

ORDINANCE NO: 1685

AN ORDINANCE TO AMEND SECTION 2-22 AND SECTION 28-41 OF THE LEXINGTON CITY CODE: TO PROVIDE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT: TO AMEND ORIGINAL SECTIONS 2-22 AND 28-41 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE AND PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

Section 1. Section 2-22 of the Lexington City Code is hereby amended to provide as follows:

Section 2-22 Composition; appointment, qualifications, compensation, term of office and removal of members; filling vacancies in office.

The city planning commission shall consist of nine members who shall represent insofar as it is possible different professions or occupations in the city, who shall be appointed by the mayor, by and with the approval of a three-fourths vote of the council. All members of the planning commission shall reside within the zoning jurisdiction of the City of Lexington, Provided, that not more than twenty-five percent of the members may reside outside of the corporate limits of the City of Lexington. All members of the commission shall serve as such without compensation and shall hold no other municipal office. The term of each member shall be three years; except, that three members of the first commission to be so appointed shall serve for the term of one year, three for the term of two years and three for a term of three years. All members shall hold office until their successors are appointed. All members may, after a public hearing before the council, be removed by the mayor, by and with the consent of a three-fourths vote of the council, for inefficiency, neglect of duty of malfeasance in office or other good and sufficient cause. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the mayor.

Section 2. Section 28-41 of the Lexington City Code is hereby amended to read as follows:

Section 28-41. Composition; Rules and Regulations; and Powers.

The Board of Adjustment shall consist of five (5) regular members, plus one (1) additional member designated as an alternate who shall attend and serve only when one (1) of the regular member is unable to attend for any reason, each to be appointed for a term of three (3) years and removable for cause by the City Council upon written charges and after public hearings. All members of the Board of Adjustment shall reside within the corporate limits of the City of Lexington. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. One member only of the Board of Adjustment shall be appointed from the membership on the Planning Commission, and the loss of membership on the Planning Commission by such member shall also result in his immediate loss of membership on the Board of Adjustment and the appointment of another Planning Commissioner to the Board of Adjustment. The Board of Adjustment shall adopt rules in accordance with the provisions of this ordinance and with state law.

Section 3. Original Section 2-22 and 28-41, and all other ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 28th day of July, 1981.

Elyse D. Cornish
Mayor

ATTEST:

Lou E. Mahan
City Clerk

