

--Legal Notices--

(Published May 9, 1963)
ORDINANCE NO. 352-A
AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, TO AMEND SECTION 1 OF ORDINANCE NO. 294-A RELATING TO SEWERS AND THEIR UPKEEP AND INCREASING THE SEWER RATE CHARGE FROM 50 CENTS PER MONTH TO \$1.00 PER MONTH EFFECTIVE JUNE 1, 1963.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, NEBRASKA:
SECTION 1: That Section 1 of Ordinance No. 294-A be amended to read as follows: A sewer use charge of \$1.00 per month for each connection whether direct or indirect is hereby fixed to be charged and collected from the owner of each real estate property in the City of O'Neill having a connection either directly or indirectly, to the City sewer system, whenever said property is occupied or used.

SECTION 2: That Section 1 of Ordinance No. 294-A be and it hereby is repealed.
SECTION 3: That all other sections of Ordinance No. 294-A shall remain in full force and effect.

SECTION 4: This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.
PASSED AND APPROVED THIS 7th DAY OF MAY, 1963.
D. C. SCHAFFER
Mayor
ATTEST:
O. D. FRENCH
City Clerk
(SEAL)

(Published May 9, 1963)
ORDINANCE NO. 353-A
AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, TO AMEND SECTION 25 OF ORDINANCE NO. 263-A RELATING TO WATER RATES AND INCREASING MINIMUM CHARGE FROM \$3.00 TO \$4.00 BI-MONTHLY, EFFECTIVE JUNE 1, 1963.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, NEBRASKA:
SECTION 1: That Sections A, B, and C, of Section 25 of Ordinance No. 263-A be amended to read as follows:

A. MINIMUM CHARGES
In no case shall the minimum charge for water service based on bi-monthly consumption by each individual consumer be less than Four Dollars, and no discount be allowed.

B. RATE SCHEDULE
For the first 10,000 gallons, or fraction thereof, of water used or consumed, \$4.00; no discount allowed.

For the next 40,000 gallons of water used or consumed, 25c per thousand gallons.

For the next 150,000 gallons of water used or consumed 20c per thousand gallons.

For next 100,000 gallons of water used or consumed, 18c per thousand gallons.

Over 400,000 gallons of water used or consumed, 15c per thousand gallons.

C. METER READINGS: BILLING: SERVICE SHUT OFF FOR NON-PAYMENT
All meters of consumers shall be read by the water commissioner, or his agent, between the 20th day of the last month of the bi-monthly period during which water service is used and the first day of the succeeding period. The water commissioner, or his duly authorized agents who are charged with the duty of reading water meters, shall, as said water meters are read, make statements for each consumer and enter the same on the books of the water department. All bills for water service shall be due on the first day of the succeeding bi-monthly period, and shall be payable at such place as the water commissioner shall designate. If such water bills are not paid within thirty days after the same are due, the water service of the consumer shall be shut off, and shall not be turned on until the same are paid and other charges, if any, due said city be paid, together with a fee of \$4.00 for resumption of service. The water commissioner may, whenever he deems it advisable or necessary, declare any water bill due at any time and proceed to collect the same; and, in his discretion, may require charges for water service to be paid in advance. The City of O'Neill is hereby divided into two water districts. District No. 1 shall comprise all of the territory lying East of Fourth Street, and District No. 2 shall comprise all of the territory lying West of Fourth Street. The bi-monthly periods for computing water rentals in District No. 1 shall commence on the 1st day of July, September, November, January, March and May of each year, and in District No. 2 on the first day of alternate months from those set forth for District No. 1.

SECTION 2: That Sub sections A, B, and C, of Section 25 of Ordinance No. 263-A be and it hereby is repealed.

SECTION 3: That all other sections of Ordinance No. 263-A shall remain in full force and effect.

SECTION 4: This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED THIS 7th DAY OF MAY, 1963.
D. C. SCHAFFER
Mayor
ATTEST:
O. D. FRENCH
City Clerk
(SEAL)

(Published May 9, 1963)
ORDINANCE NO. 354-A
ANIMALS AND FOWLS
AN ORDINANCE RELATING TO ANIMALS AND FOWLS WITHIN THE CORPORATE LIMITS OF THE CITY OF O'NEILL, NEBRASKA: To Provide for the Licensing, regulating and taxing of dogs harbored or running at large within said City; to prescribe rules and regulations for the impounding and killing of dogs under certain conditions; to protect the inhabitants of this City against rabid or dangerous dogs; to regulate where animals or fowls may be kept with respect to the residence or place of abode of another; to prohibit cruelty to animals; to prohibit animals or fowls from running at large; to provide penalties for the violation thereof; to repeal all ordinances and parts of ordinances in conflict therewith; and to prescribe the time when this ordinance shall be in full force and take effect.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, NEBRASKA:

ARTICLE I.
SECTION 1: Terms, Defined.
The term dog, whenever used in this article, shall be held to apply to both male and female dogs of all ages. The term spayed shall be construed to mean any neutered female dog as evidenced by the certificate of a licensed veterinarian.

SECTION 2: Who Deemed Harbored. Any person who shall harbor or permit any dog to be for ten days or more in the same habitually remain and be fed for the period of ten days or more in or about his house, store or enclosure, shall be deemed the harbored of such dog, and shall be liable to the penalties herein prescribed for the violation of this article.

SECTION 3: Dangerous Dogs at Large; Rabid Dogs. If the owner or harbored of a fierce or dangerous dog, after its disposition and nature have been ascertained, permits the same to run at large in this City to the danger or annoyance of the citizens, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished as hereinafter provided. The Chief of Police or other constable designated by the City Council is hereby authorized to kill such dog if found running at large. The prudent use of firearms by the Chief of Police or such other officer for this purpose or for any purpose required by this article shall not be considered a violation of the ordinances of this City. The City Council by resolution may prohibit, by proclamation, the running at large of any dog at any time of the year when, in said Council's opinion, the public is in danger of rabid dogs. All dogs are to be tied or confined between the dates of April 1st to October 1st of each year.

SECTION 4: Female Dogs in Season. The owner or harbored of any female dog, licensed or unlicensed, who permits such dog to run at large while in season, shall, upon conviction thereof, be punished as hereinafter provided. The Chief of Police or other officer designated by the City Council is hereby authorized to kill any such dog if found running at large in such condition.

SECTION 5: Plates, Tags. It shall be unlawful for any dog to run at large or to be harbored within the corporate limits of this City, unless such dog shall have a collar with a metallic plate or tag fastened upon it. Each and every male or spayed dog shall have plainly engraved or stamped thereon in plain letters, Dog Tax, O'Neill, Nebraska, and in figures the year for which the same was given and the number, which shall represent the number of such plate or tag. Provided, that the shape and appearance of the same be different each year and shall be numbered from one upwards.

SECTION 6: Dog Tax. When Due. When Delinquent; Dog Tax Credited to General Fund; Every harbored or male or spayed female dog in this City, shall pay to the City Clerk or other representative, as a dog tax, the sum of One Dollar and twenty-five cents per annum; and every harbored or unspayed female dog, in this City, shall likewise pay to the Village Clerk or other representative, as dog tax, the sum of Two dollars per annum. Such tax shall be payable on or before the first day of January of each year. Each person so paying shall have a metallic plate attached to the collar of the dog showing the number as proved in Section 5 of this ordinance; Provided, the harbored of any dog brought into or harbored within the corporate limits of this City subsequent to January first in each year, shall be liable for the dog tax levied herein. Dog tax shall become delinquent January 10 of each year, or within ten days after the dog or dogs shall have been brought within the corporate limits of this village subsequent to January first in each year. The Chief of Police when directed by the City Clerk, shall assist the said Clerk in the collection of the annual dog tax as provided herein. All dog tax money shall be credited to the General Fund of the City.

SECTION 7: Enforcement of Dog Ordinance. Impounding, Killing of Dogs; Additional Compensation of Chief of Police or other constable. It shall be the duty of the Chief of Police or other constable, designated by the City Council, after January tenth in each year, or when the dog tax becomes delinquent, as aforesaid, to take up and kill any dog, male or female, harbored and found running at large or running at large within the corporate limits hereof and not having about its neck the tag or plate provided for in Section 5 of this Ordinance; and, for each dog so killed and disposed of the Chief of Police or other constable, designated by the City Council, receive in addition to his salary the sum of \$1.00 One Dollar, the same to be paid as other claims against the gen-

eral fund of said City. No dog so taken by the Chief of Police or other officer of this City shall be killed until such officer, after consulting the records in the office of the City Clerk, shall have satisfied himself that the tax herein levied on said dog is due and unpaid, and until such officer shall have notified in writing or by word of mouth the owner of said dog, if known to him, forthwith to pay the delinquent tax so due. PROVIDED, each dog so taken will be impounded for at least (5) Five days, after which time if the dog is not called for and fees and maintenance paid, at the rate of \$1.00 per day, then said dog shall be destroyed.

SECTION 8: Poisoning or Injuring Dogs. It shall be unlawful for any person or persons to administer or cause to be administered poison of any sort whatsoever to any dog, or in any manner to injure, maim or destroy, or in any manner to attempt to injure, maim or destroy any dog, the property of another, or to place any poison or poisoned food where the same is accessible to any dog; Provided however, this section shall not apply to the killing of dogs with firearms by the Chief of Police or other officer designated by the City Council carrying out or attempting to carry out the duties assigned him in other sections of this article.

SECTION 9: Barking, Howling, Yelping or Offensive Dogs. No person shall own, keep or harbor any dog within the corporate limits of this City which by loud, continued or frequent barking, howling or yelping shall annoy or disturb any neighborhood or person or which habitually barks or chases pedestrians, horses or any vehicle whatsoever to the annoyance of such pedestrians, driver or owner of vehicles while on any public sidewalks, streets, alleys, or avenues in said City.

SECTION 10: Dogs, Injuring or Destroying Property of Another. No person shall own, keep or harbor or allow to be in, or upon any premises occupied by him, or under his charge or control, any dog that in any manner injures or destroys any real or personal property of any description belonging to another. If upon the trial of any offense mentioned in this section, it shall appear to the Police Judge that the person be guilty as charged in said complaint, said Judge may, in addition to the usual judgment of conviction, order the person so offending to make restitution to the party injured in amount equal to the value of the property so injured or destroyed.

ARTICLE II.
General Regulations

SECTION 11: Animals and Fowls Running at Large. No persons having the charge, custody, or control thereof, shall permit any horse, mule, cow, sheep, goat, swine, except as in this chapter otherwise provided, to go loose or run at large in any of the public ways, or upon the property of another, in this City, or to be tethered or staked out in such a manner as to allow said animal to reach to or pass into any public way, or upon the property of another, and the running at large within the limits of this City, is hereby declared to be a common nuisance and the same is hereby prohibited.

SECTION 12: Animals, Cruelty to. Any person or persons who shall inhumanly beat, strike, kick or wound any domestic animal within the corporate limits of this City, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished as hereinafter provided. Any person or persons who shall within the corporate limits of this City, torture, torment, in a cruel or inhumane manner any domestic animal or beast of burden, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished as hereinafter provided. Any person or persons, whether as owner or agent, having in charge any domestic animal or animals within the corporate limits of this City, who shall willfully or carelessly neglect to provide sufficient food or shelter therefor at any season of the year, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished as hereinafter provided.

SECTION 13: Animals Not to be Kept Within One Hundred Feet of Residence of Another. No person, whether as owner, bailee, keeper or custodian, shall keep or maintain any domestic animal within one hundred feet of any part of any building used by another as residence or place of dwelling.

SECTION 14: FOWLS NOT TO BE KEPT WITHIN THE CORPORATE LIMITS OF THE CITY OF O'NEILL. No person, whether as owner, bailee, keeper or custodian, shall keep or maintain any chickens, ducks, turkeys, geese, or any similar fowl within the City of O'Neill.

ARTICLE III.
Penal Provisions
SECTION 15: Violations, Penalty. Any person who shall violate any provisions of Articles I and II of this Chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars and costs of prosecution.

ARTICLE IV.
Repeal and Operative Clauses
SECTION 16: Repeal of Prior Ordinances in Conflict. All ordinances and parts of ordinances in conflict with the provisions of this ordinance and in conflict therewith are hereby repealed.

SECTION 17: When Operative. This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED May 7, 1963.
D. C. SCHAFFER
Mayor
ATTEST:
O. D. FRENCH
City Clerk
(SEAL)

Congratulations Graduates



(Published May 9, 1963)
ORDINANCE NO. 355-A
AN ORDINANCE OF THE CITY OF O'NEILL, NEBRASKA, CREATING SANITARY SEWER EXTENSION DISTRICT NO. 1 AND PRESCRIBING THE SIZE AND KIND OF SEWER MAINS TO BE CONSTRUCTED THEREIN AND THE LOCATION AND TERMINAL POINTS THEREOF AND THE OUTER BOUNDARIES OF SAID DISTRICT.

Section 1. The Mayor and City Council hereby deem it necessary and desirable to extend the municipal sanitary sewer service beyond the limits of the existing sanitary sewer system of said City and for such purpose to create a sanitary sewer extension district.

Section 2. There is hereby created in the City of O'Neill, Nebraska, and within one mile of the corporate limits thereof, Sanitary Sewer Extension District No. 1, the outer boundaries of said District being defined and established as follows: Commencing at the Northeast corner of Block G of the O'Neill and Haggerty's Addition to the City of O'Neill, Nebraska; thence east to the northwest corner of Spelts-Ray Subdivision; thence east along the north line of Spelts-Ray Subdivision to a point opposite the southeast corner of Lot No. 12, Block 4 of Cleveland and Kipple's First Addition; thence north along the west line of Lawndale Avenue to the intersection of the west line of Lawndale Avenue and the north line of Cedar Street; thence west along the north line of Cedar Street and Cedar Street extended

to the west to a point on the east line of U. S. Highway 281; thence south along the east line of U. S. Highway 281 a distance of 585 feet; thence east to a point on the west line of Cleveland and Kipple's First Addition; thence south along the west line of Cleveland and Kipple's First Addition to a point on the south line of the County Road; thence east along the south line of the County Road to the intersection of the south line of the County Road and the west line of Madison Street; thence south to the point of beginning.

Section 3. The size, kind and location of the sewer mains to be constructed in said District shall consist of: 8-inch vitrified clay sewer pipe or 8-inch concrete sewer pipe and appurtenances located in Madison Street between Adams Street and County Road; in County Road between Lawndale Avenue and Sunset Avenue; in Sunset Avenue between County Road and Cedar Street; in Birch Street between Sunset Avenue and Lawndale Avenue; in Cedar Street between Sunset Avenue and Lawndale Avenue; and in a 20-foot easement 167 feet westerly from the intersection of Sunset Avenue and Birch Street.

Section 4. The sewer mains in said District shall be constructed in accordance with the plans and specifications therefor which have been made and filed with the City Clerk prior to the introduction of this ordinance by Kirkham, Michael & Associates, municipal engineer who has been employed by the City for that purpose and whose plans and specifications have been approved by

the Mayor and City Council and to which reference is hereby made.

Section 5. The engineer's estimate of the total cost of the proposed extension of the City's sanitary sewer system is \$19,890.00.

Section 6. This ordinance shall take effect and be in force from and after its passage and publication, in accordance with law.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'NEILL, NEBRASKA:

PASSED AND APPROVED THIS 7th DAY OF MAY, 1963.
D. C. SCHAFFER
Mayor
ATTEST:
O. D. FRENCH
City Clerk
(SEAL)

Section 2. There is hereby created in the City of O'Neill, Nebraska, and within one mile of the corporate limits thereof, Water Extension District No. 1, the outer boundaries of said District being defined and established as follows:

Commencing at the northeast corner of Block I of the O'Neill and Haggerty's Addition to the City of O'Neill, Nebraska; thence east to the northwest corner of Block 7 of the McCafferty's Annex; thence north along the east line of Third Street to a point on the north line of the County Road; thence west along the north line of the County Road to the east line of First Street extended north; thence north along the east line of First Street to the intersection of the east line of First Street and the north line of Cedar Street; thence west along the north line of Cedar Street and Cedar Street extended west to a point on the east line of U. S. Highway 281; thence south along the east line of U. S. Highway 281 a distance of 585 feet; thence east to a point on the west line of Cleveland and Kipple's First Addition; thence south along the west line of Cleveland and Kipple's First Addition to a point on the south line of the County Road; thence east to the northeast corner of the Spelts-Ray Subdivision; thence south to the point of beginning.

Section 3. The size, kind and location of the water mains to be constructed in said District shall consist of: 6-inch cast iron water mains and appurtenances located in County Road between Archer Street and Sunset Avenue; in Sunset Avenue between County

Road and Cedar Street; in Ash Street between Sunset Avenue and Lawndale Avenue, in Birch Street between Sunset Avenue and Lawndale Avenue, in Cedar Street between Sunset Avenue and First Street; in Lawndale Avenue between Ash Street and Birch Street; in John Street between First Street and Second Street; in County Road between Lawndale Avenue and First Street; between County Road between Second Street and Third Street; in Third Street, 148 feet northerly from John Street; and in a 20-foot easement 167 feet westerly from the intersection of Birch Street and Sunset Avenue.

Section 4. The water mains in said District shall be constructed in accordance with the plans and specifications therefor which have been made and filed with the City Clerk prior to the introduction of this ordinance by Kirkham, Michael & Associates, municipal engineer who has been employed by the City for that purpose and whose plans and specifications have been approved by the Mayor and City Council and to which reference is hereby made.

Section 5. The engineer's estimate of the total cost of the proposed extension of the City's water system is \$27,370.00.

Section 6. This ordinance shall take effect and be in force from and after its passage and publication, in accordance with law.

PASSED AND APPROVED THIS 7th DAY OF MAY, 1963.
D. C. SCHAFFER
Mayor
ATTEST:
O. D. FRENCH
City Clerk
(SEAL)