

OMAHA'S NEW BILL OF RIGHTS

Part of What the Charter as Amended Provides For.

CHANGES IN THE CITY GOVERNMENT.

Election Regulations, Qualifications of Councilmen, the Board of Health and Sanitary Commissioner and Tax Levy.

Owing to the length of the charter amendments and the importance of getting a certified copy thereof, some delay has been occasioned in presenting the document to the public.

An act to amend sections 11, 12, 13, 23, 30, 57, 59, 66, 79, 81, 92, 97, 101, 104, 107, 108, 110, 111, 112, 113, 115, 129, 132, 134, 135, 140, 142, 143, 145, 147-148, 153, 155, 167, of chapter 11 A, entitled "Cities of the Metropolitan Class," compiled statutes 1891; and to repeal section 33 of said chapter. Be it enacted by the legislature of the state of Nebraska.

GENERAL ELECTIONS.

Section 1. That section 11 of said chapter be and the same is hereby amended to read as follows: "Section 11. The general city election in all cities governed by this act shall be held on the Monday next succeeding the first Monday in November, 1891, and every two years thereafter, except as otherwise herein specifically provided. Elections shall be held at the same place as are general elections for state and county officials occurring in such years. The officers to be elected at such elections shall be: mayor, police judge, city clerk, treasurer and comptroller. They shall each and all be elected by a plurality of all votes cast at said elections for such officers, and shall, when properly qualified, hold office for the term herein designated, commencing on the first Tuesday in January succeeding said election, or until their successors shall be elected and qualified. The terms, powers or authority of any official herein named elected at any city election held in December, shall not be affected or prejudiced by reason of the fixing of the date of holding city elections, as herein specified."

THE COUNCILMEN.

Sec. 2. That section 12 of said chapter be and the same is hereby amended to read as follows: "Section 12. The council of each city governed by this act shall consist of one member from each ward and an equal number from the city. Each councilman before entering upon the duties of his office shall be required to give a bond to the city, with two or more good and sufficient sureties, who shall each justify that he is worth at least \$5,000 in real estate in such city, over and above all debts, liabilities and exemptions. Such bond shall be in the sum of \$5,000 and shall be conditioned for the faithful discharge of the duties of the councilman giving the same, and shall be further conditioned that if said councilman shall vote for any expenditure or appropriation of money, or incur any liability in excess of the amount allowed by law, that such councilman and the sureties signing said bond shall be liable thereon. Said bond shall be filed with and approved by the mayor."

VOTING FOR COUNCILMEN.

Sec. 3. That section 13 of said chapter be and the same is hereby amended to read as follows: "Section 13. In all cities of the metropolitan class, now existing or hereafter created, the qualified voters of such city at the general election to be held in 1891, and every two years thereafter, shall elect by a plurality of all votes cast for such officials elect a number of councilmen equal to the number of wards of said city, who shall be known and designated as councilmen-at-large; and who shall hold office for the term of two years from the first Tuesday in December next succeeding said election, or until their successors are elected and qualified. At an election which shall be held in 1892 and every two years thereafter and in the manner hereinafter designated, there shall also be elected one councilman from each ward who shall be designated ward councilman; they shall each hold office for a period of two years from the first Tuesday in January succeeding such election. Whenever by reason of an increase of wards in such city, or by reason of being proclaimed a city of said metropolitan class, any ward shall be without representation, it shall be lawful and proper at the next succeeding general city election, or at a special election, the call for and holding of which is hereby authorized, to elect ward councilmen for such wards, and also to elect a number of councilmen at large equal to the number of new or additional wards created. The terms of such ward councilmen and councilmen at large, shall be as designated. The councilman at large and the ward councilman shall constitute the city council, and no member shall be eligible to more than two consecutive terms. Ward councilmen and councilmen at large in which they may be elected. All councilmen's terms of office shall commence on the first Tuesday in January after their election, except such councilman as may be elected at a special election, whose terms shall commence immediately after the date of such election shall declared. On said first Tuesday the councilmen shall assemble together and organize the city council. The terms, powers and authority of any official herein named elected at any city election held in December shall not be affected or prejudiced by reason of the fixing of the date of holding city elections as herein specified."

POLICE REGULATIONS.

Sec. 4. That section 23 of said chapter be and the same is hereby amended to read as follows: "Section 23. The mayor and council shall have power to make and enforce all police regulations for the good government, general welfare, health, safety and security of the city and the citizens thereof, in addition to the police powers expressly granted herein, and in the exercise of such power they may issue such needful and proper ordinances; and shall have power to impose fines, forfeitures, penalties and imprisonment at hard labor for the violation of any ordinance, and to provide for the recovery, collection and enforcement thereof, and in default of payment, to provide for the confinement in the city workhouse of any person who shall violate or be confined without hard labor as may be provided by ordinance."

ABOUT THE BOARD OF HEALTH.

Sec. 5. That section 30 of said chapter be and the same is hereby amended to read as follows: "Section 30. In each city of the metropolitan class there shall be a board of health, to consist of the mayor, who shall be chairman; the commissioner of health, who shall be secretary, and who shall be the city physician of said city; the chief of police, sanitary commissioners and two members of the city council who are chairmen of committees relating to streets and alleys and sewers. The members of said board shall constitute a quorum. Said commissioner of health shall be appointed by the mayor, subject to the approval of a majority of the council, and shall hold office for a term of two years from date of appointment unless sooner removed or retired, shall have the qualifications of a physician under the laws of this state, and receive compensation at the rate of \$2,000 per annum, payable monthly. He shall execute and enforce all ordinances, regulations and resolutions of the board of health, within the jurisdiction and control. He shall make reports to the board of health as by them directed, of his acts, directions and proceedings as such commissioner, and receive and execute the orders, directions and instructions of said board. The sanitary commission, under the direction of the board of health, shall have charge, control and supervision of all sanitary and health affairs of the city, including the removal of dead animals, the sanitary condition of streets, alleys and vacant grounds; of stockyards, wells, cisterns, privies, water closets, cesspools and stables; of houses, tenements, manufactories and all public and private buildings of every sort, and of any and all buildings and places not specified where dirt, nuisances or offensive matter is kept or stored; and shall have charge of the board of health shall have control and supervision; of meats, food, drinks, and the

inspection, condemnation, use, sale, and disposition thereof; and shall have power to disseminate, regulate, restrict, suspend or prohibit the occurrence of nuisances; said board shall also have control of all contagious or infectious diseases, and the care, treatment, regulation and removal of the same; of all salubrious, dispensaries, and places for the treatment of the sick, and of matters relating to births and deaths and records thereof; in said city, also of all cemeteries or places for the burial of the dead. The jurisdiction of said board of health shall extend over such city, and over all grounds and property within three miles of the limits thereof. "Said commissioner of health shall have power to enter upon and inspect any and all premises for the detection, correction and extermination of nuisances, contagious or infectious diseases, or the improvement of the sanitary condition of said premises.

"Inspectors of meats, milk, food and of any and all matters and things relating to the sanitary condition of such city shall be under the control and direction of said board of health. The board of health, when in session, shall make rules and regulations for the conduct of its affairs and of the action of the said commissioner of health and for the efficient regulation, control, direction and improvement of the health and sanitary affairs of such city, and shall have power to make and enforce such rules and regulations, and to impose penalties for the violation of the same. Said last named rules and regulations shall be presented to the city council, and when approved and enacted by said council, shall have the force and effect of ordinances; and offenders against the same shall be prosecuted in the police court of said city and punished as are offenders against other ordinances of said city.

"Said board of health shall, as from time to time required by the city council, assume control and direction of the garbage, plumbing inspection, poundmaster and other similar matters relating to the health and sanitary condition of such city, and in the same manner as hereinafter provided, make rules and regulations for the exercise of such control and effectiveness of the same, or may continue to control and direct the same under existing ordinances as may be by said council directed. Said board of health may provide such office and employ such clerks, inspectors, assistants and deputies as funds provided by the city council may permit, and may make rules and regulations for the government and control of such employees, and define the duties, powers, authority and compensation of the same. In case of the absence, disability or inability of any member of said board of health, the mayor may, and he is hereby authorized and empowered to designate and appoint some other member of said board or employ thereof, to temporarily perform the duties of said commissioner, and said appointee shall have and exercise the same powers and authority as said commissioner, during the period for which he is appointed.

"The chief of police shall cooperate with said board in the enforcement of all ordinances of the city relating to matters within the jurisdiction of said board, and as otherwise directed by the mayor and board of fire and police commissioners. "To provide funds for the conduct of the affairs of said department of health the city council of said city shall upon the taking effect of this act thereafter annually, levy a tax not exceeding 1/8 mill on the \$1 valuation upon all taxable property in said city subject to taxation which tax shall be known as the health fund and shall be enforced and collected as are other general taxes."

BUILDING REGULATIONS.

Sec. 6. That section 37 of said chapter be and the same is hereby amended to read as follows: "Section 37. The mayor and council shall have power to regulate the construction, use and maintenance of party walls and to prescribe and regulate the thickness, strength and manner of constructing stone, brick, wood or other buildings, the size and shape of brick and other material placed therein, and to prescribe and regulate the construction and arrangement of fire escapes and the placement of fire ladders, and to provide for the inspection of elevators and for the protection of elevator hoists, and for the opening of streets and sidewalks, and to regulate and provide for the inspection of all plumbing, pipe fitting or sewer connections in buildings, not or hereafter erected; to regulate the size, number and manner of construction of halls, doors, stairways, seats, aisles and passages in theaters, tenement houses, audience rooms, and all buildings of a public character, whether now built or hereafter to be built, so that there may be convenient, safe and speedy exit in case of fire; to prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stove pipes, ovens, boilers and heating appliances, used in or about any buildings or manufactory, and to cause same to be removed or placed in safe condition when same are considered dangerous; to regulate and prevent the carrying on of manufactures dangerous in causing and promoting fires; to prevent the deposit of ashes in unsafe places and to cause all buildings and enclosures as may be in a dangerous state to be put in a safe condition, to prevent the depositing of and delivery of refuse in any building or structure of soft, shelly and imperfectly burned brick or other unsuitable building material; to regulate, limits, and providing for the inspection of the same; to provide for the abatement of dense volumes of smoke; to regulate the construction of passways, stairways and vaults; and to regulate partition fences."

ISSUANCE OF BONDS.

Sec. 7. That section 66 of said chapter be and the same is hereby amended to read as follows: "Section 66. The mayor and council are hereby authorized and empowered to issue bonds of the city with interest coupons annexed thereto in such amount and for such lengths of time as they may deem proper, the rate of interest not to exceed six per cent per annum, for the construction and maintenance of sewers or fire hydrants or other public works of said city bearing a high rate of interest, or for the purpose of funding, taking up and making payment of the floating indebtedness and liabilities of the city, and for the construction of a city hall or other useful buildings for the use of the city, or for the appropriation of money for public parks. All such bonds shall express upon their face the purpose for which they are issued, and shall be subject to the approval of a majority of the voters of the city, exclusive of district paving bonds and curbing and guttering bonds heretofore issued, bonds for the erection of a city hall, or district improvement bonds, hereafter issued, and bonds issued for park purposes, which shall not exceed the aggregate 12 1/2 per cent of the assessed valuation of the taxable property in the city. "Provided, that no bond shall be issued except such renewal bonds, and bonds for paving or for appropriation of gas works or water works or land for public parks or boulevards or for cutting or gutting or other purposes, or for the erection of a city hall, in excess of \$200,000 in any one year, nor until the legal voters of said city shall by public notice, called after twenty days public notice, distinguishing the amount and the purpose for which they are to be issued; which bonds or the proceeds from the sale thereof shall be diverted from the purpose for which they were issued, and shall not be disposed of at less than par."

CARE OF STREETS.

Sec. 8. That section 69 of said chapter be and the same is hereby amended to read as follows: "Section 69. The mayor and council shall have power to open, extend, widen, narrow, grade, grade, gutter, alter, repair or otherwise improve, keep in good repair or cause the same to be done in any manner they may deem proper, any street, avenue or alley within the limits of the city, and may grade partially or to the established grade, or part or otherwise improve any width or part of any such street, avenue or alley, and may construct, alter, repair or cause and compel the construction and repair of sidewalks in such city of such material and in such manner as such may deem proper and necessary, and to defray the cost and expense of improvements or any of them, the mayor and council of such city shall have power and authority to levy and collect special taxes and assessments upon the lots and pieces of ground adjacent to or abutting upon the street, avenue, alley or sidewalk thus in whole or in part opened, widened, curbed and guttered, graded, parked, extended, constructed or otherwise improved, and such taxes and assessments shall not apply to ordinary repairs of streets or sidewalks, or to the cost of paving, curbing, gutters, and like improvements."

TWO FACTS

Fact One
Fact Two
These Two Facts
The New Process

Is Thoroughly Well Known

MILTON ROGERS & SONS, SOLE AGENTS FOR OMAHA and SOUTH OMAHA. Corner Fourteenth and Farnam Streets. OPPOSITE PAXTON HOTEL.

grade shall be paid out of the general fund of the city, except as otherwise herein provided.

insure for The Illustrated World a very large sale, both in Omaha and throughout the United States generally, as thousands are anxious to see the picture that has created such a stir in the world and to preserve it for its artistic merits and associations. Besides Bouguereau's masterpiece, the Illustrated World is profusely illustrated with a number of fine reproductions, which add to its value as an art journal.

stealings have been carried to any alarming extent. The resolution, however, was adopted.

will require a great many men. This alone, I fancy, will bring hundreds of farmers to Omaha during the next twelve months.

The Illustrated World. The initial number of the Illustrated World, a monthly publication devoted to art, music and literature, issued in Omaha, has just been laid on our table and is in every way a most creditable production.

Working the Public Pharmacy. When the county commissioners met yesterday afternoon Commissioner Timmo stood up, and with indignation and wrath denounced the manner in which some people have imposed upon the county.

What the Warehouse Bill Will Do for Omaha. The members of the board of trade see great things in store for Omaha as a grain market under the provisions of the warehouse bill, recently signed by Governor Hoar.

Burial of George L. Bean. A large number of sorrowing friends attended the funeral of George L. Bean yesterday afternoon. The deceased was a Mason and a member of Mt. Shasta lodge, Knights Pythias. Both lodges attended in a body, the latter being headed by the Union Pacific band.

By every one as the best; and its great popularity is shown in the wonderful sale of this celebrated stove.

THE NEW PROCESS improved for 1891 is superior to all other Gasoline Stoves. There is but one NEW PROCESS Gasoline Stove which is the genuine and original. Combine to make a strong reason why you should always buy the NEW PROCESS. Has revolutionized the Gasoline Stove business, and is conceded to be the most perfect stove ever produced. Well made, and as improved for 1891, has copper-finished pipes, nicked shelf, and is without the sub-light.

STREET LIGHTING.

Lamps and Plans Discussed, but No Decision Reached. The adjourned meeting of the council held last night was for the purpose of considering the bids for furnishing 700 gasoline lamps to be located in the suburban portions of the city, but it was barren of results, as far as anything being accomplished was concerned.

Omaha at the Congress. The Omaha board of trade authorized President Martin to appoint a committee of seven to attend the western commercial congress at Kansas City, to begin on April 14, Mr. Martin will probably appoint the committee on Monday.