

ORDINANCE RECORD

No. 728 ★ ★ ★ K-B PRINTING Co. ★ ★ ★ OMAHA

CITY HALL LEXINGTON, NEBRASKA

The Mayor and Council of the City of Lexington, Dawson County, Nebraska, met in regular special session in the City Hall at 8 o'clock A. M., on Wednesday Dec, 2-42 Mayor Cook presided and City Clerk Egenberger recorded the proceedings of this meeting.

The Mayor instructed the Clerk to call the roll. The Clerk called the roll and the following Councilmen were present: Stewart, Ingram, Seaman, Lincoln, Reynolds and Beisner

Absent: None

Whereupon the Mayor announced that the introduction of ordinances was now in order, and the matter now coming before the Mayor and Council was the passage and approval of Ordinance No. 377 of the City of Lexington, Nebraska.

This ordinance was introduced by Councilman Stewart and is in words and figures as follows, to wit:

ORDINANCE NO. 377

AN ORDINANCE TO BE KNOWN AS THE "BLACKOUT ORDINANCE"; PROVIDING FOR MAYOR TO PROMULGATE AND CARRY OUT PRECAUTIONARY MEASURES AGAINST AIR-RAIDS NECESSARY FOR CONDUCT OF PERSONS AND TO PROTECT LIFE AND PROPERTY; MAYOR EMPOWERED TO MAKE, AMEND OR RESCIND SUCH GENERAL ORDERS, RULES AND REGULATIONS AS MAY BE DEEMED NECESSARY NOT INCONSISTENT WITH ORDERS, RULES OR REGULATIONS OF ARMY OR OFFICE OF CIVILIAN DEFENSE; MAYOR AUTHORIZED TO DELEGATE AUTHORITY IN WRITING; AUTHORIZING LAW-ENFORCING AUTHORITIES TO ENFORCE ORDERS, RULES AND REGULATIONS OF THE ACT; AUTHORIZING MAYOR TO APPOINT IN WRITING DULY CERTIFIED AIR-RAID WARDENS, FIRE-WATCHERS, AUXILIARY PERSONNEL AND OTHER CIVILIAN DEFENSE WORKERS AND TO REMOVE THEM; PROVIDING THAT NEITHER CITY, NOR ITS AGENTS OR REPRESENTATIVES, IN GOOD FAITH COMPLYING WITH ORDERS, RULES OR REGULATIONS, SHALL BE LIABLE FOR INJURY OR DEATH TO PERSONS OR DAMAGE TO PROPERTY, THE FOREGOING NOT TO AFFECT RIGHT OF PERSON TO RECEIVE BENEFITS OR COMPENSATION TO WHICH HE IS ENTITLED; PROVIDING FOR FINE OR IMPRISONMENT UPON CONVICTION; PROVIDING FOR PUBLICATION; PROVIDING FOR TERM OF ORDINANCE.

BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. Blackouts and other Precautionary Measures.

(a) In order to protect life and property in this city of Lexington, Nebraska, the Mayor is hereby authorized, empowered and directed to promulgate and carry out throughout this city of Lexington, precautionary measures against air raids and other forms of attack, such measures to include practice blackouts, radio silences, and such other measures as will effect the discontinuance of any activity which may assist an enemy in accomplishing his objective, and precautionary measures to minimize the loss of life or property which might result from such attacks and precautionary measures which may be necessary for the conduct of persons during practice blackouts and blackouts, and to make, amend, or rescind such general orders, rules, and regulations as may be deemed necessary in connection therewith, not inconsistent with any order, rule, or regulation of the Army of the United States or of the Director of Civilian Defense.

FLEXIBLE HINGE
PATENTED
L.L. BROWN & SONS
PAPER CO.
LINEN
LEADER

ORDINANCE RECORD

No. 728 *** K-B PRINTING Co. *** OMAHA

(b) The Mayor is authorized to delegate in writing to such agencies or persons as he may designate or appoint for such purpose, the authority granted by this Ordinance.

(c) Without limiting the generality of the foregoing provisions, the orders, rules and regulations heretofore authorized may include provisions for uniform air raid signals, the control of traffic movements of emergency or other vehicles, evacuation of residents, conduct of persons during practice blackouts and blackouts, lighting of streets, buildings, and vehicles, and moises of all kinds.

(d) The law-enforcing authorities of the city of Lexington, are authorized and directed to enforce the orders, rules, and regulations made or issued pursuant to this Act.

Section 2. Appointment of Air Raid Wardens and Others.

The Mayor, or such agencies or persons as he may designate or appoint in writing for such purpose, is hereby authorized to appoint in writing duly certified air raid wardens, fire watchers, auxiliary personnel, and other civilian defense workers, and to remove them from office for cause.

Section 3. Immunity from Liability.

Neither the city of Lexington, nor the agents or representatives thereof, in good faith carrying out, complying with, or attempting to comply with, any order, rule, or regulation promulgated pursuant to the provisions of this Ordinance, shall be liable for any injury or death to any persons or damage to any property as the result of any such activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under the Workmen's Compensation Law or any pension law or any Act of Congress.

Section 4. Penalties.

Any person violating any order, rule or regulation promulgated pursuant to this Ordinance shall, upon conviction thereof, be punishable by fine not exceeding \$100.00 and shall be confined to Jail until said fine and costs are paid.

Section 5. Effective Date.

This Ordinance shall take effect immediately.

Passed and Approved, this 2nd day of December, 1942.

E.A.Cook, Jr.
(Mayor or President)

ATTEST: W.R.Egenberger
Clerk

Published in Lexington Clipper

on December 3, 1942.