

AMENDMENTS TO LB 767

Introduced by Government, Military and Veterans Affairs.

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 23-192, Revised Statutes Supplement,  
4 2009, is amended to read:

5           23-192 (1) No ordinance adopted pursuant to sections  
6 23-187 to 23-193 shall be effective within the corporate boundaries  
7 of any incorporated city or village located in whole or in part  
8 within the county. No ordinance adopted pursuant to sections 23-187  
9 to 23-193 shall be effective within the area outside of the  
10 corporate boundaries of any city or village in which such city or  
11 village has been granted and is exercising powers by ordinance on  
12 a similar subject matter. Every county ordinance adopted pursuant  
13 to sections 23-187 to 23-193 shall include one section defining the  
14 area of the county within which the county ordinance is effective.  
15 The ordinance shall be amended to reflect any changes in the area  
16 of the county's jurisdiction resulting from (a) annexation by a  
17 city or village, (b) action by a city or village to adopt an  
18 ordinance regarding similar subject matter to that of the county  
19 ordinance if the city or village ordinance is to be effective in  
20 areas beyond its corporate boundary, or (c) any changes in the  
21 area of jurisdiction of the city or village regarding such city or  
22 village ordinance.

23           (2) Before a county adopts an ordinance under sections

1 23-187 to 23-193, the county clerk shall provide a copy of the  
2 text of the ordinance to the clerk of each city and village within  
3 the county no later than seven days after the first reading of  
4 the ordinance or the public hearing on the ordinance, whichever  
5 occurs first. Within seven days after receiving a copy of the  
6 ordinance, the city or village shall respond to the county and  
7 provide a copy of any ordinance specifying where the city or  
8 village is enforcing an ordinance on similar subject matter outside  
9 its corporate boundaries. Any ordinance adopted by the county  
10 shall not be effective in the area in which the city or village  
11 is exercising jurisdiction. Prior to the adoption of the county  
12 ordinance, the section of the ordinance that defines the area of  
13 county jurisdiction shall be amended to show the removal of the  
14 area of the jurisdiction of such city or village as indicated  
15 in the city or village ordinance provided to the county from the  
16 description of the area within which the county ordinance will be  
17 effective. An ordinance adopted under sections 23-187 to 23-193  
18 shall not be effective until fifteen days after its adoption.

19 (3) Any city or village located in whole or in part  
20 within a county that has adopted an ordinance pursuant to sections  
21 23-187 to 23-193 which (a) annexes any territory, (b) adopts  
22 an ordinance on similar subject matter to that of the county  
23 ordinance and extends the jurisdiction of the city or village under  
24 such ordinance to areas beyond its corporate boundaries, or (c)  
25 changes the area beyond the corporate boundaries of the city or  
26 village within which the city or village exercises jurisdiction  
27 by ordinance on similar subject matter to that of the county

1 ordinance shall provide to the county clerk a copy of the ordinance  
2 establishing and delineating its jurisdiction or any change to  
3 that jurisdiction within seven days after the adoption of the  
4 relevant city or village ordinance. Upon the effective date of the  
5 city or village ordinance, the county ordinance shall cease to be  
6 effective within the area in which the city or village has assumed  
7 jurisdiction. The county board shall promptly amend its ordinance  
8 to reflect the change in the area within which the county ordinance  
9 is effective.

10 (4) The provisions of section 60-1903 shall apply to any  
11 county having custody of an abandoned motor vehicle pursuant to a  
12 county abandoned motor vehicle ordinance.

13 Sec. 2. Original section 23-192, Revised Statutes  
14 Supplement, 2009, is repealed.