

ORDINANCE NO. 723

AN ORDINANCE OF THE CITY OF RANDOLPH, CEDAR COUNTY, NEBRASKA AMENDING SECTION 32.01 (A), 32.06(A), 32.07(A) RESIDENCY REQUIREMENTS IN CHAPTER 32 OF THE MUNICIPAL CODE OF THE CITY OF RANDOLPH; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF RANDOLPH, CEDAR COUNTY, NEBRASKA, AS FOLLOWS:

Section 1: That Chapter 32, Section 32.01(A), 32.06(A), 32.07(A) of the Municipal Code of the City of Randolph (“Code”) should be amended:

Section 2: That Chapter 32, Section 32.01 (A) Library Board, 32.06(A) Cemetery Board, 32.07(A) Park Board should read as follows:

Section 32.01 LIBRARY BOARD

(A) When the City Council has decided by ordinance to establish and maintain a public library and reading room under Neb. RS 51-201 to 51-219, and except as otherwise provided by the City Council pursuant to Neb. RS 51-202, the Library Board shall have five appointed members who shall be residents of the 68771 zip code and who shall serve terms of four years. The Board members shall be appointed by a majority vote of the members of the City Council. Neither the Mayor nor any member of the City Council shall be a member of the Library Board. The terms of members serving on the effective date of a change in the number of members shall not be shortened, and any successors to those members shall be appointed as the terms of those members expire. In cases of vacancies by resignation, removal, or otherwise, the City Council shall fill the vacancy for the unexpired term. No member shall receive any pay or compensation for any services rendered as a member of the Library Board. (Neb. RS 51-202)

Section 32.06 CEMETERY BOARD

(A) *Generally.* The governing body shall appoint the Cemetery Board which shall consist of five members who are residents of the 68771 zip code and who shall serve without compensation for a term of three years. Two members shall be appointed each year with three members appointed on the third year and may be required, in the discretion of the governing body, to give a bond in a sum set by resolution of the governing body and conditioned upon the faithful performance of their duties. At the annual meeting each year, the Cemetery Board shall organize by selecting from its membership, a chairperson and secretary. The secretary shall keep the full and correct minutes and records of all meetings and file the same with the City Clerk where they shall be available for public inspection at any reasonable time. A two-thirds majority of the Cemetery Board members shall constitute a quorum for the purpose of doing business. Special meetings may be held upon the call of the chairperson or any three members of the Cemetery Board.

The Cemetery Board shall have the general care, management, and supervision of the municipal cemetery with the power and authority to limit and regulate the number of cemetery lots that may be owned by the same person; to prescribe rules for enclosing, adorning, and erecting monuments and tombstones on cemetery lots; and to prohibit any diverse or improper use thereof; provided, no religious tests shall be made as to the ownership of lots, the burial therein, and the ornamentation of graves. The Cemetery Board shall pass rules and regulations for the proper use of the cemetery and prescribe penalties and fines for violations thereof. The Cemetery Board shall use all revenue received from the sale of lots, gifts, or by devise for the care, management, and administration of the cemetery. All actions of the Cemetery Board shall be subject to the review and supervision of the governing body and it shall be responsible for making such reports and performing such additional duties as the governing body may designate. (Neb. RS 12-402) (Prior Code, § 2-204)

Section 32.07 PARK BOARD

(A) The city owns and operates the municipal parks and other recreational areas through the Board of Park Commissioners (hereinafter "Park Board"). The Park Board shall be appointed by the governing body and shall consist of no less than seven members, each of whom shall be residents of the 68771 zip code . Each Park Board member shall serve a three-year term unless reappointed. All Park Board members shall serve without compensation. The governing body, for the purpose of defraying the cost of the care, management, and maintenance of the municipal parks, may each year levy a tax not exceeding the maximum limit prescribed by state law on the actual valuation of all real estate and personal property within the corporate limits that is subject to taxation. The necessary revenue from the said tax shall be allocated to a specific fund within the city, which fund shall be known as the Park Fund and shall remain the custody of the City Treasurer. The Park Board shall monitor the needs of the premises of the municipal parks and shall submit budgetary requests to the governing body for items necessary for the repair, maintenance, and upkeep of the park premises. The Park Board shall not enter into a contract of any nature which involves an expenditure of funds, unless the contract has been approved by resolution of the majority of the members of the governing body prior to the contractual agreement. *Statutory reference: Generally, see Neb. RS 17-948 through 17-952*


Section 3: That all other ordinances or parts thereof in conflict herewith are hereby repealed.

Section 4: That this ordinance shall be published in pamphlet form.

Section 5: That this ordinance shall take effect after its passage, approval and publication according to law.

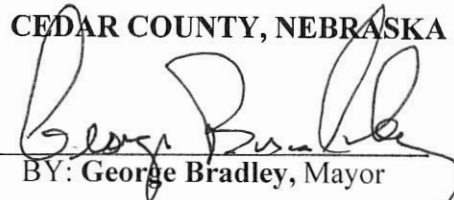
PASSED AND APPROVED this 2nd day of February, 2022.

ATTEST:



Benjamin Benton, City Administrator/Clerk/Treasurer

**CITY OF RANDOLPH
CEDAR COUNTY, NEBRASKA**



BY: **George Bradley**, Mayor