CHAPTER 4 – VEHICLES AND TRAFFIC

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CHAPTER 4 – VEHICLES AND TRAFFIC

Article 1 – Traffic Regulations

SECTION 4-101: DEFINITIONS

The words and phrases used in this chapter pertaining to motor vehicles and traffic regulations shall be construed as defined in Neb. Rev. Stat. Chapter 60, as now existing or hereafter amended. If not defined in the designated statutes, the word or phrase shall have its common meaning. (Neb. Rev. Stat. §§60-606 through 60-676)

SECTION 4-102: RULES OF THE ROAD; INCORPORATED BY REFERENCE

The Nebraska Rules of the Road, together with all subsequent amendments thereto, as adopted by the State of Nebraska relating to traffic regulations, are incorporated by reference into this section and made a part of this article as though spread at large herein, except those provisions in conflict with this article when the City Council has the authority to alter such regulations. (Neb. Rev. Stat. §18-132)

SECTION 4-103: EMERGENCY REGULATIONS

The chief of police is hereby empowered to make and enforce temporary traffic regulations to cover emergencies.

SECTION 4-104: ENFORCEMENT

The chief of police is hereby authorized, empowered, and ordered to exercise all powers and duties with relation to the management of street traffic and to direct, control, stop, restrict, regulate and, when necessary, temporarily divert or exclude in the interest of public safety, health, and convenience the movement of pedestrian, animal, and vehicular traffic of every kind in streets, parks, and on bridges. The driver of any vehicle shall stop upon the signal of any police officer. (Neb. Rev. Stat. §60-683)

SECTION 4-105: POLICE; REFUSAL TO OBEY

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal, or direction of a police officer. Any person who knowingly fails to obey any lawful order of a peace officer shall be guilty of an offense whenever such order is given in furtherance of the apprehension of a person who has violated the Nebraska Rules of the Road or this article or of a person whom such officer reasonably believes has violated the same. (Neb. Rev. Stat. §§60-680, 60-6,110)

SECTION 4-106: POLICE; TRAFFIC OFFICERS

The City Council or the Police Department may at any time detail officers, to be known

as "traffic officers," at street intersections. All traffic officers shall be vested with the authority to regulate and control traffic at the intersections to which they are assigned. It shall be their duty to direct the movement of traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any order or signal of any such traffic officer notwithstanding the directive of a stop sign or signal device which may have been placed at any such intersection. (Neb. Rev. Stat. §§60-680, 60-683)

SECTION 4-107: REGULATION BY CITY COUNCIL

A. The City Council may, by resolution:

1. Mark lanes for traffic on street pavements at such places as it may deem advisable, provide for one-way travel in any street or alley, designate any street or portion thereof as a snow route, and establish and maintain crosswalks.

2. Provide for the placing of stop signs or other signs, signals, standards, or mechanical devices in any street or alley under the city's jurisdiction for the purpose of regulating or prohibiting traffic thereon.

3. Designate any street or portion thereof as an arterial street and shall provide for appropriate signs or markings when such street has been so designated.

4. Establish and maintain crosswalks by appropriate devices, markers, or lines upon the street at intersections where there is particular danger to pedestrians crossing the street and at such other places as may be deemed necessary.

B. Such resolutions shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited; the regulation or prohibition; the location where such sign, signal, standard or mechanical device shall be placed; and the hours when such regulation or prohibition shall be effective.
(Neb. Rev. Stat. §§60-6,119 through 60-6,121, 60-680) (Ord. No. 442, 2017)

SECTION 4-108: SIGNS, TRAFFIC CONTROL AND SURVEILLANCE DEVICES; DEFACING OR INTERFERING WITH

A. No person shall willfully or maliciously injure, deface, alter or knock down any sign, traffic control device, or traffic surveillance device.

B. Any person who willfully or maliciously shoots upon the public highway and injures, defaces, damages, or destroys any signs, monuments, road markers, traffic control devices, traffic surveillance devices, or other public notices lawfully placed upon such highway shall be guilty of an offense.

C. It shall be unlawful for any person, other than a duly authorized representa-

tive of the Department of Roads, the county, or the city to remove any sign, traffic control device, or traffic surveillance device placed along a highway for traffic control, warning, or informational purposes by official action of the department, county, or city. It shall be unlawful for any person to possess a sign or device which has been removed in violation of this subsection.

D. Any person violating subsection (A) or (C) of this section shall be guilty of an offense and shall be assessed liquidated damages in the amount of the value of the sign, traffic control device, or traffic surveillance device and the cost of replacing it. (Neb. Rev. Stat. §§60-6,129, 60-6,130)

SECTION 4-109: SIGNS; UNAUTHORIZED DISPLAY

It shall be unlawful for any person to maintain or display upon or in view of any street any unofficial sign, signal, or device which purports to be, is an imitation of, or resembles an official traffic sign or signal which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official sign or signal. Every such prohibited sign, signal, or device is hereby declared to be a public nuisance and any police officer is hereby empowered to remove the same or cause it to be removed without notice. (Neb. Rev. Stat. §60-6,127)

SECTION 4-110: STOP SIGNS; YIELD SIGNS

A. The City Council may provide for preferential right of way at an intersection and indicate such by stop signs or yield signs erected by such authority. Every person operating any vehicle shall, upon approaching any stop sign, cause such vehicle to come to a complete stop before entering or crossing any street, highway, or railroad crossing. The vehicle operator shall stop at a marked stop line or, if there is no stop line, before entering the crosswalk but if neither is indicated, then as near the right of way line of the intersecting roadway as possible. After having stopped, such driver shall yield the right of way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on such roadway as to constitute an immediate hazard if such driver moved across or into such intersection.

B. The driver of a vehicle approaching a yield sign shall slow to a speed reasonable under the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line or, if there is no such line, shall stop before entering the crosswalk on the near side of the intersection or, if no crosswalk is indicated, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, such driver shall yield the right of way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard if such driver moved across or into such intersection. (Neb. Rev. Stat. §§60-6,119 through 60-6,121, 60-680, 60-6,148) (Ord. Nos. 242, 10/4/90; 373, 1/07)

SECTION 4-111: SIGNAL LIGHTS

Except as otherwise provided in this section, it shall be unlawful for the operator of any vehicle approaching an intersection at which there is a traffic-control signal to cause or permit such vehicle to enter the intersection while the traffic-control signal light facing the traffic so approaching traffic is steady red or steady yellow, such traffic shall stop and shall not enter the intersection until the light has changed to green; provided, traffic facing a steady red light may cautiously enter the intersection to make a right turn after coming to a complete stop and yielding the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

SECTION 4-112: UNNECESSARY STOPPING

It shall be unlawful for any person to stop any vehicle on any public street or in an alley other than in permitted parking areas, except when such a stop is necessary for emergency situations, to comply with traffic control devices and regulations, or to yield the right of way to pedestrians or to other vehicles. (Neb. Rev. Stat. §§60-6,164, 60-6,166)

SECTION 4-113: SPEED LIMITS

A. No person shall operate a motor vehicle on any street, alley, or other place at a rate of speed greater than 25 miles per hour within the corporate limits with the exception of 15 miles per hour for alleys and the following named streets: South Street, West Street, McGuire Street, Heather Road, Nancy Court, Kitty Court, Mobile Avenue, Woodley Park Road, and Gary Street.

B. In no instance shall a person drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions. Where a different maximum speed is set by ordinance, appropriate signs shall be posted. The speed limits provided for in this section shall not apply to medical, police or fire personnel when answering emergency calls demanding speed in excess of the speed limit established herein.

C. No person shall operate a motor vehicle on Five Rocks Road within the corporate limits of the city in excess of 45 miles per hour unless otherwise provided.
(Neb. Rev. Stat. §§60-6,186, 60-6,190) (Ord. Nos. 179, 9/11/80; 225, 1/7/88)

SECTION 4-114: SPEED; ELECTRONIC DETECTOR

A. A determination made regarding the speed of any motor vehicle based upon the visual observation of any law enforcement officer, while being competent evidence for all other purposes, shall be corroborated by the use of a radio microwave, mechanical, or electronic speed measurement device. The results of such device may be accepted as competent evidence of the speed of such motor vehicle in any court or legal proceeding when the speed of the vehicle is at issue. Before the city may offer in evidence the results of such speed measurement device for the purpose of establishing the speed of any motor vehicle, the city shall prove the following:

1. The said speed measurement device was in proper working order at the time of conducting the measurement;

2. The speed measurement device was being operated in such a manner and under such conditions so as to allow a minimum possibility of distortion or outside interference;

3. The person operating the speed measurement device and interpreting such measurement was qualified by training and experience to properly test and operate the speed measurement device; and

4. The operator conducted external tests of accuracy upon the speed measurement device within a reasonable time both prior to and subsequent to an arrest being made and the device was found to be in proper working order.

B. The driver of any motor vehicle measured by use of a speed measurement device to be driving in excess of the applicable speed limit may be arrested if the apprehending officer:

1. Is in uniform and displays his or her badge of authority; and

2. Has (a) observed the recording of the speed of the motor vehicle by the speed measurement device or (b) received a radio message from a law enforcement officer who observed the speed recorded and (i) the radio message has been dispatched immediately after the speed of the motor vehicle was recorded and (ii) gives a description of the vehicle and its recorded speed.

(Neb. Rev. Stat. §60-6,192)

SECTION 4-115: RIGHT OF WAY; GENERALLY

A. When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right when the paths of such vehicles intersect and there is danger of a collision, unless otherwise directed by a city police officer stationed at the intersection.

B. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

C. The driver of a vehicle on any street shall yield the right of way to a pedestrian crossing such street within any clearly marked crosswalk or at any regular pedestrian crossing at the end of a block where the movement of traffic is being regulated by traffic

officers or traffic direction devices. Every pedestrian crossing a street at any point other than a pedestrian crossing, crosswalk, or intersection shall yield the right of way to vehicles upon the street.

D. The driver of a vehicle emerging from or entering an alley, building, private road, or driveway shall yield the right of way to any pedestrian approaching on any sidewalk and all vehicles approaching on such streets.
(Neb. Rev. Stat. §§60-6,146 through 60-6,154) (Ord. No. 373, 1/07)

SECTION 4-116: RIGHT OF WAY; EMERGENCY VEHICLES

A. Upon the immediate approach of an authorized emergency vehicle which makes use of proper audible or visual signals:

1. The driver of any other vehicle shall yield the right of way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway or to either edge or curb of a one-way roadway, clear of any intersection, and shall stop and remain in such position until such emergency vehicle passes, unless otherwise directed by any peace officer; and

2. Any pedestrian using such roadway shall yield the right of way until such emergency vehicle passes, unless otherwise directed by any peace officer.

B. This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.
(Neb. Rev. Stat. §60-6,151)

SECTION 4-117: TURNING; GENERALLY; SIGNAL

Vehicles turning to the right into an intersecting street shall approach such intersection in the lane of traffic nearest to the right-hand side of the highway and must turn the corner as near the right-hand curb as possible to keep between the curb to the right and the center of the intersection of the two streets. The driver of a vehicle intending to turn to the left shall approach such center line of the highway and in turning shall pass as near as possible to the center of the intersection, passing as closely as practicable to the right thereof before turning such vehicle to the left. For the purposes of this section, the “center of the intersection” shall mean the meeting point of the medial lines of the highways intersecting one another. A signal of intention to turn right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning. (Neb. Rev. Stat. §§60-6,159, 60-6,161)

SECTION 4-118: TURNING; "U" TURNS

No vehicle shall be turned so as to proceed in the opposite direction at any intersection where an automatic signal is in operation or where a sign is posted indicating that “U” turns are prohibited. (Neb. Rev. Stat. §60-6,160) (Ord. No. 152, 3/3/77)

SECTION 4-119: SIDEWALKS

A. The driver of a vehicle emerging from an alley, driveway, private road, or building shall stop such vehicle immediately before driving onto a sidewalk and shall yield the right of way to any pedestrian approaching on any sidewalk. Before entering the highway, the driver shall yield the right of way to all vehicles approaching on such highway.

B. The driver of a vehicle entering an alley, building, private road, or driveway shall yield the right of way to any pedestrian approaching on any sidewalk.

C. No person shall drive any vehicle upon a sidewalk except upon a permanent or duly authorized temporary driveway.
(Neb. Rev. Stat. §§60-6,149, 60-6,178)

SECTION 4-120: BACKING

It shall be unlawful for any person to back a motor vehicle on the city streets except to park in or to remove the vehicle from a permitted parking position, to move the vehicle from a driveway, or to back to the curb for unloading where such unloading is permitted; provided, a vehicle shall be backed only when such movement can be made in safety. (Neb. Rev. Stat. §60-6,169)

SECTION 4-121: DRIVING ABREAST

Two or more vehicles shall not be driven abreast except when passing or when traversing a multi-lane or one-way street; provided, motorcycles may be driven no more than two abreast in a single lane. (Neb. Rev. Stat. §60-6,139)

SECTION 4-122: FOLLOWING; FIRE APPARATUS

The driver of any vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block when fire apparatus has stopped in answer to a fire alarm. (Neb. Rev. Stat. §60-6,183)

SECTION 4-123: FOLLOWING; DISTANCE

The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic and condition of the street. (Neb. Rev. Stat. §60-6,140)

SECTION 4-124: OVERLOADING

No person shall drive a motor vehicle when it is so loaded as to obstruct the view of the driver to the front or sides of the vehicle or to interfere with the driver's control over such vehicle or when there are more than three persons in the front seat. No passenger in a vehicle shall ride in such a position as to interfere with the driver's control over such vehicle. (Neb. Rev. Stat. §60-6,179)

SECTION 4-125: RIDING OUTSIDE VEHICLE

No person shall permit any other person to ride on the running board, hood, top, or fenders of any motor vehicle nor shall any person ride on the running board, hood, top, or fenders of any motor vehicle. (Neb. Rev. Stat. §60-180)

SECTION 4-126: CONVEYANCES; CLINGING TO MOTOR VEHICLES

No person riding upon any bicycle, coaster, roller skates, sled, skis, or toy vehicle shall attach himself or the said conveyance to any vehicle upon a roadway; and it shall be unlawful for the driver of any vehicle to suffer or permit any person riding upon any bicycle, coaster, roller skates, sled, skis, or toy vehicle to cling or attach himself or his conveyance to such vehicle driven and operated by him. (Neb. Rev. Stat. §60-6,316)

SECTION 4-127: MUFFLER

Every motor vehicle operated within this city shall be equipped with a muffler in good working order to prevent excessive or unusual noise or smoke. No person shall modify or change the exhaust muffler, the intake muffler, or any other noise-abatement device of a motor vehicle in a manner such that the noise emitted by the motor vehicle is increased above that emitted by the vehicle as originally manufactured. It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon any streets; provided, the provisions of this section shall not apply to authorized emergency vehicles. (Neb. Rev. Stat. §§60-6,286, 60-6,371)

SECTION 4-128: LICENSE PLATES; READABLE

The license plates required on every motor vehicle by laws of the State of Nebraska or of any other state while such vehicle is operated within the corporate limits shall be kept clear and free from grease, dust, or other blurring matter so they will be plainly visible at all times. The said plates shall be attached in such manner as to be clearly readable at a distance of 100 feet and under no circumstances shall they be obstructed by any portion of the vehicle. (Neb. Rev. Stat. §§60-324, 60-325)

SECTION 4-129: REMOVAL OF DEBRIS

Any person who removes a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance deposited on the highway from such vehicle. (Neb. Rev. Stat. §39-311)

SECTION 4-130: UNNECESSARY NOISE

No person shall drive, use, operate, park, or stop any motor vehicle in such a manner as to cause unnecessary noise. (Neb. Rev. Stat. §§17-505, 60-6,286, 60-6,371)

SECTION 4-131: RACING

No person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, or exhibition of speed or acceleration or for the purpose of making a speed record. No person shall in any manner participate in any such race, competition, contest, test, or exhibition. (Neb. Rev. Stat. §60-6,195)

SECTION 4-132: EXHIBITION DRIVING

Any person who operates a motor vehicle, meaning any self-propelled vehicle, upon streets or alleys within the city limits or upon property owned by the city in such a manner as to cause or create unnecessary engine noise, squealing of tires, rear skidding, sliding, or swaying of such motor vehicle or possible acceleration of speed of said motor vehicle shall be guilty of exhibition driving.

SECTION 4-133: NEGLIGENT DRIVING

Any person who drives any vehicle in such a manner as to indicate the absence of care, prudence, and forethought as duty requires should be exercised under the circumstances is guilty of negligent driving. (Neb. Rev. Stat. §60-4,182) (Ord. No. 126, 2/6/75)

SECTION 4-134: CARELESS DRIVING

Any person who drives any motor vehicle in the city carelessly or without due caution so as to endanger a person or property shall be guilty of careless driving. (Neb. Rev. Stat. §§60-6,212, 60-4,182)

SECTION 4-135: RECKLESS DRIVING

Any person who drives a motor vehicle in such a manner as to indicate an indifferent or wanton disregard for the safety of persons or property shall be deemed to be guilty of reckless driving and as such shall be punished as provided by statute. (Neb. Rev. Stat. §§60-6,213, 60-6,215, 60-4,182)

SECTION 4-136: WILLFUL RECKLESS DRIVING

Any person who drives a motor vehicle in such a manner as to indicate a willful disregard for the safety of persons or property shall be deemed to be guilty of willful reckless driving. (Neb. Rev. Stat. §§60-6,214, 60-6,216, 60-4,182)

SECTION 4-137: SCHOOL ZONES

A. It shall be unlawful for the driver of any vehicle, when passing premises on which school buildings are located and which are used for school purposes, during school recess or while children are going to or leaving school during the opening or closing hours, to drive such vehicle in excess of 15 miles per hour unless otherwise posted past such premises. The limits of the elementary school zone shall be on Country Club Road and shall begin at the intersection of Country Club Road and Five Rocks Road, extending east to the Union Pacific Railroad right of way.

B. This section shall not be applicable unless appropriate signs are posted upon streets wherein the elementary school speed zone is located. Such signs shall indicate the elementary school speed zone and the speed limit in effect during elementary school days when children are present.
(Neb. Rev. Stat. §60-6,190) (Ord. No. 418, 10/4/12)

SECTION 4-138: TRUCK ROUTES

A. The City Council may by resolution designate certain streets in the city that trucks shall travel upon and it shall be unlawful for persons operating such trucks to travel on other streets than those designated for trucks, unless to pick up or deliver goods, wares, or merchandise; and in that event, the operator of such truck shall return to such truck routes as soon as possible in traveling through or about the city. The City Council shall cause notices to be posted or shall erect signs indicating the streets so designated as truck routes. (Neb. Rev. Stat. §60-681)

B. All through truck and other heavy machinery traffic in excess of a gross weight of 6 tons shall be prohibited on any public street, road, highway or alley within the corporate limits of the city; provided, trucks and heavy machinery traffic having a gross weight of more than 6 tons but less than 25 tons shall be allowed on Stable Club Drive and Martha Drive.

C. Delivery trucks providing merchandise to businesses located within the corporate limits of the city, customers of businesses in the city, or heavy machinery performing construction or other work on a temporary basis for either a business or residence located within the corporate limits of the city are exempt from subsection (B) herein.

D. The weight limits contained within this section shall be designated by appropriate signs placed on Terry Boulevard, Lake Drive, Stable Club Drive and Martha Drive.
(Ord. No. 334, 2/1/01)

SECTION 4-139: ENGINE BRAKES

It shall be unlawful for any person within the city limits to make or cause to be made loud or disturbing noises with any mechanical device operated by compressed air and used for purposes of assisted braking on any motor vehicle; provided, however, it shall be permitted to use engine brakes in an emergency situation.

SECTION 4-140: LOADS; PROJECTING

When any vehicle has been loaded in such a manner that any portion of the load ex-

tends more than 4 feet beyond the rear of the bed or the body of such vehicle, a red flag of not less than 12 inches both in length and width shall be carried by day and a red light after sunset at the extreme rear end of such load. (Neb. Rev. Stat. §60-243)

SECTION 4-141: LOADS; CONTENTS; REQUIREMENTS

A. No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle.

B. No person shall transport any sand, gravel, rock less than 2 inches in diameter, or refuse in any vehicle on any hard-surfaced state highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering.

C. No person shall drive or move a motor vehicle, trailer, or semitrailer upon any highway unless the cargo or contents carried by the motor vehicle, trailer, or semitrailer are properly distributed and adequately secured to prevent the falling of cargo or contents from the vehicle. The tailgate, doors, tarpaulins, and any other equipment used in the operation of the motor vehicle, trailer, or semitrailer or in the distributing or securing of the cargo or contents carried by the motor vehicle, trailer, or semitrailer shall be secured to prevent cargo or contents falling from the vehicle. The means of securement to the motor vehicle, trailer, or semitrailer must be tiedowns and tiedown assemblies of adequate strength or sides, sideboards, or stakes and a rear endgate, endboard, or stakes strong enough and high enough to assure that cargo or contents will not fall from the vehicle.
(Neb. Rev. Stat. §60-6,304)

Article 2 – Parking

SECTION 4-201: GENERALLY

A. Except as otherwise provided in this section, any vehicle stopped or parked upon a two-way roadway where parking is permitted shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or edge of such roadway. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking.

B. Except when otherwise provided by resolution of the City Council, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of such roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or edge of the roadway or its left-hand wheels within 12 inches of the left-hand curb or edge of such roadway.

C. The City Council may by resolution designate any street or portion thereof where vehicles shall be parked parallel with and adjacent to the curb or at an angle so as to have the right front wheel at the curb. Angle or center parking shall not be permitted on any federal-aid highway or on any part of the state highway system unless the director-state engineer has determined that such roadway is of sufficient width to permit angle or center parking without interfering with the free movement of traffic.

D. The City Council may by resolution entirely prohibit or fix a time limit for the parking, standing, and stopping of vehicles on any street, streets, or district designated by such resolution; and the parking or stopping of any vehicle in any such street, streets, or district, for a period of time longer than fixed in such resolution shall constitute a violation of this article.

E. There shall be no parking along that portion of the northwest side of Terry Boulevard from the intersection of Woodley Park Road to the dead end adjoining the Carpenter Center. (Ord. No. 445, 6/7/18)

F. Where stalls are designated either on the curb or pavement, vehicles shall be parked within those stalls.

G. The City Council may by ordinance designate certain streets, alleys, or public ways where vehicles, regardless of length, shall be permitted to load or unload freight. Vehicles so designated shall park upon said streets, alleys, or public ways in such manner that other vehicles may pass

H. It shall be unlawful for any person to park or leave standing any vehicle in any street, alley, municipal off-street parking lot, or other public way or place of the City for a period of more than ten days. This section shall not be construed to extend any

period of time for parking or leaving standing a vehicle that is limited by some other provision of this ordinance.

I. Vehicles must not be parked at any curb in such a position as to prevent another vehicle already parked at the curb from moving away.
(Neb. Rev. Stat. §§60-6,167, 60-680) (Ord. No. 293, 7/6/95)

SECTION 4-202: CURBS PAINTED

In the event curbs are to be painted as deemed necessary by the City Council, it shall be the duty of the street commissioner to cause the curb space to be painted at places designated by the council and to keep the same painted. No person, firm, or corporation shall paint the curb of any street or in any manner set aside or attempt to prevent the parking of vehicles in any street or part thereof except at such places where the parking of vehicles is prohibited by the provisions of this article. The marking or designating of portions of streets or alleys where the parking of vehicles is prohibited or limited shall be done only by the city through its proper officers at the direction of the City Council. (Neb. Rev. Stat. §60-680) (Ord. No. 368, 9/7/06)

SECTION 4-203: BUSINESS DISTRICT; LOADING AND UNLOADING

Except in those areas of the city which are zoned as a "C" Commercial District, it shall be unlawful for any person to cause or permit any truck to stand or be parked upon any public or private property, street or alley within the corporate limits of the city for a continuous period of time longer than two hours. Any truck which has been continuously engaged in the loading or unloading of freight shall be allowed to continue to do so beyond the two-hour limit specified above but only for a time that is reasonable to complete the loading or unloading of freight. For purposes of this section, "truck" shall mean any motor vehicle having a licensed carrying capacity or rated load capacity of greater than 3 tons. (Neb. Rev. Stat. §60-680) (Ord. No. 267, 7/1/93)

SECTION 4-204: ALLEYS; LOADING AND UNLOADING

No vehicle shall be parked in any alley except for the purpose of loading or unloading during the time necessary to load or unload, which shall not exceed the maximum limit of five minutes. Every vehicle while loading or unloading in any alley shall be parked in such manner as will cause the least obstruction possible to traffic in such alley.
(Neb. Rev. Stat. §60-680)

SECTION 4-205: OBSTRUCTING TRAFFIC

Except in case of an accident or emergency, or when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a peace officer or traffic control device, or to momentarily to pick up or discharge a passenger or passengers, no person shall stop or park any vehicle:

A. In front of a public or private driveway;

B. Within 15 feet of a fire hydrant;

C. Within 20 feet of a crosswalk or an intersection;

D. Within 30 feet of any flashing signal, stop sign, yield sign, or other traffic control device located at the side of a roadway;

E. Within 10 feet of any street or alley entrance or curb cut;

F. Within 8 feet of either side of the center line of any curb access ramp;

G. Within 5 feet in either direction from a mailbox; or

H. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
(Neb. Rev. Stat. §§60-657, 60-680, 60-6,166) (Ord. No. 368, 9/7/06)

SECTION 4-206: OVERHANGING ADJACENT PROPERTY

It shall be unlawful for any person to park or place, or cause to be parked or placed, any motor vehicle or other vehicle on any private property in such a manner that the vehicle overhangs the street, including that space between the curb line and the lot line, or in such a manner that the vehicle overhangs adjacent property.

SECTION 4-207: SIDEWALK SPACE

It shall be unlawful for any person to park, place, or cause to be parked or placed any motor vehicle or other vehicle upon any part of the sidewalk space or on a crosswalk.
(Neb. Rev. Stat. §60-6,166)

SECTION 4-208: EMERGENCY VEHICLES; EXCEPTION

The provisions of this article regulating the movement, parking, and standing of vehicles shall not be construed to restrict parking by law enforcement officers, fire fighters or city employees or agents in the performance of their duties.

SECTION 4-209: TRAILERS

A. The parking or storing of any trailer, utility trailer, recreational vehicle, camper, travel trailer, boat, personal watercraft, trailered barbecues or all other similar appurtenances intended to be attached to a vehicle shall be prohibited on any city street. Except for the parking or leaving of any of the above-mentioned vehicles and appurtenances on any street so that any part of the vehicle or appurtenance is within

5 feet of any alley entrance, public or private driveway, curb cut, or the edges of the parking vision triangle created at the intersection of two streets or avenues, the following exceptions to this section shall be allowed:

1. Parking or leaving such vehicle or appurtenance for a period not to exceed 72 hours for the loading and unloading of recreational vehicles, campers, travel trailers, boats, and watercraft.

2. Parking or leaving any roll-off or construction trailers used by contractors or property owners with the issuance of a building permit for construction on the adjacent property, so long as the permit remains valid and the location does not interfere with required driveway and vision requirements.

B. The “parking vision triangle,” for purposes of this section, means the triangle on a corner lot created at the intersection of two streets or avenues. It is a triangle with an hypotenuse connecting two points, each 25 feet from the intersection of the street or avenue along each perpendicular side of the property line (inside the public right of way), drawing the hypotenuse between these two points and extending said hypotenuse to the street-side edge of the curb and gutter for the corner lot, and for the sides of the triangle returning to the intersection of the streets or avenues from said extension points of the hypotenuse along the same street-side edge of the curb and gutter.

SECTION 4-210: SNOW EMERGENCY ROUTES

A. Whenever the city administrator or mayor finds, on the basis of falling snow, sleet or freezing rain or a forecast by the United States Weather Bureau or other weather service, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on snow emergency routes be prohibited or restricted for snow plowing and other purposes, he or she may put into effect a parking prohibition on snow emergency routes.

1. Such parking prohibition shall automatically go into effect without public announcement on any part of any snow emergency route on which there has been an accumulation of snow and ice of 3 inches or more.

2. Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the city administrator or chairman; provided, any street area which has become substantially clear of snow and ice from curb to curb for the length of the entire block shall be automatically excluded.

3. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route during the time from 8:00 a.m. until 5:00 p.m. of any day.

B. The city administrator or mayor shall cause each declaration made pursuant to this section to be publicly announced by means of broadcasts or telecasts from stations with a normal operating range covering the city. He or she may cause a declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken, including the time it became or will be-

come effective, and shall specify the streets or areas affected.

C. Whenever a vehicle becomes stalled for any reason on any part of a snow emergency route on which there is a parking prohibition in effect, the person operating the vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of the snow emergency route into the first cross-street which is not a snow emergency route. No person shall abandon or leave a vehicle in the roadway of a snow emergency route except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station, or other place of assistance and return without delay.

D. Any provision of this section, which becomes effective by declaration of the city administrator or chairman or upon the occurrence of certain weather conditions, shall, while temporarily in effect, take precedence over other conflicting provisions of law normally in effect; provided, it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency traffic directions by a law enforcement officer.

E. Appropriate signs shall be posted on each street designated as a snow emergency route.

F. Any vehicle parked on any snow emergency route in violation of any of the provisions of this article may be impounded and no person shall recover any vehicle removed pursuant to this section without first paying the cost of removal and the cost of storage. Any payments required by this section shall not be construed as a penalty so as to preclude prosecution for violation of any of the provisions of this section.

G. In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this section, proof that the particular vehicle described in the complaint was parked or left in violation of a provision herein, together with proof that the defendant named in the complaint was at the time the registered owner of such vehicle, shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this section.
(Neb. Rev. Stat. §17-557) (Ord. No. 277, 11/4/93)

SECTION 4-211: DISPLAY OR REPAIR OF VEHICLE

It shall be unlawful for any person to park upon any street, alley, or public place within the city any vehicle displayed for sale. No person shall adjust or repair any automobile or motorcycle or race the motor of same while on the public streets or alleys of this city, except in case of breakdown or other emergency. No person or employee connected with a garage or repair shop shall use sidewalks, streets, or alleys in the vicinity of such garage or shop for the purpose of working on automobiles or vehicles of any description. (Neb. Rev. Stat. §60-680)

SECTION 4-212: LICENSE PLATES

Every vehicle parked or left standing upon any street, alley, public way or public property shall have current license plates attached thereto which are issued for the vehicle to which said license plates are attached and are registered in the name of the owner of the vehicle in accordance with the laws of the State of Nebraska or of the state wherein the license is issued. If any vehicle is found upon any street or alley in violation of this article and the identity of the driver cannot be determined, the owner or person in whose name such vehicle is registered shall be held *prima facie* responsible for such violation.

SECTION 4-213: HANDICAPPED AND DISABLED PERSONS

The City Council adopts and promulgates the rules and regulations necessary to fulfill the duties and obligations provided in Neb. Rev. Stat. §§18-1736 to 18-1741.07, dealing with parking for handicapped and disabled persons.

SECTION 4-214: REMOVAL OF ILLEGALLY PARKED VEHICLES

A. Whenever any police officer shall find a vehicle standing upon a street or alley in violation of any of the provisions of this article, such officer may remove or have such vehicle removed or require the driver or other person in charge of the vehicle to move such vehicle to a position off the roadway of such street or alley or from such street or alley.

B. The owner or other person lawfully entitled to the possession of any vehicle towed or stored shall be charged with reasonable towing and storage fees as set by resolution of the City Council. Any such towing or storage fees shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of such vehicle until such charges are paid. The lien provided for in this section shall not apply to the contents of any vehicles.
(Neb. Rev. Stat. §§60-6,165, 60-680)

Article 3 – Drivers, Riders and Occupants

SECTION 4-301: OPERATOR'S LICENSE REQUIRED

No person shall operate any motor vehicle upon any street within the City without first having obtained a motor vehicle operator's license as provided by the laws of the State of Nebraska. The operator of such a motor vehicle shall at all times carry such license and shall present it for examination upon demand by any police officer. It shall also be unlawful for any person to operate a motor vehicle upon any street in the City during the period that his operator's license has been suspended or revoked. No owner or person in control of any motor vehicle shall permit such vehicle to be driven by any person who does not then have in force a motor vehicle driver's license as provided by the laws of the State of Nebraska.

SECTION 4-302: PROOF OF FINANCIAL RESPONSIBILITY REQUIRED

It shall be unlawful for any person operating a motor vehicle within the City unless the person at all times during the operation has in the motor vehicle current and effective proof of financial responsibility as required by the laws of the State of Nebraska. Any motor vehicle operator unable to produce this proof upon request of a Nebraska law enforcement officer shall be allowed ten days from the date of the request to produce proof that financial responsibility was in existence at the time of the request as required by the laws of the State of Nebraska.

SECTION 4-303: REGISTRATION REQUIRED

No person shall operate any motor vehicle upon any street without having first registered the same as provided by the laws of the State of Nebraska. Every motor vehicle shall have the vehicle license plates furnished by the county or state displayed upon such vehicle in the manner and place required by state laws.

SECTION 4-304: CHILD PASSENGER RESTRAINT SYSTEM; REGULATIONS

A. Any person who drives any motor vehicle in the City which has or is required by the laws of the State of Nebraska to have an occupant protection system, as defined in state statutes, shall ensure that all children up to eight years of age being transported by such vehicle (1) use a child passenger restraint system of a type which meets Federal Motor Vehicle Safety Standard 213 as developed by the National Highway Traffic Safety Administration, as such standard existed on January 1, 2009, and which is correctly installed in such vehicle; and (2) occupy a seat or seats, other than a front seat, if such seat or seats are so equipped with such passenger restraint system and such seat or seats are not already occupied by a child or children under eight years of age. In addition, all children up to two years of age shall use a rear-facing child passenger restraint system until the child outgrows the child passenger restraint system manufacturer's maximum allowable height or weight.

B. Any person who drives any motor vehicle in the City which has or is required by the laws of the State of Nebraska to have an occupant protection system or a three-point safety belt system shall ensure that all children eight years of age and less than 18 years of age being transported by such vehicle use an occupant protection system.

C. Subsections (A) and (B) of this section apply to autocycles and to every motor vehicle which is equipped with an occupant protection system or is required to be equipped with restraint systems pursuant to Federal Motor Vehicle Safety Standard 208, as such standard existed on January 1, 2009, except taxicabs, mopeds, motorcycles, and any motor vehicle designated by the manufacturer as a 1963 year model or earlier which is not equipped with an occupant protection system.

D. Whenever any licensed physician determines, through accepted medical procedures, that use of a child passenger restraint system by a particular child would be harmful by reason of the child's weight, physical condition, or other medical reason, the provisions of subsection (A) or (B) of this section shall be waived. The driver of any vehicle transporting such a child shall carry on his or her person or in the vehicle a signed written statement of the physician identifying the child and stating the grounds for such waiver.

E. The drivers of authorized emergency vehicles shall not be subject to the requirements of subsection (A) or (B) of this section when operating such authorized emergency vehicles pursuant to their employment.

F. A driver of a motor vehicle shall not be subject to the requirements of subsection (A) or (B) of this section if the motor vehicle is being operated in a parade or exhibition being conducted in accordance with the laws of the State of Nebraska and with this municipal code or resolution adopted pursuant to this municipal code.

G. All persons being transported by a motor vehicle operated by a holder of a provisional operator's permit or a school permit shall use such motor vehicle's occupant protection system or a three-point safety belt system.

SECTION 4-305: CHILD PASSENGER RESTRAINT SYSTEM; VIOLATIONS

A. Any person violating any provision of Section 4-304 shall be fined the sum of $25.00 for each violation. The failure to provide a child restraint system for more than one child in the same vehicle at the same time, as required in Section 4-304(A), shall not be treated as a separate offense.

B. Enforcement of Section 4-304(A)(2) shall be accomplished only as a secondary action when an operator of a motor vehicle has been cited or charged with a violation or some other offense, unless the violation involves a person under the age of 18 years riding in or on any portion of the vehicle not designed or intended for the use of passengers when the vehicle is in motion.

SECTION 4-306: OCCUPANT PROTECTION SYSTEM; REGULATIONS

A. Except as provided in subsection (B) of this section, no driver shall operate a motor vehicle upon a highway or street in the City unless the driver and each front-seat occupant in the vehicle are wearing occupant protection systems, and all occupant protection systems worn are properly adjusted and fastened.

B. The following persons shall not be required to wear an occupant protection system: (1) a person who possesses written verification from a physician that the person is unable to wear an occupant protection system for medical reasons; (2) a rural letter carrier of the United States Postal Service while performing his or her duties as a rural letter carrier between the first and last delivery points; and (3) a member of an emergency medical service while involved in patient care.

C. For purposes of this section, “motor vehicle” shall mean a vehicle required by the laws of the State of Nebraska to be equipped with an occupant protection system.

SECTION 4-307: OCCUPANT PROTECTION SYSTEM; VIOLATIONS

A. Enforcement of Section 4-306 of the Municipal Code shall be accomplished only as a secondary action when a driver of a motor vehicle has been cited or charged with a violation or some other offense.

B. Any person who violates Section 4-306(A) of the Municipal Code is guilty of a Class II violation but no court costs shall be assessed nor shall any points be assessed against the driving record of the person. Regardless of the number of persons in the vehicle not wearing an occupant protection system pursuant to Section 4-306, only one violation shall be assessed against the driver of the motor vehicle for each time the motor vehicle is stopped and a violation of that subdivision is found.

Article 4 – Bicycles

SECTION 4-401: PROHIBITED ACTS

A. Any person who rides a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

B. Any person who rides a bicycle shall not remove his or her feet from the pedals and shall have at least one hand on the handlebars at all times.

C. Any person who operates a bicycle shall not carry any package, bundle, or article which prevents such operator from keeping at least one hand upon the handlebars.

D. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
(Neb. Rev. Stat. §60-6,315) (Ord. No. 133, 6/5/75)

SECTION 4-402: OPERATION

A. Any person who operates a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under conditions then existing shall ride as near to the right-hand curb or right-hand edge of the roadway as practicable except when:

1. Overtaking and passing another bicycle or vehicle proceeding in the same direction;

2. Preparing for a left turn onto a private road or driveway or at an intersection;

3. Reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand curb or right-hand edge of the roadway, including fixed or moving objects, stopped or moving vehicles, bicycles, pedestrians, animals, or surface hazards;

4. Riding upon a lane of substandard width which is too narrow for a bicycle and a vehicle to travel safely side by side within the lane; or

5. Lawfully operating a bicycle on the paved shoulders of a highway included in the state highway system as provided in Neb. Rev. Stat. §60-6,142. Any person who operates a bicycle upon a roadway with a posted speed limit of 35 miles per hour or less on which traffic is restricted to one direction of movement and which has two or more marked traffic lanes may ride as near to the left-hand curb or left-hand edge of the roadway as practicable.

Whenever a person operating a bicycle leaves the roadway to ride on the paved shoulder or leaves the paved shoulder to enter the roadway, the person shall clearly signal his or her intention and yield the right of way to all other vehicles.

B. Any person who operates a bicycle upon a highway shall not ride more than single file except on paths or parts of highways set aside for the exclusive use of bicycles.

C. Except as provided in Neb. Rev. Stat. §60-6,142, whenever a usable path for bicycles has been provided adjacent to a highway, a person operating a bicycle shall use such path and shall not use such highway.

D. A local authority may by ordinance further regulate the operation of bicycles and may provide for the registration and inspection of bicycles.
(Neb. Rev. Stat. §60-6,317) (Ord. No. 133, 6/5/75)

SECTION 4-403: EQUIPMENT

A. When in use at nighttime, a bicycle shall be equipped with a light visible from a distance of at least 500 feet to the front on a clear night and with a red reflector on the rear of a type which is approved by the Department of Motor Vehicles or a local authority, visible on a clear night from all distances between 100 feet and 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A red light visible from a distance of 500 feet to the rear may be used in addition to such red reflector.

B. Any bicycle used on a highway shall be equipped with a brake or brakes which will enable the operator to stop the bicycle within 25 feet of the point of braking when moving at a speed of 10 miles per hour on dry, level, clean pavement.
(Neb. Rev. Stat. §60-6,318) (Ord. No. 133, 6/5/75)

Article 5 – Abandoned Vehicles

(Am. Ord. No. 339, 6/7/01)

SECTION 4-501: DEFINITIONS

A. A motor vehicle is an abandoned vehicle:

1. If left unattended, with no license plates or valid “In Transit” stickers issued pursuant to the Motor Vehicle Registration Act affixed thereto, for more than six hours on any public property;

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

3. 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;

4. 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;

5. If left for more than 30 days in the custody of a law enforcement agency after the agency has sent a letter to the last registered owner under Neb. Rev. Stat. §60-1903.01; or

6. If removed from private property by the city pursuant to a municipal ordinance.

B. An all-terrain vehicle, a utility-type vehicle, or a mini-bike is an abandoned vehicle:

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

2. 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;

3. 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;

4. If left for more than 30 days in the custody of a law enforcement agency

after the agency has sent a letter to the last registered owner under Neb. Rev. Stat. §60-1903.01; or

5. If removed from private property by the city pursuant to a municipal ordinance.

C. A mobile home is an abandoned vehicle if left in place on private property for more than 30 days after the city, 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. Rev. Stat. §60-1903.

D. For purposes of this section:

1. "Mobile home" means 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 designed to be joined into one integral unit, and shall include a manufactured home as defined in Neb. Rev. Stat. §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. Rev. Stat. §60-169;

2. "Public property" means any public right of way, street, highway, alley, or park or other state, county, or municipally owned property; and

3. "Private property" means any privately owned property which is not included within the definition of public property.

E. No motor vehicle subject to forfeiture under Neb. Rev. Stat. §28-431 shall be an abandoned vehicle under this section.
(Neb. Rev. Stat. §60-1901)

SECTION 4-502: ABANDONMENT OF VEHICLE PROHIBITED

No person shall cause any vehicle to be an abandoned vehicle as described in subdivision (A)(1), (2), (3), or (4) or (B)(1), (2), or (3) of Neb. Rev. Stat. §60-1901. (Neb. Rev. Stat. §60-1907)

SECTION 4-503: TITLE; VEST IN CITY; WHEN

If an abandoned vehicle, at the time of abandonment, has no license plates of the current year or valid "In Transit" stickers issued pursuant to Neb. Rev. Stat. §60-376

affixed and is of a wholesale value, taking into consideration the condition of the vehicle, of $250.00 or less, title shall immediately vest in the city as provided in Neb. Rev. Stat. §60-1904. Any certificate of title issued under this section to the city shall be issued at no cost. (Neb. Rev. Stat. §60-1902)

SECTION 4-504: CITY; POWERS AND DUTIES

A. Except for vehicles governed by Neb. Rev. Stat. §60-1902, the city shall make an inquiry concerning the last registered owner of such vehicle as follows:

1. Abandoned vehicle with license plates affixed, to the jurisdiction which issued such license plates; or

2. Abandoned vehicle with no license plates affixed, to the Department of Motor Vehicles.

B. 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 (1) it will be sold or will be offered at public auction after five days from the date such notice was mailed or (2) title will vest in the city 30 days after the date such notice was mailed. If the agency described in subdivision (A)(1) or (2) of this section also notifies the city that a lien or mortgage exists, such notice shall also be sent to the lienholder or mortgagee. Any person claiming such vehicle shall be required to pay the cost of removal and storage of such vehicle.

C. Title to an abandoned vehicle, if unclaimed, shall vest in the city (1) five days after the date the notice is mailed if the vehicle will be sold or offered at public auction under subdivision (B)(1) of this section, (2) 30 days after the date the notice is mailed if the city will retain the vehicle, or (3) if the last registered owner cannot be ascertained, when notice of such fact is received.

D. After title to the abandoned vehicle vests pursuant to subsection (C) 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.
(Neb. Rev. Stat. §60-1903)

SECTION 4-505: CUSTODY; WHO ENTITLED

The city shall be entitled to custody of an abandoned vehicle found within the city. (Neb. Rev. Stat. §60-1904)

SECTION 4-506: PROCEEDS OF SALE; DISPOSITION

Any proceeds from the sale of an abandoned vehicle less any expenses incurred by the city shall be held by it without interest for the benefit of the owner or lienholders 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. (Neb. Rev. Stat. §60-1905)

-SECTION 4-507: LIABILITY FOR REMOVAL

Neither the city nor the owner, lessee, nor occupant of the premises from which any abandoned vehicle is removed 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 or as a result of any subsequent disposition. (Neb. Rev. Stat. §60-1906)

SECTION 4-508: DESTROY, DEFACE, OR REMOVE PARTS; UNLAWFUL; EXCEPTION; VIOLATION

No person other than one authorized by the city 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 section shall be guilty of a Class V misdemeanor. (Neb. Rev. Stat. §60-1908)

SECTION 4-509: COSTS OF REMOVAL AND STORAGE

The last registered owner of an abandoned vehicle shall be liable to the city for the costs of removal and storage of such vehicle. (Neb. Rev. Stat. §60-1909)

Article 6 – Penal Provision

SECTION 4-601: VIOLATION; PENALTY

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at full length herein or incorporated by reference, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.