

## Chapter 2

### COMMISSIONS AND BOARDS

#### Article 1. Commissions and Boards

**§2-101**        **LIBRARY BOARD.** The Library Board shall be appointed or elected. At the first (1st) regular meeting of the Governing Body in January of each even numbered year the Governing Body shall, by ordinance, adopt the manner in which the five (5) members of the Board are to be chosen. If the members are to be chosen by appointment, the nominated members must receive a majority vote of the Governing Body. If the members are to be elected, the usual election procedures of the Municipality shall be followed. The Board shall consist of five (5) members who shall be residents of the Municipality. The members of the Library Board shall serve a four (4) year term of office as specified by Nebraska Statutes. The Board shall serve without compensation and may be required, in the discretion of the Governing Body, to give a bond in a sum set by resolution of the Governing Body, and conditioned upon the faithful performance of their duties. At the time of the Board's first (1st) meeting in June of each year, the Board shall organize by selecting from their number a chairman and secretary. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings, and to file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. A majority of the Board members shall constitute a quorum for the transaction of business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the chairman, or any three (3) members of the Board. The Library Board shall have the authority to appoint a librarian and all other employees. It shall be the duty of the Board to have general charge of the Municipal Library and to establish appropriate rules and regulations for the management, operation, and use of the same. The Board shall have supervisory authority over all employees of the library including the librarian. All actions of the Board shall be subject to the review and supervision of the Governing Body. The Board shall be responsible for making such reports and performing such additional duties as the Governing Body may designate from time to time. No member of the Governing Body shall serve as a member of the Library Board while serving a term of office as a member of the Governing Body. No member of the Library Board shall serve in the capacity of both the chairman and secretary of the Board. *(Ref. 51-202 RS Neb.) (Amended by Ord. No. 422, 4/5/76)*

**§2-102**        **PLANNING COMMISSION.** The Governing Body shall appoint the Planning Commission which shall consist of nine (9) members who shall represent, insofar as is possible, the different professions or occupations in the Municipality and who shall be residents of the Municipality. However two (2) of such members may be residents of the area over which the Municipality is authorized to exercise extraterritorial zoning and subdivision regulations. The members of the Commission shall serve a three (3) year term of office unless reappointed. But if a Municipal Planning Commission has either five (5) or seven (7) members, approximately one-third (1/3) of the members of the first Commission shall serve for a term of one (1) year, one-third (1/3) for a term of two (2) years, and one-third (1/3) for a term of three (3) years. The Commission shall serve without compensation and may be required, in the discretion of the Governing Body, to give a bond in a sum set by resolution of the Governing Body, and conditioned upon the faithful performance of their duties. At the time of the Commission's first (1st)

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meeting in June of each year, the Commission shall organize by selecting from its membership a chairman and secretary. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings and to file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. The Planning Commission shall be funded by the Governing Body from time to time out of the General Fund. A majority of the Commission shall constitute a quorum for the purpose of doing business. Special meetings may be held upon the call of the chairman, or any three (3) members of the Commission. It shall be the duty of the Commission to make and adopt plans for the physical development of the Municipality, including any areas outside its boundaries which, in the Commission's judgment, bear relation to the planning of the Municipality. All actions by the Commission shall be subject to the review and supervision of the Governing Body. The Commission shall be responsible for making such reports and performing such other duties as the Governing Body may, from time to time, designate. No member of the Governing Body, or other Municipal official, except where otherwise specifically provided, shall serve as a member of the Planning Commission while serving any other term of office. No member of the Planning Commission shall serve in the capacity of both the chairman and secretary of the Commission. *(Ref. 19-924 thru 19-929 RS Neb.) (Amended by Ord. No. 494, 5/8/80)*

**§2-103      BOARD OF HEALTH.** The Governing Body shall appoint a Board of Health. The Board of Health shall consist of four (4) members. The members of the Board shall include the Mayor, who shall serve as chairman; the Police Chief, who shall serve as secretary and quarantine officer; a physician who shall serve as the medical advisor; and the President of the City Council. The members of the Board shall serve, without compensation, a one (1) year term of office, unless reappointed, and shall reorganize at the first (1st) meeting in June of each year. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings and to file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. The Board of Health shall be funded by the Governing Body from time to time out of the General Fund. A majority of the Board shall constitute a quorum for the purpose of doing business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the chairman, or any two (2) members of the Board. It shall be the duty of the Board to enact rules and regulations which shall have the full force and effect of law, to safeguard the health of the residents of the Municipality. Included in the duties of the Board shall be to enforce the said rules and regulations, and to provide fines and punishments for any violations thereof. It may regulate, suppress, and prevent the occurrence of nuisances and shall actively enforce all laws of the State of Nebraska and ordinances of the Municipality relating to matters of sanitation which affect the health and safety of the people. The Board shall regularly inspect such premises and businesses as the Governing Body may direct. All members of the Board shall be responsible for making such reports and performing such other duties as the Governing Body may, from time to time, designate. No member of the Board of Health shall hold more than one (1) Board of Health position. *(Ref. 17-121 RS Neb.)*

**§2-104      BOARD OF PARK COMMISSIONERS.** The Governing Body shall appoint the Board of Park Commissioners. The Board shall consist of not less than three (3) members, who shall be resident freeholders in the Municipality. The members of the

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Board shall serve a one (1) year term of office unless reappointed. The Board shall serve without compensation and may be required, in the discretion of the Governing Body, to give a bond in a sum set by resolution of the Governing Body, and conditioned upon the faithful performance of their duties. At the time of the Board's first (1st) meeting in June of each year, the Board shall organize by selecting from their number a chairman and secretary. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings, and to file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. A majority of the Board members shall constitute a quorum for the transaction of business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the chairman, or any two (2) of the Board members. It shall be the duty of the Board to take the immediate charge of all parks and recreational facilities belonging to the Municipality. The Board shall establish appropriate rules and regulations for the management, use, and operation of the same. All employees of the Municipality doing work in or for the Municipal park shall be under the supervision and direction of the Board. All actions of the Board shall be subject to the review and control of the Governing Body. The Board shall be responsible for making such reports and performing such other duties as the Governing Body may, from time to time, designate. No member of the Governing Body shall serve as a member of the Park Commission while serving a term of office as a member of the Governing Body. No member of the Park Commission shall serve in the capacity of both the chairman and secretary of the Board.

It shall be the additional responsibility of the Park Board (Park and Recreation Board) to study, investigate, counsel, and develop a written plan for the care, preservation, trimming, planting, removal, or disposition of trees and shrubs in public ways, streets, and alleys. Such a plan will be presented to the City Commission and upon their acceptance and approval shall constitute the official comprehensive Community tree plan for the City of Bridgeport, Nebraska. The Board shall review annually and update if needed the comprehensive City tree plan. The Board shall prepare and present an annual work plan to the City Commission for their acceptance and approval.

The Board, when requested by the City Council, shall consider, investigate, make finding, report, and recommend upon any special matter of question coming within the scope of its work. (*Ref. 17-952 RS Neb.*) (*Amended by Ord. No. 472, 9/6/79*)

**§2-105      CEMETERY BOARD.** The Governing Body shall appoint the Cemetery Board which shall consist of six (6) members who are residents of the Municipality and who shall serve without compensation for a term of three (3) years. Two (2) members shall be appointed each year and may be required in the discretion of the Governing Body, to give a bond in a sum set by resolution of the Governing Body, and conditioned upon the faithful performance of their duties. At the first (1st) meeting in June of each year, the Board shall organize by selecting from its membership a chairman and secretary. The secretary shall keep the full and correct minutes and records of all meetings and file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. A majority of the Board members shall constitute a quorum for the purpose of doing business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the chairman or any three (3) members of the Board. The Board shall have the general care, management, and supervision of the Municipal Cemetery with the power and authority to limit and regulate the number of cemetery lots that may be owned by

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the same person; to prescribe rules for enclosing, adorning, and erecting monuments and tombstones on cemetery lots; and to prohibit any diverse or improper use thereof; provided, no religious tests shall be made as to the ownership of lots, the burial therein, and the ornamentation of graves. The Board shall pass rules and regulations for the proper use of the Cemetery and prescribe penalties and fines for violations thereof. The Board shall use all revenue received from the sale of lots, gifts, or by devise for the care, management and administration of the Cemetery. All actions of the Board shall be subject to the review and supervision of the Governing Body and it shall be responsible for making such reports and performing such additional duties as the Governing Body may designate. No member of the Governing Body shall serve as a member of the Board while serving a term of office as a member of the Governing Body. No member of the Cemetery Board shall hold more than one (1) Cemetery Board office. *(Ref. 12-401 thru 12-403 RS Neb.)*

**§2-106 HOUSING AUTHORITY BOARD.** The Governing Body shall appoint five (5) persons who shall constitute the Housing Authority and such persons shall be called the Commissioners. One (1) Commissioner shall be appointed each year. Each Commissioner shall serve a five (5) year term of office or until his successor is duly appointed; provided, that all vacancies shall be filled for the unexpired terms. A certificate of the appointment or reappointment of any Commissioner shall be filed with the Municipal Clerk and such certificate shall be conclusive evidence of the proper appointment of such Commissioner. A Commissioner shall receive no compensation for his services, but he shall be entitled to the necessary expenses, including travel expenses, incurred in discharge of his duties. The Housing Authority Commissioners shall meet on the third (3rd) Tuesday, unless the same shall be a legal holiday, at which event said meeting shall be held on the next succeeding nonsecular day. The meetings to be held in June, September, December and March. The annual meeting shall be held in conjunction with the regular June meeting of each year. Be it further ordained that all meetings be held in the business office of the Community Building at the Camp Clarke Villa at the eight (8:00) o'clock P.M. Three (3) Commissioners shall constitute a quorum of the Authority for the purpose of conducting its business, exercising its powers, and for all other purposes. Action may be taken by the Authority upon the vote of the majority of the Commissioners present unless in any case the bylaws of the Authority shall require a larger number. The Commissioners shall elect a chairman and vice-chairman from among the Commissioners and shall have the power to employ an executive director who shall serve as ex officio secretary of the Authority. The Authority may also employ legal counsel, or it may call upon the chief law officer of the Municipality, for such services as it may require. It may employ technical experts and such other officers, agents, and employees as it may require and shall determine their qualifications, duties, compensations, and terms of office. The Authority may delegate such other powers and duties to its agents or employees as it may deem proper. During his tenure, and for one (1) year thereafter, no commissioner, officer, or employee of the Municipal Housing Authority shall voluntarily acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, or in any contract or proposed contract relating to any housing project. If any such commissioner, officer, or employee involuntarily acquires any such interest, or voluntarily or involuntarily acquired any such interest prior to appointment or employment as commissioner, officer, or employee, he shall immediately disclose his interest in writing to the Authority, and such

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disclosure shall be entered upon the minutes of the Authority, and he shall not participate in any action by the Authority relating to the property or contract in which he has any such interest; provided, that nothing herein shall apply to the acquisition of any interest in notes or bonds of the Authority issued in connection with any housing project, or to the execution of agreements by banking institutions for deposit or handling of funds in connection with a project or to act as trustee under any trust indenture, or to utility services, the rates for which are fixed or controlled by a governmental agency. The Mayor may remove a Commissioner for neglect of duty or misconduct in office in the manner prescribed hereinafter. The Mayor shall send a notice of removal to such Commissioner which notice shall contain a statement containing the charges against him. Unless within ten (10) days from the receipt of such notice, such Commissioner files with the Clerk a request for a hearing before the Governing Body, the Commissioner shall be deemed as removed from office. If a request for a hearing is filed with the Clerk, the Governing Body of the Municipality shall hold a hearing at which the Commissioner shall have the right to appear in person or by counsel and the Governing Body shall determine whether the removal shall be disapproved or upheld. If the removal is disapproved, the Commissioner shall continue to hold his position.

The Housing Authority shall keep an accurate account of all its activities and of all its receipts and disbursements and shall make a report to the Governing Body on all such information. *(Ref. 71-1524 thru 71-1526, 71-1552 RS Neb.) (Amended by Ord No. 568, 12/5/85)*

**Article 2. Community Development Agency**

**§2-201 CREATE A COMMUNITY DEVELOPMENT AGENCY; DEFINE FUNCTIONS AND POWERS; DESIGNATE CHAIRMAN.** (1) Per Section 18-2101.1 RS Neb., the city hereby creates a community development agency which agency shall consist of the Mayor and City Council of the city.

(2) The name of the community development agency shall be the Community Redevelopment Authority of the city.

(3) The Community Redevelopment Authority of the city shall function in the manner prescribed by ordinance and may exercise all of the power and authority granted to a community redevelopment authority in sections 18-2101 to 18-2144 RS Neb.

(4) The Mayor shall function as the Chairman of the Community Redevelopment Authority. *(Ord. No. 752, 7/6/06)*

**Article 3. Penal Provision**

**§2-201**        **VIOLATION; PENALTY.** Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than five hundred (\$500.00) dollars for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply. (*Amended by Ord. No. 694, 7/8/99*)