and adoption of said Ordinance having been concurred by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor in the presence of the Council signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

PASSED AND APPROVED this 11th day of December, 2017.


MAYOR MATT JOHN

ATTEST:

Mindi Laaker
CITY CLERK MINDI LAAKER