

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

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OFFENSES AGAINST ADMINISTRATION**§ 130.01 IMPERSONATING AN OFFICER.**

It shall be unlawful for any person other than a municipal or state police officer to wear an official badge or uniform, or to falsely and willfully impersonate the said officials.

(1976 Code, § 6-201) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-610

§ 130.02 REFUSING TO ASSIST OFFICER.

It shall be unlawful for any person to refuse to assist a municipal police officer when lawfully requested to do so by him or her.

(1976 Code, § 6-202) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-728

§ 130.03 RESISTING OR OBSTRUCTING OFFICER.

(A) It shall be unlawful for any person to resist any municipal police officer when such officer is in the lawful performance of his or her duties.
(1976 Code, § 6-203)

(B) (1) A person commits the offense of obstructing a police officer when, by using or threatening to use violence, force, physical interference or obstacle, he or she intentionally obstructs, impairs or hinders:

(a) The enforcement of the penal law or the preservation of the peace by a peace officer or judge acting under color of his or her official authority; or

(b) A police animal assisting a peace officer acting pursuant to the peace officer's official authority.

(2) For purposes of this section, **POLICE ANIMAL** means a horse or dog owned or controlled by the state or any county, city or village for the purpose of assisting a peace officer acting pursuant to his or her official authority.

(1976 Code, § 6-203.1)

(Ord. 1433A, passed 1-7-2013) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-729

§ 130.04 ABUSING AN OFFICER.

It shall be unlawful for any person to abuse a police officer or municipal official in the execution of his or her office.

(1976 Code, § 6-204) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-729

OFFENSES AGAINST PUBLIC MORALS, HEALTH AND SAFETY

§ 130.15 TRESPASSING.

It shall be unlawful for any person to trespass upon any private grounds within the municipality, or to break, cut or injure any tree, shrub, plant, flower or grass growing thereon, or without the consent

of the owner or occupant to enter upon an improved lot or grounds occupied for residence purposes and to loiter about the same.

(1976 Code, § 6-205) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-588, 28-588.01

§ 130.16 CRIMINAL MISCHIEF.

(A) A person commits criminal mischief if he or she:

- (1) Damages property of another intentionally or recklessly;
- (2) Intentionally tampers with property of another so as to endanger person or property; or
- (3) Intentionally or maliciously causes another to suffer pecuniary loss by deception or threat.

(B) Criminal mischief is an offense:

(1) If the actor intentionally or maliciously causes pecuniary loss of \$500 or more, but less than \$5,000; or

(2) If the actor intentionally, maliciously or recklessly causes pecuniary loss in an amount of less than \$500 or if his or her action results in no pecuniary loss.

(1976 Code, § 6-206) (Ord. 1461, passed 2-8-2016; Ord. 1468, passed 2-16-2017) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-519

§ 130.17 DRINKING IN PUBLIC.

It shall be unlawful for any person to consume alcoholic beverages in the public streets, alleys, roads, highways or upon any property owned by the municipality or other governmental subdivision thereof, or inside vehicles while upon the public streets, alleys, roads or highways, in theaters, dance halls or any other place open to the public; provided, the provisions of this section shall not apply to liquor establishments licensed by the state.

(1976 Code, § 6-215) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 53-186

§ 130.18 TOXIC INHALANTS.

It shall be unlawful for any person to breathe or inhale any substance for the purpose of inducing a condition of intoxication, depression, exhilaration or in any other distorting or disturbing state which affects the auditory, visual or nervous processes. Any person who shall sell or offer for sale any container of a substance producing such an affect and having the property of releasing toxic vapors shall be guilty of a misdemeanor if he or she has cause to suspect that the product sold will be used in violation of this section.

(1976 Code, § 6-216) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-4,109, 28-4,110

§ 130.19 PROSTITUTION.

(A) Except as provided in division (C) below, any person who performs, offers or agrees to perform any act of sexual contact or sexual penetration, as those terms are defined in Neb. RS 28-318, with any person not his or her spouse, in exchange for money or other thing of value, commits the offense of prostitution.

(B) It is an affirmative defense to prosecution under this section that such person was a trafficking victim, as defined in Neb. RS 28-830.

(C) If the law enforcement officer determines, after a reasonable detention for investigative purposes, that a person suspected of or charged with a violation of division (A) above is a person under 18 years of age, such person shall be immune from prosecution for a prostitution offense under this section and shall be subject to temporary custody under Neb. RS 43-248 and further disposition under the state's Juvenile Code. A law enforcement officer who takes a person under 18 years of age into custody under this section shall immediately report an allegation of a violation of Neb. RS 28-831 to the Department of Health and Human Services which shall commence an investigation within 24 hours under the Child Protection and Family Safety Act.

(1976 Code, § 6-223) (Ord. 1448, passed 12-23-2013; Ord. 1455B, passed 2-9-2015) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-801

§ 130.20 POSTED ADVERTISEMENTS, OTHER WRITING.

(A) It shall be unlawful for any person to wrongfully and maliciously tear, deface, remove or cover up the posted advertisement or bill of any person, firm or corporation when said bill or advertisement is rightfully and lawfully posted, and the same remains of value.

(1976 Code, § 6-224)

(B) It shall be unlawful for any person to post, paste or paint any sign, advertisement or other writing of any nature upon a fence, pole, building or other property without the written permission of the owner of the said property.

(1976 Code, § 6-225)

Penalty, see § 130.99

§ 130.21 ASSAULT AND BATTERY.

It shall be unlawful for any person to assault, threaten, strike or injure any other person or persons. Any person who assaults or batters another person or persons shall be deemed to be guilty of a misdemeanor.

(1976 Code, § 6-232) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-411

§ 130.22 DISTURBING THE PEACE.

(A) It shall be unlawful for any person or persons to assemble or gather within the municipality with the intent to do an unlawful or disorderly act or acts, by force or violence against the municipality, or residents therein, or who shall disturb the public peace, quiet, security, repose or sense of morality.

(B) Any person or persons so assembled or gathered shall be deemed to be guilty of a misdemeanor.

(1976 Code, § 6-233) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-818

§ 130.23 DISORDERLY CONDUCT.

Any person who shall knowingly start a fight, fight, commit assault or battery, make unnecessary noise, or otherwise conduct themselves in such a way as to breach the peace shall be deemed to be guilty of a misdemeanor.

(1976 Code, § 6-234) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 17-129, 17-556

§ 130.24 MALICIOUS MISCHIEF.

It shall be deemed a misdemeanor for any person to willfully destroy, mutilate, deface, injure or remove any tomb, monument, gravestone, structure or thing of value which is located upon any government property, cemetery or property of historic value.

(1976 Code, § 6-235) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 12-519

§ 130.25 ASSEMBLIES.**(A) Disturbing an assembly.**

(1) It shall be unlawful for any person or persons to disturb, interrupt or interfere with any lawful assembly of people, whether religious or otherwise, by loud and unnecessary noise, threatening behavior or indecent and shocking behavior.

(2) Any person or persons so disturbing an assembly shall be deemed to be guilty of a misdemeanor and fined in accord with state statute.

(1976 Code, § 6-236)

(B) Unlawful assembly. It shall be unlawful for three or more persons to assemble together upon any sidewalk or street thereof, in front of or adjacent to any store, shop or other place of business, so as to obstruct the public right-of-way along said street or sidewalk, or entrance to said place of business, or so as to obstruct or injure the carrying on or any lawful business in any of the places aforesaid within the limits of the municipality.

(1976 Code, § 6-237)

Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-804

§ 130.26 RIOTING.

It shall be unlawful for any person or persons to congregate together for the purpose of breaching the peace by rioting, or to induce others to riot through words, actions or conduct and whosoever shall congregate with others for the purpose of rioting, or inducing others to riot shall be deemed to be guilty of a misdemeanor.

(1976 Code, § 6-238) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 17-556, 28-804

§ 130.27 WINDOW PEEPING.

It shall be unlawful for any person to go upon the private premises of another to look or peep into any window, door or other opening in a building occupied by any other person.
(1976 Code, § 6-240) Penalty, see § 130.99

§ 130.28 LITTERING.

(A) Any person who deposits, throws, discards or otherwise disposes of any litter on any public or private property or in any waters commits the offense of littering unless:

(1) Such property is an area designated by law for the disposal of such material and such person is authorized by the proper public authority to so use such property; or

(2) The litter is placed in a receptacle or container installed on such property for such purpose.

(B) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LITTER. All waste material susceptible of being dropped, deposited, discarded or otherwise disposed of by any person upon any property in the state, but does not include wastes of primary processes of farming or manufacturing.

WASTE MATERIAL. Any material appearing in a place or in a context not associated with that material's function or origin.

(C) Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle or watercraft in violation of this section, the operator of such motor vehicle or watercraft commits the offense of littering.

(1976 Code, § 6-241) (Ord. 1155, passed 2-6-1995) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-523

§ 130.29 FENCES.

It shall be unlawful for any person to erect, or cause to be erected, and maintain any barbed wire or electric fence within the corporate limits except for underground or invisible electric fences made for the containment of pets by use of a collar and not harmful to or affecting persons or other animals.
(1976 Code, § 6-242) Penalty, see § 130.99

§ 130.30 APPLIANCES IN YARD.

It shall be unlawful for any person to permit a refrigerator, icebox, freezer or any other dangerous appliance to be in the open and accessible to children whether on private or public property unless he or she shall first remove all doors and make the same reasonably safe.

(1976 Code, § 6-243) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 18-1720

§ 130.31 OBSTRUCTING STREETS, WATER FLOW.

(A) *Street games.* It shall be unlawful for any person to play catch, bat a ball, kick or throw a football, or to engage in any exercise or sport upon the municipal streets and sidewalks. Nothing herein shall be construed to prohibit or prevent the governing body from ordering from time to time certain streets and public places blocked off for the purpose of providing a safe area to engage in such exercise and sport.

(1976 Code, § 6-244)

(B) *Obstruction of public ways.* It shall be unlawful for any person to permit, erect, maintain, allow or suffer to remain on any street, alley, sidewalk or other public way within the municipality any obstruction, stand, wagon, display or other obstacle inconvenient to, or inconsistent with, the public use of the same.

(1976 Code, § 6-245)

(C) *Obstructing water flow.* It shall be unlawful for any person to stop or obstruct the passage of water in a street gutter, culvert, water pipe or hydrant.

(1976 Code, § 6-246)

(Ord. 973, passed 5-15-1989; Ord. 998, passed 1-22-1990) Penalty, see § 130.99

§ 130.32 WEEDS, LITTER, STAGNANT WATER.

(A) Lots or pieces of ground within the municipality or within its extraterritorial zoning jurisdiction shall be drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon.

(B) The owner or occupant of any lot or piece of ground within the municipality or within its extraterritorial zoning jurisdiction shall keep the lot or piece of ground and the adjoining streets and alleys free of any growth of 12 inches or more in height of weeds, grasses or worthless vegetation.

(C) The throwing, depositing or accumulation of litter on any lots or piece of ground within the municipality or within its extraterritorial zoning jurisdiction is prohibited.

(D) It is hereby declared to be a nuisance to permit or maintain any growth of 12 inches or more in height of weeds, grasses or worthless vegetation on any lots or piece of ground within the municipality

or within its extraterritorial zoning jurisdiction or on the adjoining streets or alleys or to litter or cause litter to be deposited or remain thereon, except in proper receptacles.

(E) Any owner or occupant of a lot or piece of ground shall, upon conviction of violating this section, be guilty of an offense.

(F) (1) Notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any. The municipality shall establish the method of notice by ordinance. If notice is given by first class mail, such mail shall be conspicuously marked as to its importance. Within five days after receipt of such notice, the owner or occupant of the lot or piece of ground may request a hearing with the municipality to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the Clerk. A hearing on the appeal shall be held within 14 days after the filing of the appeal and shall be conducted by an elected or appointed officer as designated in the ordinance. The hearing officer shall render a decision on the appeal within five business days after the conclusion of the hearing. If the appeal fails, the municipality may have such work done. Within five days after receipt of such notice, if the owner of the lot or piece of ground does not request a hearing with the municipality or fails to comply with the order to abate, and remove the nuisance, the municipality may have such work done.

(2) The cost and expenses of any such work shall be paid by the owner. If unpaid for two months after such work is done, the municipality may either:

(a) Levy and assess the costs and expenses of the work upon the lot or piece of ground so benefitted as a special assessment in the same manner as other special assessments of improvements are levied and assessed; or

(b) Recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(G) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LITTER. Includes, but is not limited to:

(a) Trash, rubbish, refuse, garbage, paper, rags and ashes;

(b) Wood, plaster, cement, brick or stone building rubble;

(c) Grass, leaves and worthless vegetation, except when used as ground mulch or in a compost pile;

(d) Offal and dead animals; and

(e) Any machine or machines, vehicle or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility or serviceability as, such through deterioration, dismantling or

the ravages of time, are inoperative or unable to perform their intended functions or are cast off, discarded or thrown away or left as waste, wreckage or junk.

WEEDS. Include, but are not limited to, bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus Terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea picris*), Johnson Grass (*Sbrghum halepense*), nodding or musk thistle, quack grass (*Agroyronrepens*), perennial sow thistle (*Sonchu’s arvensis*), horse nettle (*Solanin carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus sp.*) (tourn), hemp plant (*Cannabis sativa*) and ragweed (*Ambrosiaceae*).

(1976 Code, § 6-247) (Ord. 687, passed 8-19-1982; Ord. 1042, passed 8-19-1991; Ord. 1164, passed 7-10-1995; Ord. 1367, passed 11-8-2004; Ord. 1412, passed 2-22-2010; Ord. 1446, passed 12-23-2013; Ord. 1461, passed 2-8-2016; Ord. 1479, passed 2-5-2018) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 17-563

§ 130.33 ABANDONED AUTOMOBILES.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED VEHICLE.

(1) A motor vehicle is an ***ABANDONED VEHICLE***:

(a) If left unattended, with no license plates or valid In Transit stickers issued pursuant to the Motor Vehicle Registration Act, for more than six hours on any public property;

(b) If left unattended for more than 24 hours on any public property, except a portion thereof on which parking is legally permitted;

(c) If left unattended for more than 48 hours after the parking of such vehicles has become illegal, if left on a portion of any public property on which parking is legally permitted;

(d) If left unattended for more than seven days on private property if left initially without permission of the owner, or after permission of the owner is terminated;

(e) If left for more than 30 days in the custody of a city law enforcement agency after the agency has sent a letter to the last registered owner under division (D) of this section; or

(f) If removed from private property by the city pursuant to a city ordinance or this code.

(2) An all-terrain vehicle or minibike is an ***ABANDONED VEHICLE***:

- (a) If left unattended for more than 24 hours on any public property, except a portion thereof on which parking is legally permitted;
- (b) If left unattended for more than 48 hours after the parking of such vehicle has become illegal, if left on a portion of any public property on which parking is legally permitted;
- (c) If left unattended for more than seven days on private property if left initially without permission of the owner, or after permission of the owner is terminated;
- (d) If left for more than 30 days in the custody of a city law enforcement agency after the agency has sent a letter to the last registered owner under division (D) of this section; or
- (e) If removed from private property by the city pursuant to a city ordinance or this code.

(3) A **MOBILE HOME** is an abandoned vehicle if left in a place on private property for more than 30 days after a local government unit, pursuant to an ordinance or resolution, has sent a certified letter to each of the last registered owners and posted a notice on the mobile home, stating that the mobile home is subject to sale or auction or vesting of title as set forth in Neb. RS 60-1903.

(4) No motor vehicle subject to forfeiture under Neb. RS 28-431 shall be an **ABANDONED VEHICLE** under this division (A).

MOBILE HOME. A movable or portable dwelling constructed to be towed on its own chassis, connected to utilities, and designed with or without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designated to be joined into one integral unit, and shall include a manufactured home as defined in Neb. RS 71-4603. **MOBILE HOME** does not include a mobile home or manufactured home for which an affidavit of affixture has been recorded pursuant to Neb. RS 60-169.

PRIVATE PROPERTY. Any privately owned property which is not included within the definition of public property.

PUBLIC PROPERTY. Any public right-of-way, street, highway, alley, or park or other state-, county-, or city-owned property.

(B) If an abandoned vehicle, at the time of abandonment, has no license plate of the current year or valid In Transit stickers issued pursuant to Neb. RS 60-376 affixed and is of a wholesale value, taking into consideration the condition of the vehicle, of \$250 or less, title shall immediately vest in the city. Any certificate of title issued under this division to the city shall be issued at no cost to the city.

(C) (1) Except for vehicles governed by division (B) of this section, the city shall make an inquiry concerning the last registered owner of such vehicle as follows:

(a) Abandoned vehicle with license plates affixed, to the jurisdiction which issued such license plates; or

(b) Abandoned vehicle with no license plates affixed, to the Department of Motor Vehicles.

(2) The city shall notify the last registered owner, if any, that the vehicle in question has been determined to be an abandoned vehicle and that, if unclaimed, either:

(a) It will be sold or will be offered at public auction after five days from the date such notice was mailed; or

(b) Title will vest in the city 30 days after the date such notice was mailed.

(3) If the agency described in division (C)(1)(a) or (b) of this section also notifies the city that a lien or mortgage exists, such notice shall also be sent to the lien holder or mortgagee. Any person claiming such vehicle shall be required to pay the cost of removal and storage of such vehicle.

(4) Title to an abandoned vehicle, if unclaimed, shall vest in the city:

(a) Five days after the date the notice is mailed if the vehicle will be sold or offered at public auction under division (C)(2)(a) of this section;

(b) Thirty days after the date of notice is mailed if the city will retain the vehicle; or

(c) If the last registered owner cannot be ascertained, when notice of such fact is received.

(5) After title to the abandoned vehicle vests pursuant to division (C)(4) of this section, the city may retain for use, sell, or auction the abandoned vehicle. If the city has determined that the vehicle should be retained for use, the city shall, at the same time that the notice, if any, is mailed, publish in a newspaper of general circulation in the jurisdiction an announcement that the city intends to retain the abandoned vehicle for its use and that title will vest in the city 30 days after the publication.

(D) (1) If a city law enforcement agency has custody of a motor vehicle for investigation purposes and has no further need to keep it in custody, it shall send a certified letter to each of the last registered owners stating that the vehicle is in the custody of the law enforcement agency, that the vehicle is no longer needed for law enforcement purposes, and that after 30 days the agency will dispose of the vehicle.

(2) This division shall not apply to motor vehicles subject to forfeiture under Neb. RS 28-431.

(3) No storage fees shall be assessed against the registered owner of a motor vehicle held in the custody for investigation purposes under this division (D) unless the registered owner or the person

in possession of the vehicle when it is taken into custody is charged with a felony or misdemeanor related to the offense for which the law enforcement agency took the vehicle into custody. If a registered owner or the person in possession of the vehicle when it is taken into custody is charged with a felony or misdemeanor but is not convicted, the registered owner shall be entitled to a refund of the storage fees.

(E) (1) A law enforcement agency is authorized to remove an abandoned or trespassing vehicle from private property upon the request of the private property owner on whose property the vehicle is located and upon information indicating that the vehicle is an abandoned or trespassing vehicle. After removal, the law enforcement agency with custody of the vehicle shall follow the procedures in Neb. RS 60-1902 and 60-1903.

(2) A law enforcement agency is authorized to contact towing service in order to remove an abandoned vehicle from private property upon the request of the private property owner on whose property the vehicle is located and upon information indicating that the vehicle is an abandoned or trespassing vehicle. A vehicle towed away under this division is subject to Neb. RS 52-604.01 to 52-2410 by the private towing service which towed the vehicle.

(3) A private property owner is authorized to remove or cause the removal of an abandoned or trespassing vehicle from such property and may contact a private towing service for such removal. A private towing service that tows the vehicle shall notify, within 24 hours, the designated law enforcement agency in the jurisdiction from which the vehicle is removed and provide the registration plate number, the vehicle identification number, if available, the make, model, and color of the vehicle, and the name of the private towing service and the location, if applicable, where the private towing service is storing the vehicle. A vehicle towed away under this division is subject to Neb. RS 52-601.01 to 52-605 and 60-2410 by the private towing service that towed the vehicle.

(4) For purpose of this section, a **TRESPASSING VEHICLE** is a vehicle that is parked without permission on private property that is not typically made available for public parking.

(F) If a state agency caused an abandoned vehicle described in division (A)(1)(e) or (A)(2)(d) of this section to be removed from public property in the city, the state agency shall be entitled to custody of the vehicle. If a state agency caused an abandoned vehicle described in division (A)(1)(a) through (c), or (A)(2)(a) through (c) of this section to be removed from public property in this city, the state agency shall deliver the vehicle to the city which shall have custody.

(G) Any proceeds from the sale of an abandoned vehicle in the city's custody less any expense incurred by the city shall be held by the city without interest, for the benefit of the owner or lien holders of such vehicle for a period of two years. If not claimed within such two-year period, the proceeds shall be paid into the general fund of the city.

(H) Neither the owner, owner's agent, owner's employee, lessee, nor occupant of the premises from which any abandoned vehicle is removed, nor the city, shall be liable for any loss or damage to such vehicle which occurs during its removal or while in the possession of the city or its contractual agent, while in the possession of a private towing service, or as a result of any subsequent disposition.

(I) No person shall cause any vehicle to be an abandoned vehicle as described in division (A)(1)(a), (b), (c), or (d) or (A)(2)(a), (b), or (c) of this section.

(J) No person other than one authorized by the city or appropriate state agency shall destroy, deface, or remove any part of a vehicle which is left unattended on a highway or other public place without license plates affixed or which is abandoned. Anyone violating this division shall be guilty of an offense.

(K) The last registered owner of an abandoned vehicle shall be liable to the city for the costs of removal and storage of such vehicle.

(L) Any person violating the provisions of this section shall be guilty of an offense. (1976 Code, § 6-248) (Ord. 532, passed 4-21-1977; Ord. 982, passed 9-25-1989; Ord. 1454, passed 10-20-2014; Ord. 1483, passed 2-4-2019) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 60-1901, 60-1902, 60-1903, 60-1903.01, 60-1903.02, 60-1904, 60-1905, 60-1906, 60-1907, 60-1908, 60-1909

§ 130.34 UNLICENSED, INOPERABLE VEHICLES.

(A) No person in charge or control of any property within the municipality, other than municipal property, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, inoperable, wrecked, junked or discarded vehicle to remain on such property longer than ten days.

(B) When used in this section, **VEHICLE** shall include any motor vehicle, trailer, camper, boat, boat trailer, personal water craft or other apparatus usually towed by a motor vehicle and items which require licensing to be utilized on any roadway or waterway.

(C) No unlicensed or inoperable vehicle shall be permitted to remain on any private or public property for any length of time; provided, this section shall not apply: to a vehicle in an enclosed building; to a business enterprise, operated in a lawful place and manner, when such vehicle is necessary to the lawful operation of the business; or to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the municipality. Any vehicle allowed to remain on property

in violation of this section shall constitute a nuisance and shall be abated, and any person violating this section shall be guilty of a misdemeanor.

(D) Additionally, the municipality may enter upon the property and cause said vehicle to be towed, with the owner of the property being responsible for the costs thereof.
(1976 Code, § 6-249) (Ord. 531, passed 4-21-1977; Ord. 1280, passed 9-11-2000; Ord. 1399, passed 12-4-2007) Penalty, see § 130.99

§ 130.35 CURFEW.

(A) (1) It shall be unlawful for any minor person to be upon the public streets or other public places, vacant lots or other unsupervised places, within the city between the hours of:

(a) Ten p.m. to 5:00 a.m. of the following day, of all days of the week, for any person under the age of 16 years; and

(b) Twelve p.m. to 5:00 a.m. of the following day, of all days of the week, for those persons of 16 and 17 years of age.

(2) Any person who would otherwise be in violation of division (A)(1) above, shall not be in violation if any of the following exceptions apply:

(a) When the minor person is accompanied by a parent, guardian or other adult person having the care or custody of such minor person;

(b) When the minor person is accompanied by an adult authorized by a parent, guardian or other adult person having the care or custody of such minor person, to take said person's place in accompanying said minor for a designated period of time and purpose within a specified area;

(c) When the minor person is upon an emergency errand or legitimate business as directed by his or her parent, guardian or other adult person having the care or custody of such minor person;

(d) When the presence of such minor is as the result of some legitimate employment, trade, profession or occupation in which the minor person is engaged;

(e) When the minor person is upon the sidewalk or property where the minor resides;

(f) When the minor person is returning home from a school activity or an activity of a religious or other voluntary association, or a place of public entertainment, such as a movie, play or sporting event or any such activity of the kind normally attended by minors 17 years and under; provided

that, when such activity terminates after or less than one hour prior to the respective curfews, the curfew shall commence one hour after the termination of such activity;

(g) When the minor is, with parental consent, engaged in normal interstate travel through the city, or originating or terminating in the city; and

(h) When the minor is married or has been married pursuant to state law, or is emancipated.

(3) It shall be unlawful for the parent, guardian or other adult person having the care or custody of a minor person to allow or permit such minor person to do any act which is prohibited by this division (A).

(4) No minor person, arrested under the provisions of this division (A) shall be placed in confinement until he or she has been taken home, or the parent, guardian or other adult person having the care or custody of such minor person has been notified, and the arresting officer has ascertained whether such minor person is within the control of his or her parents, guardian or other adult person having the care or custody of said minor person; and, if such parent, guardian or other adult person having the care or custody of said minor person shall state to such arresting officer that said minor cannot be controlled by him or her, then such minor may be proceeded against. Otherwise, the parent, guardian or other adult person having the care or custody of said minor person may also be proceeded against.

(5) Any minor under the age of 16 years of age violating the provisions of this section shall be dealt with in accordance with the Juvenile Court Law of the state and procedure thereunder. (1976 Code, § 6-254)

(B) It shall be unlawful for any minor under the age of 17 years to loiter, wander, stroll, drive, play or otherwise be in or upon any of the streets, alleys, parks or other public places in the city on October 31 of each year, commonly known as "Halloween Night", after the hour of 8:00 p.m. and before the hour of 5:00 a.m. of the following day, unless said minor is accompanied by a parent, guardian or other adult person having the care or custody or control of said individual under the age of 17 years; or unless said individual is engaged in lawful employment, or is traveling to and from such employment. This division (B) shall not apply in the event the individual under the age of 17 years is engaged in an emergency errand. No minor under the age of 17 years detained by city's Police Department personnel under the provisions of this division (B) shall be placed in confinement until after efforts have been made to return said minor to his or her home, or until after the parent, guardian or other adult person having the obligation for the care, custody and control of said minor under the age of 17 years have been notified of the detention of said minor child and said parent, guardian or other adult person has informed the detaining police officer that said minor cannot be controlled by said parent, guardian or other adult person. Any individual under the age of 17 years violating the terms of this division (B) may be charged and prosecuted as provided herein notwithstanding that said minor has been taken to his or her home,

or the parent, guardian or other adult person having an obligation to the care, custody and control of said individual has been informed as to the detention of said minor individual as provided herein.

(1976 Code, § 6-255)

(Ord. 565, passed 10-20-1977; Ord. 1010, passed 10-8-1990; Ord. 1220, passed 7-8-1996) Penalty, see § 130.99

§ 130.36 FALSE REPORTING.

It shall be unlawful for any person to:

(A) Furnish information he or she knows to be false to any peace officer or other official with the intent to instigate an investigation or an alleged criminal matter or impede the investigation of an actual criminal matter;

(B) Furnish information he or she knows to be false alleging the existence of an emergency in which human life or property are in jeopardy to any hospital, ambulance company or other person or governmental agency which deals with emergencies involving danger to life or property;

(C) Furnish any information, or cause such information to be furnished or conveyed by electric, electronic, telephonic or mechanical means, knowing the same to be false concerning the need for assistance of a Fire Department or any personnel or equipment of such Department; or

(D) Furnish any information he or she knows to be false concerning the location of any explosive in any building or other property to any person.

(1976 Code, § 6-253) (Ord. 698, passed 8-5-1982) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-907

§ 130.37 SHOPLIFTING.

(A) A person commits the crime of theft by shoplifting when he or she, with the intent of appropriating merchandise to his or her own use without paying for the same or to deprive the owner of possession of such property or its retail value, in whole or in part, does any of the following:

(1) Conceals or takes possession of the goods or merchandise of any store or retail establishment;

(2) Alters the price tag or other price marking on goods or merchandise of any store or retail establishment;

(3) Transfers the goods or merchandise of any store or retail establishment from one container to another;

(4) Interchanges the label or price tag from one item of merchandise with a label or price tag from another item of merchandise; or

(5) Causes the cash register or other sales recording device to reflect less than the retail price of the merchandise.

(B) In any prosecution for theft by shoplifting, in order to allow the owner or owners of shoplifted property the use of such property pending criminal prosecutions, photographs of the shoplifted property may be accepted as prima facie evidence as to the identity of the property. Such photograph shall be accompanied by a written statement containing the following:

- (1) A description of the property;
- (2) The name of the owner or owners of the property;
- (3) The time, date and location where the shoplifting occurred;
- (4) The time and date the photograph was taken;
- (5) The name of the photographer; and
- (6) Verification by the arresting officer.

(C) Prior to allowing the use of shoplifted property as provided in this section, legal counsel for the alleged shoplifter shall have a reasonable opportunity to inspect and appraise the property and may file a motion for retention of the property, which motion shall be granted if there is any reasonable basis for believing that the photographs and accompanying affidavit may be misleading.

(1976 Code, § 6-254) (Ord. 699, passed 8-5-1982) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-514

§ 130.38 TOBACCO; POSSESSION BY MINORS.

(A) *Possession of tobacco products by minors.*

(1) It shall be unlawful for any person under the age of 18 years to possess any tobacco products; provided that, the possession by a person under the age of 18 years under the direct supervision of the parent or guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

(2) ***TOBACCO PRODUCTS*** shall be defined to mean any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco. (1976 Code, § 6-258)

(B) *Minors.*

(1) *Use of tobacco by persons under the age of 19.* Whoever, being a person under the age of 19 years, shall smoke cigarettes or cigars, use electronic nicotine delivery systems or alternative nicotine products, or use tobacco in any form whatever in this city, shall be guilty of an offense. Any person charged with a violation of this section may be free from prosecution if he or she furnishes evidence for the conviction of the person or persons selling or giving him or her the cigarettes, cigars, electronic nicotine delivery systems, alternative nicotine products, or tobacco.

(2) *Sale of tobacco to persons under the age of 19.* Whoever shall sell, give, or furnish in any way any tobacco in any form whatever, or any cigarettes or cigarette paper, electronic nicotine delivery systems, or alternative nicotine products, to any person under 19 years of age is guilty of an offense.

(3) *Misrepresentation by person under the age of 19 to obtain tobacco.* Any person under the age of 19 years who obtains cigars, tobacco, cigarettes or cigarette material, electronic nicotine delivery systems, or alternative nicotine products from a licensee hereunder by representing that he or she is of the age of 19 years or over, is guilty of an offense.

(1976 Code, § 6-260)

(Ord. 1081, passed 3-8-1993; Ord. 1237, passed 7-21-1997; Ord. 1455B, passed 2-9-2015; Ord. 1483A, passed 12-23-2019) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-1418, 28-1419, 28-1427, 28-1429.02

§ 130.39 SEXUAL PREDATOR RESIDENCY REQUIREMENTS.

(A) *Findings and intent.*

(1) The state’s legislature has found that certain sex offenders present a high risk to commit repeat offenses and has enabled municipalities to restrict such persons’ place of residency as provided in the Sexual Predator Residency Restriction Act.

(2) (a) Sex offenders who prey on children and who are high risks to repeat such acts present an extreme threat to public safety.

(b) The cost of sex offender victimization to these children and to society at large, while incalculable, is exorbitant.

(3) It is the intent of this section to serve the city’s compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the city by creating certain areas around locations where children regularly congregate in concentrated numbers where certain sexual predators cannot reside.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CHILD CARE FACILITY. A facility licensed pursuant to the Child Care Licensing Act.

RESIDE. To sleep, live or dwell at a place, which may include more than one location, and may be mobile or transitory.

RESIDENCE. A place where an individual sleeps, lives or dwells, which may include more than one location, and may be mobile or transitory.

SEX OFFENDER. An individual who has been convicted of a crime listed in Neb. RS 29-4003 and who is required to register as a sex offender pursuant to the Sex Offender Registration Act.

SEXUAL PREDATOR. An individual who is required to register under the Sex Offender Registration Act, who has committed an aggravated offense as defined in Neb. RS 29-4001.01 and who has victimized a person 18 years of age or younger.

SCHOOL. A public, private, denominational or parochial school which meets the requirements for state accreditation or approval.

(C) *Sexual predator residency restrictions; penalties; exceptions.*

(1) *Prohibited location of residence.* It is unlawful for any sexual predator to reside within 500 feet of a school or child care facility.

(2) *Measure of distance.* For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line from the outer property line of the residence to the nearest outer boundary line of the school or child care facility.

(3) *Penalties.* A person who violates this section shall be punished as provided in § 130.99 of this chapter.

(4) *Exceptions.* This section shall not apply to a sexual predator who:

(a) Resides within a prison or correctional or treatment facility operated by the state or a political subdivision;

(b) Established a residence before 7-1-2006, and has not moved from that residence; or

(c) Established a residence after 7-1-2006, and the school or child care facility triggering the restriction was established after the initial date of the sexual predator's residence at that location. (1976 Code, § 6-259) (Ord. 1386, passed 5-22-2006; Ord. 1419, passed 2-7-2011) Penalty, see § 130.99

§ 130.40 MINORS; ENDANGERING, EMPLOYMENT AND THE LIKE.

(A) *Endangering prohibited.* It shall be unlawful for any person having the care, custody, control or confidence of or influence over any child to allow such child to be endangered, or the health of such child injured, or the morals of such child to be impaired, or to willfully cause or permit such child to be placed in such a position, business or occupation that his or her life, health or morals will be endangered; or to torture, torment, cruelly punish or willfully or negligently deprive such child of necessary food, clothing or shelter, or in any other manner injure such child unnecessarily.
(1976 Code, § 6-301)

(B) *Employment.* It shall be unlawful for any person, firm or corporation to take, receive, hire or employ any child under the age of 14 years to labor in any mill, factory or in or about any business or employment whatever within the city, during the school hours of any school day.
(1976 Code, § 6-302)

(C) *Presence in drinking establishments prohibited.*

(1) (a) It shall be unlawful for any proprietor or keeper of a tavern or beer hall:

1. To employ any individual under the age of 19 years for serving or selling alcoholic beverages in the course of his or her employment;
2. To employ any person under the age of 16 years for removing and disposing of alcoholic liquor containers for the convenience of the employer and customers in the course of his or her employment as servers or busers; and
3. To permit any individual under the age of 19 years to be in or about such place of business after 9:00 p.m., or to obtain or to drink any alcoholic beverage in or about such place of business, or to bet or wager with playing cards or other gambling devices in or about such place of business.

(b) For the purpose of this section, a **TAVERN** or **BEER HALL** is defined to be any establishment located within the corporate limits of the city where alcoholic beverages are sold and served and in which the service of food, if served at all, is incidental to the sale of such beverages. Service of food shall be considered incidental if the food service generates less than one-half of the gross revenue from the operation of said business.

(2) Every owner or operator of any establishment offering for sale alcoholic beverages shall, upon request of the Mayor, City Clerk or Chief of Police, permit access to all records of said establishment, and upon request, furnish, for official use only in ascertaining the type of business operated, a certified statement of the type of business operated, a certified statement of the alcoholic beverages sold, together with the amount of sales tax, if any, collected and remitted to the state on such sales made during any certain designated period.

(3) It shall be the duty of the person who is the proprietor or keeper of a tavern or beer hall, as defined in this section, to post conspicuously in his or her place of business the following sign, "Individuals Under the Age of Nineteen Years Not Allowed After 9:00 p.m.". Failure to post such a sign shall constitute an unlawful act.

(1976 Code, § 6-303)

(D) *False credentials.* It shall be unlawful for any minor child to make false statements or to furnish, present or exhibit any fictitious or false registration card, identification card or note or other document, or to furnish, present or exhibit such document or documents issued to a person other than the one presenting the same, for the purpose of gaining admission to any prohibited place or for the purpose of procuring the sale, gift or delivery of prohibited articles, including liquor, beer or wine.

(1976 Code, § 6-304)

(E) *Unlawful services of others.*

(1) It shall be unlawful for any minor to engage or to utilize the services of any other person, whether for remuneration or not, to procure for such minor any article which the minor himself or herself is prohibited by this section from purchasing.

(2) It shall be unlawful for any person, whether for remuneration or not, to procure for any minor any article which the minor is forbidden by this section from purchasing.

(1976 Code, § 6-305)

(Ord. 528, passed 3-17-1977; Ord. 685, passed 7-8-1982; Ord. 689, passed 7-29-1982; Ord. 1299, passed 1-21-2002) Penalty, see § 130.99

OFFENSES AGAINST PROPERTY

§ 130.60 LARCENY.

(A) It shall be unlawful for any person within the corporate limits to steal any money, goods or chattels of any kind whatever.

(B) Any person who shall steal property of any kind, whether the same be entirely in money or entirely property of the value of less than \$300 shall be deemed to be guilty of a misdemeanor.

(1976 Code, § 6-207) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-512, 28-514

§ 130.61 CONCEALING STOLEN PROPERTY.

Any person who receives or conceals stolen property, goods or chattels of any kind with the intent to defraud the owner, or whoever receives or conceals any money or other accountable receipts and evidences of ownership shall be deemed to be guilty of a misdemeanor.

(1976 Code, § 6-208) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-513

§ 130.62 ARSON.

Any person who willfully or maliciously sets on fire any property when the injury or damage therefrom shall be of a less value than \$35, shall be deemed to be guilty of a misdemeanor.

(1976 Code, § 6-209) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-503

§ 130.63 INJURY TO TREES.

It shall be unlawful for any person to purposely or carelessly, and without lawful authority, cut down, carry away, injure, break down or destroy any fruit, ornamental, shade or other tree or trees standing or growing on any land belonging to another person or persons or on any public land in the corporate limits. Any public service company desiring to trim or cut down any tree, except on property owned and controlled by it, shall make an application to the governing body to do so, and the written permit of the governing body in accordance with its decision to allow such an action shall constitute the only lawful authority on the part of the company to do so.

(1976 Code, § 6-210) (Ord. 533, passed 4-21-1977) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-565 through 28-567

§ 130.64 FIRE EQUIPMENT.

It shall be unlawful for any person who is not an active member of the Municipal Fire Department to deface, destroy, handle or loiter about the equipment and property of the Fire Department.

(1976 Code, § 6-211) Penalty, see § 130.99

§ 130.65 FIRE HOSE.

It shall be unlawful for any person, without the consent of the Fire Chief, or the Assistant Fire Chief, to drive any vehicle over the unprotected hose of the Fire Department at any time.

(1976 Code, § 6-212) Penalty, see § 130.99

§ 130.66 TRASH OR GARBAGE.

It shall be unlawful for any person to willfully, maliciously or negligently place or throw upon the premises of another any filth, garbage, leaves, papers or other matter to the annoyance of the owner or occupant thereon. It shall be unlawful for any person who is not a resident of the municipality to deposit or place trash, garbage, filth, leaves, papers or other matters in trash receptacles located within the municipality with the result being that such trash, garbage or other items are ultimately removed and trucked or taken to a landfill site by municipality employees; it shall also be unlawful for any person residing within the municipality to allow non-residents of the municipality to deposit or place trash, garbage, filth, leaves, papers or other matters in trash receptacles belonging to municipal residents with the ultimate result being that such trash, garbage or other items are removed and trucked or taken to a landfill site by municipal employees.

(1976 Code, § 6-213) (Ord. 974, passed 7-10-1989) Penalty, see § 130.99

Statutory reference:

Related provisions, see Neb. RS 28-523

§ 130.67 PUBLIC INDECENCY.

(A) A person, 18 years of age or over, commits the offense of public indecency if such person performs or procures, or assists any other person to perform, in a public place and where the conduct may reasonably be expected to be viewed by members of the public:

(1) An act of sexual penetration as defined in Neb. RS 28-318;

(2) An exposure of the genitals of the body done with intent to affront or alarm any person;

or

(3) A lewd fondling or caressing of the body of another person of the same or opposite sex.

(B) It shall not be a violation of this section for an individual to breast-feed a child in a public place. (Ord. 1483A, passed 12-23-2019)

Statutory reference:

Related provisions, see Neb. RS 28-806

§ 130.68 GAMBLING.

(A) For the purpose of this section, the definitions found in Neb. RS 28-1101 shall be used.

(B) A person commits the offense of promoting gambling if he or she knowingly:

(1) Advances or profits from any unlawful gambling activity by:

(a) Engaging in bookmaking;

(b) Receiving, in connection with any unlawful gambling scheme or enterprise, any amount of money played in the scheme or enterprise in any one day;

(c) Betting something of value in an amount of \$500 or more with one or more persons in one day; or

(2) Participates in unlawful gambling as a player by betting less than \$500 in any one day.

(C) (1) A person commits the offense of possession of a gambling device if he or she manufactures, sells, transports, places, possesses, or conducts or negotiates any transaction affecting or designed to affect ownership, custody, or use of any gambling device, knowing that it shall be used in the advancement of unlawful gambling activity.

(2) The owner or operator of a retail establishment who is not a manufacturer, distributor, or seller of mechanical amusement devices as defined under the Mechanical Amusement Device Tax Act, shall have an affirmative defense to possession of a gambling device, described in division (C)(1) of this section if the device bears an unexpired mechanical amusement device decal as required by such Act. However, such affirmative defense may be overcome if the owner or operator had actual knowledge that operation of the device constituted unlawful gambling activity at any time such device was operated on the premises of the retail establishment.

(3) Notwithstanding any other provisions of this division (C), any mechanical game or device classified by the federal government as an illegal gambling device and requiring a federal Gambling Device Tax Stamp as required by the Internal Revenue Service in its administration of 26 U.S.C. 4461 and 4462, amended July 1, 1965, by Public Law 89-44, is hereby declared to be illegal.

(D) In any prosecution under this section, it shall be an affirmative defense that the writing, paper, instrument, or article possessed by the defendant was neither used nor intended to be used in the advancement of an unlawful gambling activity.

(E) Proof of possession of any gambling device shall be prima facie evidence of possession thereof with knowledge of its contents and character.

(F) It shall be no defense to a prosecution under any provision of this section relating to gambling that the gambling is conducted outside this city and is not in violation of the laws of the jurisdiction in which it is conducted.

(G) In addition to any other penalty, a sentencing court may order that any money, securities, negotiable instruments, firearms, conveyances, or electronic communication devices as defined in Neb. RS 28-833 or any equipment, components, peripherals, software, hardware, or accessories related to electronic communication devices, or any gambling devices be forfeited as a part of the sentence imposed

if it finds by clear and convincing evidence adduced at a separate hearing in the same prosecution, conducted pursuant to Neb. RS 28-1601, that any or all such property was derived from, used, or intended to be used to facilitate a violation of this section.

(H) In any prosecution for an offense defined in this section, when the defendant's status as a player constitutes an excusing condition, the fact that the defendant was a player shall constitute an affirmative defense.

(I) Nothing in this section shall be construed to:

(1) Apply to or prohibit wagering on the results of horseraces by the parimutuel or certificate method when conducted by licensees within the racetrack enclosure at licensed horserace meetings; or

(2) Prohibit or punish the conducting or participating in any bingo, lottery by the sale of pickle cards, lottery, raffle, or gift enterprise when conducted in accordance with the Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, the State Lottery Act, or Neb. RS 9-701.

(J) In any prosecution under this section in which it is necessary to prove the occurrence of a sporting event, a published report of its occurrence in any daily newspaper, magazine, or other periodically printed publication of general circulation shall be admissible in evidence and shall constitute prima facie evidence of the occurrence of the event.

(Ord. 1483A, passed 12-23-2019)

Statutory reference:

Related provisions, see Neb. RS 28-1102 through 28-1104, 28-1107 through 28-1113, 28-1117

§ 130.99 PENALTY.

(A) (1) 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 \$500 for each offense.

(2) A new violation shall be deemed to have been committed every 24 hours of such failure to comply.

(1976 Code, § 6-401)

(B) (1) Whenever a nuisance exists as defined in this chapter, the municipality may proceed by a suit in equity to enjoin and abate the same, in the manner provided by law.

(2) Whenever, in any action, it is established that a nuisance exists, the court may together with the fine or penalty imposed, enter an order of abatement as a part of the judgment in the case.
(1976 Code, § 6-402)

(C) (1) Conviction of a misdemeanor under § 130.24 of this chapter shall be punishable by a fine not less than \$5, nor more than \$100.

(2) Any such offender shall also be liable, in an action for trespass in the name of the beneficial holder of said property, for all damages which arise from the commission of such unlawful act.
(1976 Code, § 6-235)

(D) Any other person violating § 130.35(A) of this chapter shall be served with a citation to appear in court and, upon conviction, be fined not more than \$500 for each offense, or shall be imprisoned in jail for a period not to exceed 30 days, or both such fine and imprisonment.
(1976 Code, § 6-254)

(E) Persons convicted of violating the provisions of § 130.38(A) of this chapter shall be punished by a monetary fine of not less than \$35 and not more than \$100.
(1976 Code, § 6-258)
(Ord. 1372, passed 1-24-2005; Ord. 1449, passed 12-23-2013)

Statutory reference:

Related provisions, see Neb. RS 18-1720, 18-1722

