

ORDINANCE NO. 200

AN ORDINANCE OF THE VILLAGE OF CRAIG, NEBRASKA, DECLARING THE CORPORATE EXISTENCE OF SAID MUNICIPALITY AS A VILLAGE; DEFINING THE ELECTIVE OFFICERS OF THE VILLAGE OF CRAIG; PROVIDING FOR THE APPOINTMENT OF NON-ELECTED OFFICERS OF THE VILLAGE; DEFINING THE DUTIES OF THE VILLAGE OFFICERS AND OFFICIALS AND COMBINING THE OFFICES OF VILLAGE TREASURER AND CLERK; FIXING THE SALARIES AND BONDS OF THE OFFICIALS AND OFFICERS OF THE VILLAGE; SETTING A DATE FOR VILLAGE BOARD MEETINGS AND PRESCRIBING THE ORDER OF BUSINESS; PROVIDING FOR FILLING OF VACANCIES IN ELECTED OR APPOINTED OFFICES; APPOINTMENT OF VILLAGE COMMITTEES; FIXING THE RATE OF INTEREST ON REGISTERED WARRANTS; PROVIDING FOR AN ANNUAL VILLAGE AUDIT; SETTING FORTH A PROCEDURE FOR ALLOWING OR DISALLOWING CLAIMS; ESTABLISHING A PROCEDURE FOR VILLAGE CONTRACTS; PROVIDING FOR CORPORATE SEAL AND USE THEREOF; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF CRAIG, NEBRASKA:

SECTION 1 CORPORATE EXISTENCE

The Village of Craig, Nebraska, having a population of less than eight hundred inhabitants, is hereby declared to be a village and shall be governed in all respects by the laws regulating said villages.

SECTION 2 VILLAGE BOARD; NUMBER AND QUALIFICATIONS OF MEMBERS

The Village Board shall consist of five members who shall be citizens of the United States and residents and taxpayers of the Village of Craig and who have resided within said Village as residents for not less than three months prior to said election.

SECTION 3 APPOINTIVE OFFICERS

The Village Board of Trustees may appoint a Village Clerk, Village Treasurer, Village Attorney, Village overseer of streets and a Village Marshal. It shall also appoint whatever other officials of the Village which it deems necessary and which officers shall serve at the pleasure of the Village Board.

SECTION 4 CHAIRMAN OF THE BOARD OF
TRUSTEES; DUTIES

At its first meeting in each municipal year, the Village Board shall select one of its own body, who shall be the Chairman of the Village Board and he shall have charge over all property belonging to the Village and not in particular charge of any officer. He shall preside over all meetings of the Board of Trustees. If the Chairman be absent at any meeting, the Board shall elect a Chairman pro tempore as Chairman of the Board for that particular meeting and the election of said Chairman pro tempore shall be duly recorded in the minutes of the meeting for that date.

The Village Chairman shall require all Village officers and employees to give him a receipt for any and all articles belonging to the Village now in their charge and all that may hereafter come under their charge. All outgoing Village officers and Village employees shall deliver over to the Chairman or account to him for all articles used by them in the duties of their office whenever their term of office or employment with the Village ceases.

The Village Chairman shall also examine into and satisfy himself as to the correctness of each and every appropriation ordinance before approving the same. All financial reports of the Village Treasurer shall be audited by the Chairman and the Board of Trustees and if found to be correct they shall be endorsed and shall be filed in the office of the Village Clerk. The Chairman of the Board shall sign the Clerk's minutes of all meetings after they have been spread at large upon the journal when the same shall be approved by the action or the acquiescence of the Board. He shall sign all warrants for the payment of money when ordered by the Board.

The Chairman shall sign all ordinances, resolutions and orders which have been passed, approved and declared to be the law of the Village. He shall cause the ordinances of the Village to be carried into effect and shall be vigilant and active to promote the peace and welfare of the Village. He shall require all officers to be faithful in the performance of his duties as prescribed by law and the Village ordinances for the peace and order of the Village. He shall call special meetings of the Board of Trustees at his discretion or as provided by provisions of this code. He shall be Chairman of the Board of Health, ex officio. At the specific direction of the Board of Trustees he shall act as the purchasing agent for the Village.

SECTION 5

VILLAGE CLERK; DUTIES

The Village Clerk shall have custody of all laws and ordinances. He shall keep a current journal of the proceedings of the Board of Trustees. He shall also maintain a complete record of all outstanding bonds against the Village, showing the number and amount of each, for and to whom the said bonds were issued and all other pertinent information in regard to said bonds. He shall take possession of all books, papers, and all other official records of the Village of Craig and shall maintain said records in a safe place for the Village. He shall have custody of the seal of the Village and all written official papers of the Village. The Village Clerk shall attend the meetings of the Village Board and keep a minute record of the proceedings thereof. The Village Clerk shall maintain an account of all of the appropriations of the several funds of the Village, draw, sign, and attest all warrants ordered for the payment of money on a particular fund from which the same is payable and at the end of each month make a report of the amount appropriated to each fund and the amount of warrants drawn thereon. The Village Clerk shall further attest to the Village Chairman's signature to be attested and shall attach the Village seal to all official documents. Whenever any claim presented by any person has been disallowed by the Village Board the Village Clerk shall notify said claimant of said disallowance by the Board within five (5) days after such disallowance. The Village Clerk shall account for all moneys received by him in the normal course of Village business and shall keep a proper record of all moneys received by him and shall issue a proper receipt to those parties making payments to him to the account of the Village of Craig. The Village Clerk shall publish all notice required in the performance of his duties and shall keep a record of all published notices issued by him and shall keep a record of the creditors affidavit of said publication if said notices are published in a legal newspaper. He shall maintain all books and public records of the Village of Craig for public inspection for any resident of the Village of Craig during his normal business hours. He shall make a notation on all correspondence received by him as of the date of its receipt of said correspondence and shall as soon as possible convey said correspondence to the appropriate official of the Village of Craig. Correspondence received by the said Village Clerk shall be endorsed by him as to

the date and hour and day of his receipt of the said paper or document. The Village Clerk shall keep and maintain all other legal papers required to be maintained by him by these ordinances or by Nebraska State law and shall maintain a proper minute book wherein shall be recorded all of the formal and informal actions of the Chairman and Village Board and shall maintain an ordinance record which shall record the various ordinances and resolutions passed by the Village Board.

SECTION 6 VILLAGE TREASURER; DUTIES

The Village Treasurer shall be custodian of all moneys belonging to the Village; he shall deposit public funds in his hands in such depository bank or banks or in other eligible financial institutions for depository purposes as designated by the Chairman and Board of Trustees.

He shall keep a separate account of each and every fund or appropriation and the debits and credits belonging to the said Village; he shall give every person paying money into the treasury a receipt therefor, specifying the date of payment, and on what account paid, and also file copies of said receipts with his monthly reports made to the Chairman and Board of Trustees; he shall, at the end of each month, and as often as may be required, render a report to the Chairman and Board of Trustees, showing, under oath, the condition of the various accounts of the treasury at the time of such reports, and the balance of money in the treasury; he shall accompany such accounts with a statement of all receipts and disbursements, together with all warrants paid by him, which warrants with any and all vouchers held by him, shall be filed with his accounts in the Village Clerk's office.

He shall keep a record, in a book suitable for that purpose, of each and every warrant paid and from what fund paid.

He shall also procure and keep a warrant register which shall show in columns arranged for that purpose the number, date and amount of each warrant presented and registered as hereinafter provided, the particular fund upon which the same is drawn, the date of presentation, the name and address of the person in whose name the same is registered, the date of payment, the amount of interest, and the total amount paid thereon, with the date when the notice to such person in whose name such warrant is registered is

mailed as hereinafter provided. It shall be the duty of the Village Treasurer upon presentation of any warrant for payment, in the presence of such person, to enter such warrant in the warrant register for payment in the order of its presentation and, upon every warrant as presented and registered, he shall endorse, Registered for Payment with the date of such registration and register number; and he shall sign such endorsement, whereupon such warrant shall draw interest at the rate of six per cent (6%) per annum from the date of registration until notice of payment shall be given to the holder as provided by law.

If the Village Treasurer neglects or fails, for a period of ten days from the end of each and every month, to render his account, his office shall be declared vacant pursuant to Section 17-606 of the Nebraska Revised Statutes and the Chairman and Board of Trustees shall fill the vacancy by appointment until the next election for Village officers.

The Village Treasurer is also required to publish or cause to be published in some legal weekly newspaper published in or of general circulation in said Village, on or before the first day of October of each year, a report of the doings of his office which said report shall show in detail receipts, disbursements, warrants outstanding, and balance of debit or credit as the case may be. Provided, the Village Clerk may if directed to do so by the Chairman and Board of Trustees of the Village in the event that no legal newspaper is published within the Village, post said report in three public or conspicuous places instead of publishing in a newspaper of general circulation in said Village.

The Village Treasurer shall also account for all fine money received from the Police Magistrate and turned over to him by said Police Magistrate.

SECTION 7 VILLAGE ATTORNEY; DUTIES

The Village Attorney when appointed shall be legal advisor to the Chairman and Board of Trustees and shall undertake all legal matters of the Village of Craig, Nebraska, as set forth by Section 17-610 of the Nebraska Revised Statutes. The Village Attorney shall be legal advisor of the Board of Trustees. He shall commence, prosecute, and defend all suits and actions necessary to be commenced, prosecuted, or defended on behalf of the Village, or that may be

ordered by the Board of Trustees. When requested, he shall attend meetings of the Board and give them his opinion upon any matters submitted to him either orally or in writing as may be required. He shall draft or review for legal correctness ordinances, contracts, franchises and other instruments as may be required and he shall perform such other duties as may be imposed upon him by general law or ordinance. The governing body of the Village shall have the right to pay the Village Attorney compensation for legal services performed by him for it on such terms as the governing body and attorney may agree and to employ additional legal assistance and to pay for such legal assistance out of the funds of the Village.

SECTION 8 VILLAGE MARSHAL; DUTIES; NIGHT
WATCH AND SPECIAL POLICE

It shall be the duty of the Village Marshal and he is hereby authorized and empowered diligently to inquire into any and all violations of the Village ordinances and all neglect to comply with the requirements thereof by any person or persons and he shall prosecute all those guilty of violation.

The Village Marshal shall have general control over traffic and said Marshal together with such special officers detailed to assist him as traffic officers by the Chairman and Board of Trustees shall direct the movement of traffic at intersections and elsewhere; and it shall be unlawful for any person to violate any order or signal of any special traffic officers or of the Village Marshal.

The Chairman and Board of Trustees may in their discretion employ a night watchman for such period of time and for such compensation as may be fixed at the time of his employment. The night watchman, when appointed, shall qualify the same as other appointive officers, shall at all times be under the general control of the Village Marshal in the performance of his duties and shall have the powers of the Village Marshal; and the night watchman shall perform any and all duties assigned to him by the Village Marshal and by the Chairman and Board of Trustees.

The Village Marshal shall attend all sessions of court held by the Police Magistrate and shall preserve order in the Police Magistrate's court and he shall execute all orders or processes of said court in said Village cases. He shall bring all prisoners who are under arrest for the violation of any Village ordinance before the Police Magistrate

whenever required to do so by rule or order of the Police Magistrate; and he shall make or cause to be made the necessary written complaint against such person or persons when arrested.

He shall perform such other duties as may be required of him by resolution or by order of the Chairman and Board of Trustees.

SECTION 9 STREET COMMISSIONER; DUTIES

The Chairman and Board of Trustees may appoint a Street Commissioner or overseer of streets who shall, when ordered by the Chairman and Board of Trustees, have the general supervision of all parks, bridges, alleys, streets, sidewalks and cross walks within this Village, subject, however, to the supervision of said Board. Provided, the Village Marshal or night watchman or other police officer may be designated as Street Commissioner.

SECTION 10 VILLAGE CLERK; VILLAGE TREASURER; OFFICES COMBINED

The offices of Village Clerk and Village Treasurer may be performed by the Village Clerk. The salary of the combined office shall not be in excess of the maximum amount provided by law for the salary or compensation of the office, offices, employment or employments so merged and combined.

SECTION 11 OFFICER'S SALARIES

All elected officers shall receive such compensation as the Board of Trustees shall fix by ordinance. The emoluments of appointive and elective officers of this Village shall be neither increased or decreased during the term for which elected or appointed, except by merger of officers or when there are other officers elected or appointed to the Board and the terms of one or more members commences and ends at different times the compensation of all members of such Board may be increased or diminished at the beginning of the full term of any member thereof. No person who shall have resigned or vacated any office shall be eligible to the same during the time for which he was elected or appointed, if during the same time the emoluments thereof have been increased. In addition to the salaries herein provided the various officers shall be entitled to mileage and expenses, if and when claims

therefor are filed, audited and allowed. The Chairman and Board of Trustees may by resolution authorize clerical assistance in one or more offices when the same may be needed, and claims therefor out of the proper funds may be presented, allowed, audited and paid. All fees earned by an officer of this Village in the performance of his duties as such shall be considered the property of this Village and shall be promptly paid over to the Village Treasurer and by him credited to the appropriate fund.

SECTION 12 OFFICERS, BONDS

The officers of the Village before entering upon their duties, shall give bonds for the faithful performance of their duties, the following amounts, viz:

Village Treasurer-----	\$ 5,000.00
Village Marshal-----	\$ 2,000.00
Water Commissioner-----	\$ 2,000.00

Which said bond shall be executed with corporate surety and approved by the Village Board. Said bond shall be filed in the office of the Village Clerk. Premiums on said bonds shall be paid out of the general funds or other proper funds of said Village.

SECTION 13 VACANCIES

When any vacancy shall occur in the membership of the Board of Trustess or other office of this Village by death, resignation, impeachment, removal of residence from the Village or other legal cause, the Chairman of the Board shall with the concurrence of the remaining members of said Board, fill such vacancy by appointment until such time as a general or special municipal election shall be held to fill such vacancy and until such person or persons then elected shall qualify and accept the duties of his office. A vote shall be taken and record made in the filling of vacancies as in the filling of appointive offices.

SECTION 14 VILLAGE BOARD MEETINGS; ORDER OF BUSINESS

The Village Board shall each year at the first organizational meeting of the new Board, set for the coming year a date each month for the regular monthly Village Board