	<p style="text-align: right;"><b>"OPEN MEETINGS ACT"</b></p> <p style="text-align: right;">City of Blair Regular Parks, Recreation and Cemetery Advisory Board Meeting City Council Chambers <b>April 21, 2026 - 5:30 PM</b></p>
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**A Copy of the "Open Meetings Act" Has Been Posted at Both Exits**

**AGENDA**

**NOTE: A current copy of the agenda can be obtained at the City Clerk's Office at 218 S. 16th Street, Blair, Nebraska or on the City website at [www.blairne.gov](http://www.blairne.gov). The City Council reserves the right to go into Executive Session at any time.**

- 1.Meeting called to order by Chairperson Anderson at 5:30 p.m.
- 2.Roll Call of members.
- 3.Approval of minutes from the March 17, 2026, meeting.
- 4.Budget report for March 2026.
- 5.Discussion and possible action regarding the 100-year Cemetery project.
- 6.Discussion and possible action regarding E-Bike locations and the City applying for a grant through NRD to offset the costs of the program.
- 7.Discussion and possible action on a location for a new Bike Pump Track in Steyer park,.
- 8.Discussion and possible action regarding an updated City of Blair Tree Ordinance.
- 9.Discussion and possible action on the setting of the Blair Pool fees for the 2026 season.
10. Deputy City Administrator of Public Works Heaton Report.
11. Motion and second by Council members to adjourn the meeting.

**A Copy of the "Open Meetings Act" Has Been Posted at Both Exits**

City of Blair Regular Parks, Recreation and Cemetery Advisory Board Meeting  
Tuesday, March 17, 2026

Agenda Item #1 - The Blair Parks, Recreation and Cemetery Advisory Board met in regular session in the City Council Chambers on Tuesday, March 17, 2026, at 5:30 PM. with Chairman Anderson presiding.

The Chairman publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. Notice of the meeting was given in advance thereof by publication in the Enterprise or the Pilot -Tribune as shown by the affidavit of publication filed in the City Clerk's office. Notice of the meeting was simultaneously given to the members of the Blair Parks, Recreation and Cemetery Advisory Board and the agenda is filed in the City Clerk's office. Availability of the agenda was communicated in the advance notice and in the notice to the Blair Parks, Recreation and Cemetery Advisory Board of this meeting. All proceedings hereafters shown were taken while the convened meeting was open to the attendance of the public.

Agenda Item #2 – Roll Call of members – The following were present: Betsy Anderson, Sarah Boeka, Corey Hafer, and Dean Thoene. Absent: Joe Burns and Kristi Rounds. Also present were City Administrator Green, Deputy City Administrator of Public Works Heaton, Parks Director Bilslend and Non-Lawyer Assistant Ferrari.

Agenda Item #3 – Approval of minutes from the February 17, 2026, meeting – Motion by Sarah Boeka, second by Corey Hafer to approve the Minutes from February 17, 2026, meeting. Board members voted as follows: Betsy Anderson: Yea, Sarah Boeka: Yea, Joe Burns: Absent, Corey Hafer: Yea, Kristi Rounds: Absent, Dean Thoene: Yea. All Board members voted: Yea: 4, Nay: 0, Absent: 2. Chairman Anderson declared the motion carried.

Agenda Item #4 – Budget report for February 2026 – The February 2026 budget report was presented to the Board for review. No questions or comments were raised by Board members, and no formal action was taken.

Agenda Item #5 – Request to appear before the Board from Pastor Glen, First Lutheran Church for an update on Potter's Field at the Blair Cemetery - Pastor Glen Thomas of First Lutheran Church, 657 N. 22nd Street, appeared before the Board to provide an update on the Potter's Field project at the Blair Cemetery. Pastor Thomas reported that once weather conditions improve, additional tree removal will resume. He stated that ground cover will be planted to address erosion along the bank, noting the selected plant is Lamium, which has properties suitable for stabilizing the soil. He announced a volunteer planting day scheduled for April 18 and noted the plants have been donated. He further explained that an expert in historic grave markers will be consulted to assist with restoration efforts, with the goal of completing the work this spring. Funding has been secured through a grant from the Community Foundation. Pastor Thomas thanked the Board and City staff for their assistance and support and expressed hope that additional grave markers may be identified during restoration. No action was required or taken.

Agenda Item #6 – Request from Baylor Barrow seeking approval for his Eagle Scout Project - Baylor Barrow, 10738 Oak Park Ln, Blair, with Troop 145 sponsored by Arlington

Community Church, appeared before the Board to request approval for his proposed Eagle Scout Service Project in partnership with the City of Blair. Barrow presented a Downtown Beautification and Recycling Project, to be completed under the guidance of Betsy Anderson. The project involves transplanting overgrown decorative plants from Main Street locations to pocket parks throughout the city, including the Art Alley downtown. He explained that this approach would enhance public green spaces while reusing existing plant materials rather than removing them. Barrow discussed the significance of the project in anticipation of the nation's 250th birthday celebrations and emphasized the benefit of improved community gathering spaces. He noted that he would lead four to eight volunteers, all work locations would be approved in advance, and best practices would be followed to ensure plant survival. Board member Dean Thoene asked whether underground utilities would be identified prior to digging. Chairperson Anderson asked about long-term maintenance concerns due to limited Parks Department staffing. Barrow responded that he would maintain the plantings over the summer and that Art Alley volunteers would assist once the plants are established. Motion by Sarah Boeka, second by Corey Hafer to approve Baylor Barrow's Eagle Scout Project. Board members voted as follows: Betsy Anderson: Yea, Sarah Boeka: Yea, Joe Burns: Absent, Corey Hafer: Yea, Kristi Rounds: Absent, Dean Thoene: Yea. All Board members voted: Yea: 4, Nay: 0, Absent: 2. Chairman Anderson declared the motion carried.

Agenda Item #7 – Presentation by Brent Fulmer regarding Bicycle Playground location and features - Brent Fulmer, 2810 Westridge Drive, presented information regarding a proposed bicycle playground (pump track) intended for children ages 12 and under. He explained that the Board's guidance was needed to determine a location before engaging an engineer. Mr. Fulmer reviewed four possible locations and identified Steyer Park as the preferred site due to available amenities, sidewalks, restroom access, existing recreational facilities, and natural topography that would allow for elevation changes. Board members discussed compatibility with the nearby skate park, potential expansion, noise considerations, and tree impacts. No trees are expected to be removed. No formal action was taken.

Agenda Item #8 – Presentation by the Blair Historic Preservation Alliance regarding improvements to the Depot - Dawn Nielsen, 102 Courtvue Dr., President of the Blair Historic Preservation Alliance (BHPA), and Jon Stewart, 1029 N. 27<sup>th</sup> St., presented a Depot maintenance wish list for the historic Train Depot located in Lions Park. She reviewed the building's history, maintenance challenges, recent meetings with City staff, and proposed repairs. Nielsen and Stewart reported that BHPA voted to donate \$5,000 toward priority maintenance items, including refinishing the west room floor and replacing serving tables. They are also requesting matching Keno funds. Discussion was held regarding electrical updates and accessibility concerns. Motion by Dean Thoene, second by Corey Hafer to receive and place on file the bids for the floor repair. Board members voted as follows: Betsy Anderson: Yea, Sarah Boeka: Yea, Joe Burns: Absent, Corey Hafer: Yea, Kristi Rounds: Absent, Dean Thoene: Yea. All Board members voted: Yea: 4, Nay: 0, Absent: 2. Chairman Anderson declared the motion carried. Motion by Dean Thoene, second by Corey Hafer to accept donation and approve the scope of work. Board members voted as follows: Betsy Anderson: Yea, Sarah Boeka: Yea, Joe Burns: Absent, Corey Hafer: Yea, Kristi Rounds: Absent, Dean Thoene: Yea. All Board members voted: Yea: 4, Nay: 0, Absent: 2. Chairman Anderson declared the motion carried.

Agenda Item #9 – Discussion regarding possible E-Bike locations and the City applying for a grant through NRD to offset the costs of the program - Parks Supervisor James Bilsend

presented information regarding a proposed e-bike program and a 50/50 NRD grant application totaling \$50,000 for two stations, tentatively located at Generations Park and near the YMCA. The Board agreed to table discussion to a future meeting. No action was taken.

Agenda Item #10 – Staff Report - Staff provided updates on park improvements, cemetery maintenance, controlled burns at Niehardt Park, and upcoming planning initiatives. City Administrator Green stated the city will soon begin the comprehensive plan process and encouraged the Board members to participate when they can. Non-Lawyer Assistant Ferrari announced her resignation.

Agenda Item #11 – Adjournment – Motion by Dean Thoene, second by Sarah Boeka to adjourn the meeting 6:26 pm. Board members voted as follows: Betsy Anderson: Yea, Sarah Boeka: Yea, Joe Burns: Absent, Corey Hafer: Yea, Kristi Rounds: Absent, Dean Thoene: Yea. All Board members voted: Yea: 4, Nay: 0, Absent: 2. Chairman Anderson declared the motion carried.

Brenda Wheeler, Recording Secretary

REVENUE AND EXPENDITURE REPORT FOR CITY OF BLAIR

Balance As of 03/31/2026

\*NOTE: Available Balance / Pct Budget does not reflect amounts encumbered.

GL Number	Description	25-26 Amended Budget	YTD Balance 03/31/2026 (Abnormal)	Activity For 03/31/2026 Increase (Decrease)	Available Balance 03/31/2026 Normal (Abnormal)	% Bdgt Used
<b>Account Category: Expenditures</b>						
PERSONAL SERVICES						
01-014-5001	SALARIES	328,200.00	163,763.60	25,636.12	164,436.40	49.90
01-014-5002	FICA - CITY SHARE	25,107.30	12,350.55	1,884.01	12,756.75	49.19
01-014-5003	WORKMAN'S COMPENSATION	12,100.00	11,128.86	0.00	971.14	91.97
01-014-5004	H.A.L. INSURANCE	100,300.00	65,036.51	10,479.40	35,263.49	64.84
01-014-5005	RETIREMENT - CITY SHARE	24,775.00	10,023.93	1,591.00	14,751.07	40.46
01-014-5006	UNEMPLOYMENT COMP	500.00	0.00	0.00	500.00	0.00
01-014-5007	DISABILITY	1,500.00	533.82	88.97	966.18	35.59
01-014-5008	PENSION ADMINISTRATION	300.00	78.00	0.00	222.00	26.00
	PERSONAL SERVICES	492,782.30	262,915.27	39,679.50	229,867.03	53.35
OPERATING EXPENSE						
01-014-5210	LEGAL	3,000.00	231.80	40.00	2,768.20	7.73
01-014-5211	AUDITING	2,500.00	1,020.00	450.00	1,480.00	40.80
01-014-5212	ENGINEERING/CONSULTANT	5,200.00	5,446.39	156.98	(246.39)	104.74
01-014-5213	PROFESSIONAL SERVICES	31,000.00	0.00	0.00	31,000.00	0.00
01-014-5215	EMPLOYEE SCHOOLING	1,000.00	883.64	0.00	116.36	88.36
01-014-5216	POSTAGE	100.00	0.00	0.00	100.00	0.00
01-014-5217	PRINTING & PUBLICATION	1,000.00	142.43	8.65	857.57	14.24
01-014-5222	TRAVEL EXPENSE	1,000.00	0.00	0.00	1,000.00	0.00
01-014-5223	TRAINING EXP/CONF REGISTR	1,500.00	465.00	0.00	1,035.00	31.00
01-014-5224	DUES	500.00	68.63	0.00	431.37	13.73
01-014-5227	SOFTWARE MAINTENANCE	7,700.00	8,291.91	290.66	(591.91)	107.69
01-014-5228	UTILITIES	40,000.00	23,619.85	7,127.14	16,380.15	59.05
01-014-5229	TELEPHONE	3,500.00	3,407.00	663.49	93.00	97.34
01-014-5230	VEHICLE INSURANCE	5,000.00	5,809.32	0.00	(809.32)	116.19
01-014-5231	LIABILITY INSURANCE	1,500.00	1,666.80	0.00	(166.80)	111.12
01-014-5232	BLDG & CONTENT INSURANCE	32,000.00	50,305.33	0.00	(18,305.33)	157.20
01-014-5236	RADIO MAINTENANCE	100.00	0.00	0.00	100.00	0.00
01-014-5239	MOTORIZED EQUIPMENT MAINT	12,000.00	3,040.34	141.26	8,959.66	25.34
01-014-5240	BUILDING MAINTENANCE	45,000.00	36,251.59	9,583.04	8,748.41	80.56
01-014-5241	TREE/STUMP REMOVAL & PLANTING	20,000.00	4,345.90	4,130.00	15,654.10	21.73
01-014-5244	RECREATION ASSISTANCE	60,000.00	0.00	0.00	60,000.00	0.00
01-014-5245	MEDICAL	4,000.00	0.00	0.00	4,000.00	0.00
01-014-5253	REPURCHASE CEMETERY LOTS	2,000.00	0.00	0.00	2,000.00	0.00
01-014-5258	OTHER OPERATING EXPENSE	20,000.00	0.00	0.00	20,000.00	0.00
01-014-5259	BLACK ELK MAINTENANCE	2,000.00	2,000.00	0.00	0.00	100.00
01-014-5263	OPTIMIST BOAT RAMP	3,000.00	268.00	268.00	2,732.00	8.93
01-014-5266	CONTRACT MOWING	80,000.00	18,391.25	0.00	61,608.75	22.99
01-014-5276	DEPOT / SHELTERS / COURT REFUNDS	1,000.00	75.00	0.00	925.00	7.50
01-014-5281	STORM DAMAGE	50,000.00	0.00	0.00	50,000.00	0.00
	OPERATING EXPENSE	435,600.00	165,730.18	22,859.22	269,869.82	38.05
EXPENDABLE MAT & SUPPLIES						
01-014-5359	OFFICE EQUIPMENT	500.00	0.00	0.00	500.00	0.00
01-014-5360	OFFICE SUPPLIES	1,000.00	618.37	14.51	381.63	61.84
01-014-5361	JANITORIAL SUPPLIES	3,000.00	771.80	0.00	2,228.20	25.73
01-014-5363	CHEMICALS	8,000.00	1,414.97	0.00	6,585.03	17.69
01-014-5364	SEED, SOD, ETC	3,000.00	0.00	0.00	3,000.00	0.00
01-014-5365	GENERAL SUPPLIES	11,000.00	5,800.84	5,642.45	5,199.16	52.73
01-014-5369	SAFETY EQUIPMENT/TRAINING	1,850.00	1,900.78	1,196.05	(50.78)	102.74

REVENUE AND EXPENDITURE REPORT FOR CITY OF BLAIR

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<b>Account Category: Expenditures</b>						
EXPENDABLE MAT & SUPPLIES						
01-014-5370	GAS/OIL/DIESEL	8,500.00	4,286.96	1,068.98	4,213.04	50.43
01-014-5371	UNIFORMS	3,000.00	1,380.30	200.04	1,619.70	46.01
01-014-5372	BOOKS & MAPS	100.00	0.00	0.00	100.00	0.00
01-014-5373	SMALL TOOLS	4,500.00	4,256.00	1,350.68	244.00	94.58
01-014-5374	SAND/GRAVEL/ROCK	4,000.00	39.83	0.00	3,960.17	1.00
01-014-5383	OTHER EXPENSE MATL & SUPP	1,000.00	315.99	0.00	684.01	31.60
	EXPENDABLE MAT & SUPPLIES	49,450.00	20,785.84	9,472.71	28,664.16	42.03
RENTAL EXPENSE						
01-014-5392	MOTORIZED EQUIP/GRAVE OPENING	10,000.00	8,000.00	1,500.00	2,000.00	80.00
	RENTAL EXPENSE	10,000.00	8,000.00	1,500.00	2,000.00	80.00
OTHER CAPITAL OUTLAY						
01-014-5401	OFFICE EQUIPMENT - CAPITAL	27,500.00	4,779.10	0.00	22,720.90	17.38
01-014-5402	MOTORIZED EQUIPMENT	14,000.00	5,189.30	0.00	8,810.70	37.07
01-014-5403	MOTORIZED EQUIPMENT (LARGE)	130,000.00	85,193.99	749.99	44,806.01	65.53
01-014-5419	OTHER IMPROVEMENTS/PARK SIGNS	64,000.00	5,439.64	4,283.29	58,560.36	8.50
	OTHER CAPITAL OUTLAY	235,500.00	100,602.03	5,033.28	134,897.97	42.72
CAPITAL IMPROVEMENTS						
01-014-5504	PAVING STREET & HIGHWAY	20,000.00	0.00	0.00	20,000.00	0.00
01-014-5506	BUILDING/RESTROOM	5,000.00	0.00	0.00	5,000.00	0.00
01-014-5519	PLAYGROUND EQUIPMENT	7,500.00	7,250.00	0.00	250.00	96.67
	CAPITAL IMPROVEMENTS	32,500.00	7,250.00	0.00	25,250.00	22.31
Expenditures		1,255,832.30	565,283.32	78,544.71	690,548.98	45.01

## PUBLIC NOTICE

### CEMETERY BURIAL SPACES

The City of Blair is in the process of bringing the ownership records of cemetery spaces in Blair Cemetery up-to-date and to make abandoned burial spaces available for sale to the general public. Records need to be verified so there is no misunderstanding as to the ownership of the burial spaces. We want to make it abundantly clear that we are not attempting to deprive anyone of their right to be buried in a burial space to which they are entitled.

In many cases, the city's records show the deed is actually in the individual's name who originally purchased the space(s) and that person may have moved, passed away, or have been under the assumption that upon death, the space(s) are automatically transferred to another family member. The deed does not transfer to another individual unless one of the following procedures is completed through the City Clerk's office:

- 1) In cases where the current record owner is living and would like to transfer the space(s) to another individual, the record owner must endorse their request in writing, which can be done on the back of the existing deed. All requests must be notarized.
- 2) In cases where the record owner is deceased and there is no probated Will, probate procedures will need to be followed in order to transfer the cemetery space(s). A small estate affidavit can be provided if the probate property is less than \$100,000 in value.
- 3) In cases where the current record owner is deceased and the estate is completely probated, the City Clerk's office would need certified copies of the following documents that establish to whom the deed should pass:
  - A copy of the decedent's Will
  - A copy of the order issued by the County Court admitting the Will to probate
  - In cases where there is no Will, a certified copy of the court order determining the heirs of the estate

The City Attorney reviews all documents provided to the City Clerk's office prior to the transfer of any deeds.

**A \$25 deed transfer fee is charged for each new deed issued.**

Below is a complete list of the current record owners along with the burial space(s) that the city is attempting to identify proper ownership of. The entirety of these space(s) were purchased prior to 1926. If you believe you are entitled to any of these burial space(s),

please notify the city as instructed below. If you know of anyone whose family's name(s) is on the list, please make them aware of this notice. This notice is also posted on the city's website [www.blairne.gov](http://www.blairne.gov).

Due to the expected high volume of inquiries, we ask that you notify the City Clerk's office in writing at 218 S. 18<sup>th</sup> Street, Blair, NE 68008 or by email at [cityclerk@blairne.gov](mailto:cityclerk@blairne.gov) to allow time to research. For additional questions contact the City Clerk's office at 402-426-4191.

If no information is received regarding the burial space(s) listed below, Nebraska State Law permits the city to declare that such space(s) are abandoned and the title will revert back to the City of Blair Sixty (60) days from publication of this Notice. Please be advised that this is an ongoing process and future lists will be published.

#### NOTICE OF DECLARATION OF ABANDONMENT

Notice is hereby given that the City of Blair, Nebraska hereby declares the following unoccupied cemetery lots have been abandoned and, pursuant to § 12-701 R.R.S. title to these lots revert back to the City of Blair, Nebraska unless within Sixty (60) days from the date of publication of this notice, the record owner or his/her heirs or devisees give the City of Blair written notice that there has been no such abandonment and shall pay all costs associated with the proper transfer of title, if necessary.

#### Blair Cemetery

Lot	Block	Grave Space	Owner Name
1	1	3	Elizabeth Carsen
1	1	4	P. H. Pease
1	2	1-3,5,7-12	Eli (Elias) Avery
1	3	1-3, 10-12	Charles W. Joy
1	4	4-7, 9-10	Joseph B. W. Vertz
1	5	6	William Temple
1	6	3, 5, 6, 9, 11-12	Alfred and Sarah A. Hester
1	9	1-3, 8-11	H. A. McDonald
1	10	1-6, 8-10	Francis Halbert
1	11	1-6, 10-12	J. A. Ricks
1	12	1-4, 6, 8-12	James Rawhouser
1	13	2-6, 8-12	T. H. Granger
1	14	1-3	Jim Jensen
2	1	7-8	P. W. Dixon
2	2	8, 10-12	George I. Houghton (c.a.)
2	3	3	Ferdinand Busch
2	3	4, 6-9	J. B. Davis
2	4	2	Christ Bergmann
2	4	8	Christ Bergmann

2	6	3-6	Detlef Schmidt
2	7	7-8, 11	Maria L. Boston
2	8	2-12	M. M. Loiable
2	9	7-12	Joseph Thompson
2	11	1-12	John Bunt
2	12	3	Christ Tranberg
2	12	10	Gustave Mencke
2	14	1	Mabel Bailey
2	14	10	John Bailey
3	1	2	Ed Miller
3	2	1	John Swan
3	2	9	Hollis A. Wentworth
3	3	1-2, 9-12	John F. Smith
3	4	10-11	Frank Michael
3	5	1-2, 7-8	Nels C. Christiansen
3	6	1	Fred Davis
3	6	12	Fred Davis
3	7	2, 7, 9-12	Francis M. Stanfield
3	8	1-12	Harrison Tucker
3	9	1-4, 9-12	W. G. Howe
3	10	4-6	Charles Dean
3	10	10	C. Jacobsen
3	11	3	George Wentworth
3	11	6	Wilson Pyles
3	12	1-6, 8-12	G. W. Smith
3	14	1-3	John Lamb
3	14	4-6	J. M. Jensen
4	1	1-2	Nels Jespersen
4	2	3	Sarah Stewart
4	2	7-8	Gertrude Wentworth
4	3	2-5	Christ Jensen
4	4	2-3	H. E. Rodman
4	5	7-8	J. J. Freeman
4	6	1-4, 9-11	Henry W. Rose
4	7	5, 7, 8, 10-12	Frank Sheeley
4	8	1-5, 7-12	Austin Rockwell
4	10	6	Jacob M. Evans
4	11	2	Casper Piatt
4	12	5	John F. Gosch Estate (north 1/2 of 5)
4	12	7-9	George Wall
4	13	3	C. A. Linn
4	14	1-2	Winther H. Larsen
4	14	9-10	Soren Jensen
5	1	1-5, 7-12	Lydia Hamilton
5	2	2, 10-12	Knute Nelson
5	3	4	George Wilson

5	4	1-2	C. E. Beaty
5	4	4-5	H. A. Hinman
5	4	9	S. C. Mathews
5	4	10	N. W. Cole
5	5	1-3	Ora Carson
5	6	1-6, 8-12	R. A. and J. Boyer
5	7	4-9	M. E. Noble
5	9	6	J. W. Lecrone
5	10	4-6	Wiebke Wulf
5	11	10-12	Richard Lague
5	13	1-4	James S. Wilder
5	14	1-12	J. W. Alexander
6	3	4-5	Joe Moore
6	4	4	Mrs. E. M. Conners
6	4	9	T. E. Brisner
6	5	7	Peter Madsen
6	6	4-6	P. E. Danielson
6	7	1-12	E. B. Wright
6	8	7-8, 12	Larken Tucker
6	9	9	W. Flinn
6	10	5-6	Emma Hemming
6	10	9	Andrew Anderson
6	11	1	George Tietjens
6	11	3	Alfred H. Farsell
6	11	4-6	W. C. Rutherford
6	11	7, 9	Simon Keaton
6	11	10	Theo Karger
6	12	1	Mads P. Jensen
6	12	11-12	J. P. Quist
6	14	3-6, 8-10	Sarah J. Wilkins
7	1	1, 6, 9-10	Bert Norris
7	4	10-12	Niels Collins
7	5	2-3	John Henrichs
7	5	4	Detlif Anderson
7	5	7-8	Charles Lewis
7	6	4-7	Martin Rasmussen
7	6	10-12	Theo Hermann
7	7	2-3	Martin Bussell
7	8	4-5	Geo Eliassen
7	8	8-9	Mrs D. Eliassen
7	9	11	P. J. Gossard
7	10	4-5	Frank Tinkum
7	10	11	Ida G. King
7	11	7	Mattie C. Nielsen
7	12	4, 6	Louis Hansen
7	14	4-5	John F. Thompson

8	1	1-2, 6-12	Herbert Foster
8	2	1-2, 6, 11-12	Thos Hitchcock
8	4	1	Theodore Anderson
8	4	10-11	Jenseine Moeller
8	6	7-8	Nicholas T. Biffar
8	7	4, 6, 11-12	George C. Cachelin
8	8	1	James & Charles Justice
8	8	5	Hans Beckman
8	8	12	James & Charles Justice
8	9	4-5	Tom Chadwick
8	9	10-11	George Bateman
8	10	7-8, 12	Christoffer Paulsen
8	11	10-12	Anna Elsie Petersen
8	12	5	Eugene L. Perry
8	13	1-2	Isaac Dennis
8	13	9	Marie Nielsen
8	14	1-3	George F. Reeves
8	14	4-5, 7	James M. Dixon
8	14	11-12	George F. Reeves
9	3	6-12	Hattie E. Sutherland
9	4	9	Paul K. Siert
9	5	4, 9	Thomas Anderson
9	6	3	Soloman Hinehine
9	6	4	Sophie Johanson
9	6	7, 9	P. G. Rohwer
9	7	12	Martin N. Nelson
9	10	2	Annie P. Pease
9	11	4-5 11-12	Mary A. Carter
9	12	3, 12	Andrew Bohs
10	3	9	T. T. Morehead
10	3	10-12	Lloyd Wilder
10	4	10	Nels Jacobsen
10	5	1, 10-12	J. A. Newell
10	6	1-2, 6-12	Geo. Blanchard
10	7	1-3, 10-12	William Maher
10	7	4, 6-9	Fred Gutschow
10	8	1-3, 6-12	Samuel Miles
10	9	4	Electa Dodd
10	10	2-3	James Arthur McEvers
10	10	9	W. T. Spencer
10	10	10-12	James Arthur McEvers
11	5	6	Oscar Groethe
11	6	2, 8-9	Ernest E. & S. Green Gustin
12	1	2, 6-8, 11	Alice Jones
12	2	1-2, 6-12	Margaret A. Fryman
12	4	4, 9	W. H. Michelsen

12	5	4, 7-9	James Carpenter
12	6	4, 7-9	W. F. McNair
12	6	12	William Barton
13	1	4	J. I. Petersen
13	1	10-11	Mary E. Allen
13	2	11	Stephen B. Phillips
13	3	1, 5-6, 9-12	J. E. McCracken
13	4	4, 9	Thos. Johnson
13	4	10	Fred S. Jenkins
13	6	1-2, 5-12	Mary E. Tyson
13	7	2-3	Geo. Kuhr
13	7	4-5	Henry L. Kuhr
13	8	2, 12	James P. Jensen
13	9	3-4, 10	Harry Seltz
13	11	1-3, 10-11	Ella A. Young
13	12	3-4, 12	John McDonald
14	1	7-9	Teresa Hilton
14	1	10-11	Ellen M. McKenney
14	2	1, 5, 7-12	Richard Johnson
14	3	1-3, 6-12	Millie A. Pullen
14	4	7-9	J. E. Devore
14	5	1-5	Martin Angersen
14	5	10-12	Nathan A. Pike
14	6	4, 6, 9	John C. Anderson
14	7	4, 9	August Rathmann
14	9	8-12	C. E. Ayers
14	11	6, 12	Peter Nohrenburg
14	12	1-2, 5-8, 11	Fannie George
15	1	1-9, 11-12	John A. Dix
15	2	1-3, 7-12	John A. Dix
15	3	3	Sarah Jewell
15	3	5	V. W. Bartlett
15	3	10	Sarah Jewell
15	4	2	Pauline Schultz
15	4	4-6	Frank Clifton
15	5	1-3	Abbie Tyson
15	5	7, 9	John F. Brahmstad
15	6	5, 11, 12	Johann and Emily Lange
15	7	1-3	Thos. T. Osterman
15	8	1	Alexander Martin
15	8	4-6	George O. Conner
15	8	8-9	Lucy Doyle
15	9	9	L. W. Dulany
15	10	1-2	Peter Dostert
15	10	7-8, 11-12	Jessie Sprague
15	11	1-6	John A. Post Dix

16	1	7-12	Ellsworth Z. Russell
16	2	7, 9-10	John McQuarrie
16	3	1-2, 6-11	Dudley Perkins
16	4	3-4, 10	Claus H. Wulff
16	5	6-7	B. Arndt
16	6	6-12	W. H. Farnsworth
16	7	1-2	Henry Biffar
16	7	10, 12	Mrs. S. A. Thurston
16	8	8-9	Mrs. M. A. Wright
16	9	3, 5-6, 11	George D. Rathmann
16	10	1-3	Sarah A. Baker
16	10	6	F. W. Jones
16	10	10, 12	Sarah A. Baker
16	11	11	Niels Andersen
16	12	2, 5-8, 11	George K. & Vera Nelson
17	2	1-4, 6	William Henry Beard
17	3	1-2, 4-6, 10, 12	George W. Pate
17	4	1-2, 5-6	Valpreiso Bunn
17	5	4-6, 8-9	William L. Edgerton
17	5	12	Christian Gutschow
17	6	1-2, 7-9, 12	Mrs. William Van Horn
17	7	2, 4-7, 11-12	James P. Parker
17	8	4-5	William Humphries
17	9	1-5, 7-12	S. Williams
17	10	4-6, 9	R. Nannah
17	10	10, 12	Mrs. E. A. Fancher
17	11	3-4, 9	Pfautz Maurer Tyson
17	12	4	Mary Grabbe
18	1	1-3, 7-12	N. C. Tarlton
18	2	1-2, 8-9, 11-12	W. R. Weaver
18	3	7, 12	Arthur F. Garske
18	4	1-5, 7-12	G. W. Dixon
18	5	1-2, 9-11	W. H. Eller
18	6	1-3, 6, 9-12	John H. McGuire
18	7	1-11	Ann Vanhorn
18	8	12	Charles H. White
18	9	1-6, 12	Frank McCumber
18	10	8, 11-12	Abraham Sutherland
18	11	1-4, 7-8, 10-12	Jacob Landsbury
18	12	1-6, 8-12	S. T. Roberts
19	1	3	Elizabeth Bump
19	2	4-5	H. G. Nohrenberg
19	2	9-12	Frank Hovendick
19	3	3-6, 8	Gust G. Lundt
19	4	2, 7-10	John Schmidt
19	5	1, 3-6, 10-12	John Ellerbrook

19	6	1, 3	Kate Van Horn
19	6	4, 7-9	William G. Harrison
19	8	1-3, 12	Julius Kegler
19	9	2-3, 5-6	Niels P. Borup
19	10	2-4, 11	Lemuel L. Lantry
19	11	3-4, 7-8	John S. Gearhardt
19	12	4	Ed Wulff
20	2	1-3	Hans Iverson
20	2	4-6	John Fairchild
20	2	10, 12	John S. W. Robinson
20	4	1-2, 8, 10-12	Samuel F. Anderson
20	5	2-3, 8	Ross Petersen
20	6	8, 12	Stephen Tuttle
20	8	1-7, 9, 11-12	Mrs. T.E. Davidson
20	9	1-2, 4-6	Martin V. Stites
20	10	12	Jacob H. Young
20	11	3-6	Peter Johnson
20	12	3-5	Martha J. Phillips
21	2	1, 3, 6	Samuel D. Bouvier
21	3	1-5, 7, 10-12	J. J. Kellogg
21	4	5, 7-8	Geo N. Flinn
21	5	1-5	James F. Wiseman
21	6	1-2, 7-12	J. W. Ostrander
21	7	1, 12	W. W. Noyes
21	8	2-4	Felix R. Davis
21	9	4-5, 8-9	S. J. Berry
21	10	1-6, 8-12	William T. March
21	11	2, 4, 9, 11-12	George Willsey
21	12	3, 5-6, 11-12	Nancy C. Alloway
22	1	1, 6, 9, 12	Adeline McPherson
22	2	3, 5-6	Daniel W. Waite
22	3	5-6, 10-12	Samuel Demaree
22	4	1-3, 10-11	James M. Bovee
22	5	8-12	Josiah J. Young
22	6	1-4, 7-12	Mrs. E. Barnes
22	7	1-2, 6, 10-11	John Innes
22	8	1	Mary Lee
22	8	10-11	Lillian G. Lee
22	9	8-12	Anna E. Cochran
22	10	1-5, 11-12	L. C. Nixon
22	11	3-4	John McBride
22	12	2-4	George W. Dulaney
23	1	3-4	Amasa S. Warrick
23	2	3, 8-10	Samuel Warrick
23	3	1-2, 7-12	L. R. Fletcher
23	4	7-12	Hamilton J. Raver

23	5	5-6, 8-12	Pettingill Van Deusen
23	6	7-12	Llewlyn K. Davies
23	7	1-4, 7, 11-12	Edward W. Hollingsworth
23	8	3-4, 12	Thomas P. Lippincott
23	9	5-6	John G. Warrick
23	10	4-9	Giles Mead
24	1	4-5	Milton W. Martin
24	2	1-4	Charles M. Carter
24	3	1, 4-9	Bengta Nelson
24	3	10-12	Bengta Nelson
24	4	1-4, 7, 12	Geo Fox
24	5	1-5, 7-10	Mrs. James R. Pettit
24	6	1-10	Henry A. Benner
24	7	1-4, 8, 12	Layton W. Greeno
24	8	1-5, 7-8, 12	William J. Kindred
24	9	1-6, 8-12	Daniel Lerch
24	10	4-6	Mrs. Myrtle Fowler
25	1	7-12	Alex Reed
25	2	5-6, 8, 11-12	JP & Laverne Stokes Jr/JTWROS
25	3	1-4, 12	John Richter
25	4	7-12	Daniel McMillan
25	5	1-2, 4-6, 9-12	C. B. Herman
25	6	1-5	S. B. Taylor
25	7	3, 5, 9-10	Levi H. Turner
25	8	1, 3, 4-5, 10-11	Henry Rohwer
25	9	2-5, 11-12	J. Johnson
25	10	1-6, 8, 10	JFW & Philleo R. Hopper
26	1	1, 2, 9-10, 12	Richard O'Hanlon
26	3	1-3, 10	W. T. Bailey
26	4	3, 7, 11-12	Peter R. Benner
26	5	1-2, 5, 7-8	Wellington C. Walton
26	6	1, 3-4, 12	Abraham Castetter
26	7	1-12	Edward Cachelin
26	8	2-3, 11	F. G. Cochran
26	9	3-6, 8, 11	Henry Newell
27	1	1, 7, 9, 12	William H. Palmer
27	2	1-11	H. C. Graves
27	3	1-7, 9-12	John B. Maxfield
27	4	1, 4	Rice Arnold
27	5	4	Floyd & Louise G. Marshall
27	7	10	A. T. Fessenden
27	8	1, 3, 5, 6, 10	Roy & Mabel Bisbee
27	9	1, 6, 10-11	J. H. Thompson
27	10	1-7, 11-12	John Carrigan
28	2	1, 5-6, 8-12	Edward Koenig
28	3	1-5, 10-12	Isaac Thompson

28	4	1-3	Charles Eggleston
28	4	6	Eugene D. & Elva Klingenberg
28	4	10-11	Charles Eggleston
28	6	1-11	Mrs. Charles Thomas
28	7	2, 4-6, 9, 12	Theo Haller
28	8	3, 4, 7, 9-10	John T. Pace
28	9	1-6, 8-12	J. F. Kinney and Sons
28	10	1-3, 10	William Murley
29	1	1, 7-12	Dr. Almon J. Ryan
29	2	1-3	George Sheely
29	2	4-6	R. Beistline
29	2	11-12	George Sheely
29	3	10	Lizzie Concord
29	4	9-10	Morris M. McKenney
29	5	2-12	Michael Van Wilson
29	6	3-5	George Sutherland
29	7	1, 4, 10-12	William B. Taylor
29	8	2, 7, 11-12	Adam E. Piper
29	9	1-3	Samuel Hunt
29	9	7, 9	Mrs. John C. Mann
29	10	2-3	M. D. Bedal
29	10	4-6, 9	William Gray
30	1	2	J. F. Smalley
30	1	6-8	V. Metzger
30	1	10, 12	S. O. Larkins
30	2	6, 8-10, 12	Thomas M. Wright
30	3	4	Thomas Leonard
30	4	1-2	S. C. Hamilton
30	4	4-6, 8-9	John G. Power
30	4	10-12	S. C. Hamilton
30	5	6, 11-12	Archibald D. McManigal
30	6	6	Jane Rowe
30	6	12	L. G. Cameron
30	7	10-11	William Barnhardt
30	8	3	Charles Hopkins
30	8	8-9	Mrs. John W. Byerly
30	8	12	A. I. Groves
30	9	2	A. E. French
30	10	1-8, 12	Hans Rolfson
31	1	9-10	Mary Farnberg
31	2	1, 5, 9-11	J. W. Wilcox
31	3	6	Rasmine Nelson
31	4	6	Anton Michelsen
31	5	4-6	William Wilson
31	6	12	Susan C. Green
31	8	1, 6	Isabel H. Hines

31	9	4-5	John Parath
31	9	10, 12	C. Christensen
32	1	7-12	Stella Latta
32	2	8	Lars Andersen
32	3	7-8	Agnes McMillan
32	4	1	Nellie Charlot
32	4	7-9	Willima F. Smith
32	4	10-11	Nellie Charlot
32	5	5	John Sutherland
32	6	1-8, 11-12	Nickolas Dornacker
32	8	1-3, 10	L. A. Munro
32	9	1	Louise J. Petersen
32	10	1-2	Hugo Haack
33	1	4-7, 9	C. W. Crum
32	2	9	M. H. Smith
33	3	1	Herman H. Hovendick
33	4	1-3, 6-7, 12	Mac S. Rosenbaum
33	5	4-5	Charles A. Mason
33	5	7-8, 12	Ellen Donaldson
34	1	2, 6, 9, 10-11	John S. Bowen
34	2	4-5	Callie Spracker
34	3	3-4	Joseph Rosenbaum
34	4	3, 10, 12	M. H. B. Rosenbaum
34	6	1	J. R. Bryan
34	6	4-7	A. Jacobsen
34	6	10-12	J. R. Bryan
34	8	3-6	Carl Gehrck
34	9	1	Samuel E. Kemp
34	9	4-8	David Demaree
34	10	5-6, 12	Charles McMenemy
35	2	1-4, 7-12	H. B. Dexter
35	3	2-4, 11-12	H. B. Dexter
35	4	1-12	Milton Logan
35	5	4-5, 7-12	Woodcliff Comp #124 Wow
35	6	1-2, 5-7	William A. Bradley
35	7	9	J. S. Caldwell
35	8	1-3, 5-12	John E. West
35	9	1-2, 11-12	Henry Schumacher
35	10	1-6	Roland R. Fletcher
36	1	2-3	Flora M. Tingley
36	2	1-5, 7-12	Victor G. Lantry
36	4	1-2, 7-10, 12	James Foley
36	5	1-2, 6, 9-12	Frances N. O'Linn
36	6	9	O. V. Palmer
36	7	2-3, 10-12	A. P. Howe
36	8	1-6	S. E. Hurd

36	9	4-9	Frank McCumber
37	1	12	John G. Smith
37	2	1-7, 9	Mrs. F. M. French
37	3	2-4, 7-10	F. M. Getty
37	4	1-2, 4, 8, 9-12	George Taylor
37	5	7, 10	Joseph Harder
37	6	3-4	F. W. Greenwood & S. Meyers
37	7	1-8, 11-12	Dora Andersen
37	8	1, 3	George Dawson
37	9	1-4, 11-12	J. H. Flock
37	10	1-2, 7-12	Polly D. Crowell
38	1	4, 8-9, 11	J. G. McIntosh
38	2	1, 7-12	John M. Overman
38	3	10-12	M. B. Wild
38	4	1-2, 7, 10-12	Ed Pilcher
38	6	3-4, 7-8, 11-12	Hans Wulf
38	7	1-2, 5, 7-8, 11	Charles Beekmann
38	8	6-7	John Dulaney
38	9	5	Frank Sprecher
38	10	1-5, 8-9	A. T. Chapin
39	1	1	Alex Carter
39	4	2	D. P. Scott
39	4	4-5	John Wright
39	4	10-11	James McManigal
39	6	3	Victor Wolff
39	7	3	Ephraim C. Lippincott
39	8	9	F. T. Carter
39	9	7, 11	Zachariah T. Brunton
39	10	2, 4, 7	Jacob Carter
40	1	3, 6, 9	John Armstrong
40	2	4-9	Ellen Scott
40	7	3-4, 6, 8	Thomas M. Carter
40	8	1-5, 7-8, 11-12	William Noyes
40	9	1-2, 5-6, 8	Asa Dixon
40	10	3-4, 7	E. B. Frederick
43	1	4-6	William Lage
44	10	2-12	E. & H. Savage
45	1	1-4	John Miller
45	2	2-3	James Kehoe
45	3	1-3, 12	Gayhart Mehrens
45	9	2-3	William V. Miller
45	9	7-8	T. R. Gaines
45	9	11	William V. Miller
45	10	1-6	Margaret Wilber
46	2	1-3	James Denny
46	3	3	Frank Dixon

46	3	5-6	Elsie Weinbrandt
46	4	10-11	Elmer Kephart
46	8	1-2	Charles Dorsey
46	8	6, 9	Eva L. Gundy
46	9	1-3	Amanda J. Lewis
46	9	4-6	Fritz Gutschow
46	10	2	Henry E. Meservey
46	10	7	Chester B. Sprague
47	1	1	J. A. Chard
47	2	7, 9-10	Edgar A. Stewart
47	3	12	Jacob Goll
47	4	12	Sheldon Peck
47	5	11-12	Sarah Gardner
47	6	7-8	Mrs. Nels Thompson
47	8	8	Grace Adelle Billig
47	9	4	A. O. Pound
47	10	2-3, 5-6, 8, 12	Delinda Cook
48	8	1-3, 10-12	Charles Dorsey
48	10	2	Angela N. Bracken
48	10	4-8	John Graf
48	10	11-12	Angela N. Bracken
55	7	7	W. F. Taylor
55	10	1-6, 11	Edward C. Jackson
55	13	1, 4-12	Christ Rathmann
55	16	8-9	P. J. Clark
55	17	5-6	James M. & Sandra J. Pounds
55	17	12	Willam P. Samson
55	22	2, 7-8	Joe S. Cook
55	23	1-2, 6-12	Alta Wainwright
55	27	1-7	George A. Bailey
55	29	1-3	Charles Mortlock
55	29	5	Charles Miller
55	29	12	Charles Mortlock
55	31	9-12	Ben Sheffield
55	33	1-2	Joe Love
55	33	8-9	George Stewart
55	34	3	Blair Ladies Aid
56	1	3, 6	Lewis J. Aronson
56	2	1, 3	Anna Beard
56	2	7, 8, 11-12	Christa Achilles
56	3	6-9	Martha Hinkley
56	4	3, 9-12	Herman Mehrens
56	5	1, 7-11	Hans Grimm
57	2	7-12	Martin Knutson
57	3	1, 9, 11-12	Duane Brown
57	4	1-2, 4, 6	Anna Steffen

57	5	2, 10-11	Elizabeth E. Bailey
57	6	3-5, 7, 10	Hannah Ballard Estates
57	7	2-3	Oscar Guyer
57	7	4, 9	Anna Kolterman
57	7	12	Oscar Guyer
57	8	1-9, 11-12	Mrs V. Ailes
57	9	1-8, 12	Riley M. Talbott
57	10	1-4, 11-12	Israel C. Eller
58	1	1-3, 5-7, 9-12	Samuel Deaver
58	2	2, 10	David E. Smith
58	3	7-9	Mrs. W. W. Athan
58	3	10	John J. Bailey
58	4	1, 5-12	Grant Stewart
58	5	8-9	A. Carver
58	5	10-11	George Luse
58	6	1, 3	Caroline Redding
58	6	4	Christ Wulf
58	7	5-6	James H. Davison
58	7	11-12	Oliver C. Thompson
58	8	4-5	James B. McNair
58	8	11-12	H. Sheets
58	9	1-3, 7, 10	Nathaniel L. Titus
59	10	1	Charles Epling
59	10	9	Robert Epling
59	10	11-12	Charles Epling
60	10	1-4, 6-8, 12	William C. Bryant
61	1	2	William Reeh
61	1	7	Lizzie Richter
61	9	4-5	Jesper Jespersen
61	10	4-6	Peter Reeh
61	10	8-9	James D. Reeh
62	1	5-7, 9-11	J. F. Curtis
62	8	1	Mads Madsen
62	9	3, 7-8	Clark O'Hanlon
62	10	3	William Deaver
62	10	5-6	Mrs. Benjamin Contal
62	10	7, 9	W. A. Chandler
62	10	10-12	William Deaver
63	1	1-6, 9-10	Soren Jensen
63	2	1-2	William McCormick
63	3	5-6, 11-12	Ransen J. Monroe
63	4	7, 12	William H. Miller
64	1	1-8	Thos Wilkinson
64	2	1-3, 9-12	William H. Myers
64	3	6	Nels M. Jensen
64	4	1	Dr. J. V. Hinchman

64	4	4-7	M. O. Headley
64	4	12	Dr. J. V. Hinchman
65	1	3-4, 7, 9-10, 12	John E. Lutz
65	2	7-9	Russell & Catherin Christiansen
65	2	10	Delia K. Patrick
65	3	5-12	Christian A. Schmidt
65	4	8-9	Nellie Cook
65	4	10-12	Peter Gilbertson
65	5	2, 5-11	Edwin Gilbertson
65	12	4-6	Joseph L. Edwards
65	13	9	H. G. Vandeusen
65	13	12	Chris H. Rathmann
65	15	6, 9	Maria A. Beyer
65	15	10-12	Chris Rosenbeck
65	16	7-8	Mrs. E. Mathern
66	1	2-3	Jabez M. Jackson
66	2	5, 7, 9	Fred E. Crutsinger
66	3	2, 5, 9-10, 12	Frank Wallace
66	4	2, 7-9	Frank Hineline
66	6	10	James Hineline
66	11	2	Mrs. George Sublett
66	11	8-9	Charles Barger
66	11	11	Mrs. Smith Holeyton
68	12	2-3	Herman F. Wielau
66	13	1-2	John W. Hineline
66	15	4-8	Myrtle Boston
66	16	1-5, 7, 12	Eliza Barton
67	1	4, 6, 10-12	John Peebles
67	2	7, 8, 11-12	Russell J. Murdoch
67	3	7	Randall M. Iversen
67	4	3	Francis P. Cooper
67	4	12	C. H. Walrath
67	5	7-9	Martha Pontzius
67	5	11	Mrs. Vesta E. Watkins
67	6	9	George Marshall
67	10	12	Ben Jackson
67	11	9	Arthur E. Marsh
67	12	2-3	Mrs. Phillip Smith
67	13	1-3, 12	Ray H. Haynes
67	14	11	Alves Huddleson
67	15	1-7, 11-12	Madison K. & Anna Davies
67	16	5	Irene Winchell Thompson
67	16	12	Irene Winchell Thompson
68	2	7-9	John B. Carter
68	2	10	Martha Davis
68	3	6-8	Charles O. Peak

68	3	12	Harriet M. Dowden
68	4	1	Mary K. Johnson
68	4	4-5	John H. Kropf
68	4	8	Emil T. Andersen
68	4	10-12	Mary K. Johnson
68	11	1-2, 5-10, 12	John W. Sas
68	12	1-3, 10	Henry C. Sanders
68	13	1-3	Herman Detlef
68	13	4-5	Detlef Henningsen
68	15	2-3	Albert W. Mundorf
68	15	4	George H. Kuhr
68	16	4-6	B. F. Evans
68	16	12	Newton K. Mundorf
69	1	5-8, 12	Thomas W. Barger
69	2	3	Cora McKeen
70	1	6, 8, 12	June Woodring
70	2	1, 5-12	Jacob L. Day
70	3	1	Lester D. Springer
70	3	7-9	Mary A. Smith
70	4	1-2, 6-12	Soren Rasmussen
70	5	1-2, 6-8	Eliza J. Cunningham
70	6	1-3, 10	J. C. Rosenbaum
71	2	10-11	Malcolm C. Boston
71	3	5-6	Elton H. Bissell
71	4	1, 5-6, 11-12	Nancy R. Compton
71	6	1, 10, 12	Mrs. Henry C. Rann
71	7	1-7, 12	Karl P. Kundahl
71	8	6	William H. Rahlfs
71	9	4-6, 8-9	Stanley McManigal
71	10	1-12	Samuel M. Bassett
72	1	1, 7-12	George W. Morgan
72	2	9	Dine Carter Jr
72	3	1-3, 7-11	Claude L. Nethaway
72	4	1-2	James Lund
72	4	4-5, 7-9	W. H. Donner
72	6	2-6	John Vogt
72	8	9	Maude C. Badgerow
72	10	1-2, 6, 12	Charles B. Hain
73	3	1, 6, 11-12	Helmine Jensen
73	5	3, 10-12	Benjamin C. Maynard
73	6	1-2	Oliver Huddleson
73	6	8-9	Lee Raney
73	7	2-3	Watson E. Hain
73	7	5	Frank L. Curley
73	8	1-3	Mary R. Miller
73	9	6	Rev. Hans Nielsen

73	9	12	Silas A. Lewis
73	10	4-5	Frank Jeffers
74	1	1	George Von Lanken
74	2	5-6	Cynthia E. Ervey
74	3	2, 7-12	Charles Nelson
74	5	3	George W. Boggs
74	5	5	Emma M. Steffen
74	5	12	George W. Boggs
74	6	1-3	Peter C. Chrisensen
74	6	4-5	John H. Christensen
74	6	11	Peter C. Chrisensen
74	10	2, 7	Carl O. Krogh
75	1	1-2, 6-9	B. F. Haller
75	2	3	Dierich Schmidt
75	2	7	Henry Schmidt
75	3	3	Nels A. Nelsen
75	3	5	Mrs. H. C. Morton
75	4	6	Carrie Jones
75	5	7-8	James H. Platz
76	1	3	Christine Vlasak
76	1	6	Chris H. Paulsen
76	1	9	Lillian A. Paulsen
76	2	1-2, 7	Norris E. Ward
76	3	1	Thomas Smith
76	4	5-12	Mary E. Dolan
76	5	5-9	Mrs. Howard Sutherland
76	5	11	Isaac N. Warrick
77	2	3	Dora M. Strode
77	2	6, 9	Lars P. Nelson
77	2	10	Dora M. Strode
77	4	1, 7-12	Charles Dixon
77	5	6	W. S. Rodman
77	6	5, 11-12	Georgiana Hastings
77	7	1-3	Mrs. Rasmus Jensen
77	7	4-8	Lottie L. Gift
77	7	10-11	Mrs. Rasmus Jensen
77	8	12	Ellen E. Epperly
77	9	8-9	E. R. Himes
78	1	9	Elizabeth Brooks
78	1	10-11	Austin R. Beales
78	3	1-2, 6	Leatsey J. Gustason
78	6	2-5, 11-12	Fred Hurdum
78	7	1, 3	Flora J. Wentworth
78	7	4, 9	Carl J. Hindley
78	7	9	Carl J. Hindley
78	7	12	Flora J. Wentworth

78	10	1-3	Olaf J. Nielsen
78	10	4, 7-8	Anna Petersen
78	10	11-12	Olaf J. Nielsen
79	1	1, 6, 9-12	Charles L. Husk
79	2	3, 7-12	Frank Bross
79	6	1, 3	Mary Martin
79	6	4-6	Ella Martin
79	6	10-11	Margaret French
79	9	3, 11	August Bruse
80	1	1, 6, 10-12	Sophie M. Nielsen
80	2	1-2, 5-9, 11-12	William O. Hatch
80	3	8-9	Anna Gutschow
80	3	12	Fred Wulf
80	4	1, 10, 12	Theodore Kahler
80	5	7	W. S. Williams
80	6	1, 5-6, 8, 11-12	S. P. Petersen
80	7	3-8, 10, 12	Charles A. Dixon
80	8	2-6	Dr. J. G. Smith
80	8	11-12	Gay Crandell
80	9	2, 8, 12	William Raver
80	10	3, 6, 9, 12	Jacob Andreasen
81	1	6	Emily E. Chenoweth
81	1	7	Anna H. Hebdon
81	2	7	Adam Gochenour
81	2	10	Ulysses G. Garner
81	3	5-12	Festus N. Rosenbalm
81	4	12	Phineas M. Wilcox
81	5	1, 6-10	Francis M. Castetter
84	1	3	J. D. Van Horn
84	1	10-12	J. D. Van Horn
84	3	8-12	Sophie Toft
84	4	9-10	Sarah E. Halstead
84	6	1, 12	Newton W. Bracken
84	8	1	Anders Andersen
84	8	6	Charles Edward Worley
84	9	4-8	Elizabeth Osborne
85	1	7-9	Hattie Rupp
85	2	1-2, 5-6	Carl C. Reeh
85	3	5-12	Jens Nielsen
85	4	1-3, 8-12	Freeman V. Tucker
85	6	1	Jos. Gutschow
85	6	6	Jos. Gutschow
85	6	7, 11-12	Jos. Gutschow
85	7	7	Hannah Richter
85	8	1-2, 4-6, 12	Nelsen Anderson
85	10	2	Dorothea M. Petersen

85	10	4	Eddie Miller
85	10	10	Dorothea M. Petersen
86	1	6-12	Albert A. Jensen
86	2	1, 4	Henry C. Jensen
86	5	5-6	H. H. Blanton
86	6	1-3	Lewis P. Van Liew
86	7	1-2	Peter A. Jensen
86	8	1-3, 5, 10-12	John Lothrop
86	9	3-4, 11-12	Edward A. Jensen
86	10	4-6, 12	Andrew G. Jensen
90	7	3, 6-8, 12	John Kuhr
91	3	7	P. C. Sorensen & Martin Kuhr
91	5	1-2, 6	George C. McQuarrie
92	2	4	Jens Anderson
92	3	7, 9	Jesse Leonard
92	4	10-11	William & Augusta I. Sydow
92	9	4-7	Mary Small
92	9	12	Austin N. Stowe
92	10	4, 9	Sumner I. Moore
93	2	8	Elmer W. Booth
93	2	12	Chris Paulsen
93	3	7-9	Peter Siert
93	4	11-12	Henry H. Mathews
93	5	1-2	Claude C. Van Deusen
93	5	7-9	Don J. Gammel
93	6	2-3	William B. Friend
93	6	8-9	L. J. Kyed
93	6	10-12	Susan Dolan
94	8	7	Washington County
95	6	10	Washington County
95	17	6	Washington County
99	4	3	Mary M. Fast
99	4	8-9	A. D. Harris
99	6	4-5	Henry Woltze
99	6	10-12	Eliza Ann Carter
99	7	1, 6	Andrew Skau
99	7	11	Andrew C. Hansen



# CITY OF BLAIR

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## MEMORANDUM

To: Blair Cemetery, Parks, and Recreation Advisory Board  
From: CJ Heaton, Deputy City Administrator of Public Works  
Date: 4/28/26  
Re: 100-Year Cemetery Project

A recently passed law in the Nebraska Legislature allows cemeteries to reclaim and resell any graves that have not had activity within the last 30 years. Several cemeteries in the state were dealing with the issue of running out of ground, but had hundreds of unused spaces. This new law allows cemeteries to properly post the spaces they propose to claim through public notice, and a 60-day waiting period to allow anyone who may have a claim to step forward. The City of Blair began evaluating what spaces fall into this new law, but did so on spaces that were purchased 100 years ago, to allow ample time for anyone to have used these spaces. Several spaces were purchased well over 100 years ago, where a family would buy 12 or more spaces, planning on other family members using the spaces. Over time, families moved from the area, married, or were buried elsewhere. At other times, staff find that the proper documentation to show the proper transfer of a space from generation to generation is lacking or was never filled out in the first place. Grave spaces are property and must show a proper transfer of title for someone other than the owner to use the space. While these can be worked through, they often require attorneys and can be costly. In some cases, there are three or more generations after the original purchaser, and there may be dozens of descendants who have a claim. This new law will allow the city to reclaim and potentially resell thousands of lots over the next few years, allowing for more infill at the cemetery, and allowing the descendants of some of Blair's oldest families an opportunity to purchase spaces near relatives.

Attached is a list of nearly 2600 spaces that were purchased prior to 1926 and meet the requirements of the new law. Staff is seeking the board's recommendation to present this to the full council on the 28<sup>th</sup> so that we can publish in the Enterprise and begin the process.

**Financial Impact:** NA

**Recommendation:** Approval and recommendation of passage to the Blair Mayor and City Council.

# MEMORANDUM

TO: Blair Parks, Recreation, and Cemetery Advisory Board  
From: CJ Heaton, Deputy City Administrator of Public Works  
Date: 3/17/26  
Re: Heartland Bike Share Stations

City staff recently applied for a grant through the Papio Missouri NRD to help with the installation of 2 E-bike stations for Blair. Staff have also been in conversations with Heartland Bike Share about partnering with them to bring their program to Blair. There are currently over 450 bikes in the Omaha metro in this program.

The grant from the NRD has a \$50,000 limit, with a %100 match; the city would match \$50,000, for a total of \$100,000 towards this project. Each station is about 40-50k to install, depending on location. There would be some ongoing fees for the stations, dependent on the city's level of involvement with the routine maintenance. Heartland would be responsible for all of the maintenance to the bikes, while city staff may take on the responsibility of charging batteries and general clean up, and snow removal around the stations. All of the bike rentals are managed through an app and by Heartland.

For the time being, the staff would like the board to make a recommendation for two sites. Staff has made a few recommendations, as noted on the trail map with red dots. Our preference is to install one on each end of our trail system and near a public place. While we are open to suggestions, the 4 sites we recommend are: Generations Park, Lions Park, Blair YMCA, or the city pool area. All are close to the trails and in public places.

**Recommendation:** Please provide a recommendation for two locations.

**Fiscal Impact:** initial cost estimates \$50,000. This project is grant dependent.






# City of Blair

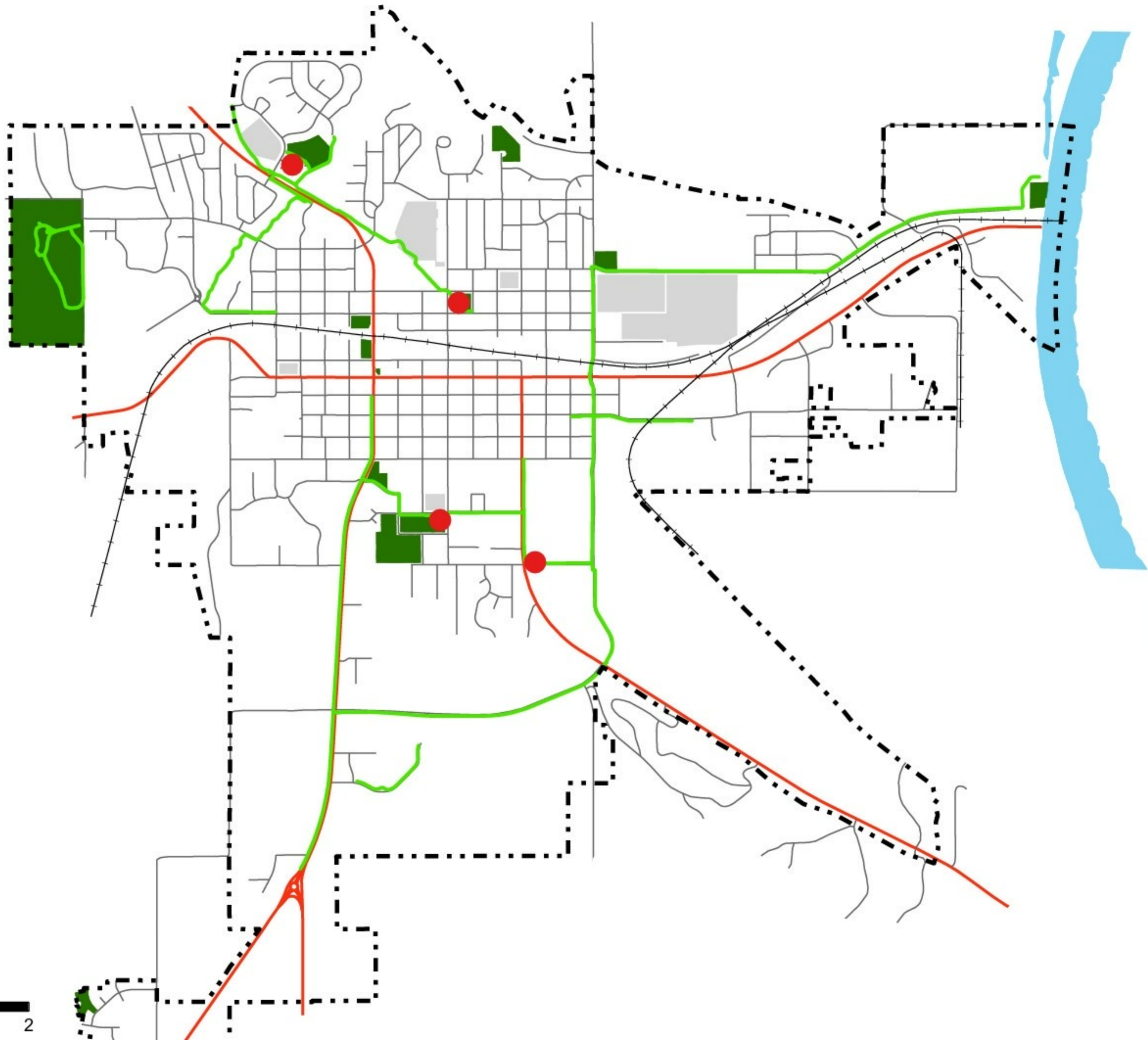
## Walking and Biking Trail System



**Legend**

status

	Existing
	Schools
	Parks
	Stream/River
	City Limits





## BCYCLE ELECTRIC BIKE COMPONENTS AND SPECIFICATIONS



<b>FRAMESET</b>	
<b>Size</b>	One size fits most
<b>Color</b>	White
<b>Material</b>	Oversized alpha aluminum
<b>Fork</b>	Proprietary aluminum unicrown fork
<b>COMPONENTS</b>	
<b>Handlebar and Stem</b>	Proprietary aluminum bar and basket combo with Bontrager stem
<b>Seatpost</b>	Proprietary theft resistant post with easy to use four-finger clamp
<b>Saddle</b>	Seamless Bontrager all-weather saddle with integrated reflector and handle
<b>Pedals</b>	Anti-slip platform
<b>Lights</b>	Proprietary 3 watt 10 lux LED front and rear lights StVZO Compliant with 5-minute run time after stopping
<b>Bell</b>	Tamper resistant twist grip
<b>Grips</b>	Proprietary weather and UV resistant silicon
<b>Fenders</b>	Full coverage polycarbonate
<b>Kickstand</b>	Chainstay mounted, 3 bolt kickstand
<b>ELECTRIC ASSIST</b>	
<b>Motor</b>	Bosch Activeline Motor
<b>Display</b>	Bosch Purion Control/Display
<b>Power</b>	Swappable 400 Wh Battery

<b>DRIVETRAIN</b>	
<b>Shifters</b>	Shimano Nexus 3-speed twist shifter
<b>Rear Derailleur</b>	Shimano Nexus 3-speed internal gear hub
<b>Brakes</b>	Shimano Nexus BR-C6000
<b>Brake Levers</b>	Tektro Alloy 2-finger
<b>Cassette</b>	19 Tooth stock
<b>Chain</b>	1/2"x1/8", heavy duty
<b>Crankset</b>	38 tooth crank, 170mm crank arm
<b>WHEELS</b>	
<b>Rims</b>	26"
<b>Front Hub</b>	Shimano Nexus front Dynamo hub
<b>Rear Hub</b>	Shimano Nexus 3-speed internal gear hub
<b>Spokes</b>	Stainless steel
<b>Tires</b>	Puncture resistant with reflective sidewalls
<b>ADVERTISING/SPONSORSHIP</b>	
<b>Panels</b>	Ad space on five individual panels: Front basket in 3 segments: right, left, and front (visible from inside basket) Rear skirt guards in 2 segments: right and left
<b>MISC</b>	Meets or exceeds CPSC, ISO, EN standards for safety Front basket rated to 20 lbs of cargo Rear rack that accepts after-market panniers Proprietary and theft resistant fasteners
<b>SHROUD</b>	Optional

Note: Specifications and components subject to change.

# FACILITIES USE AGREEMENT

## HEARTLAND BIKE SHARE – LA VISTA CITY CENTRE COMMONS LOCATION

This Facilities Use Agreement (Agreement) is hereby made and entered into by and between the City of La Vista (City), a municipal corporation organized and existing under the laws of the State of Nebraska located in Sarpy County, Nebraska and ROAM Share, a Nebraska non-profit corporation d/b/a Heartland Bike Share, (Heartland Bike Share).

### 1. PURPOSE

The purpose of this Agreement is to specify the terms and conditions for the installation and operation of a Heartland Bike Share B-Cycle Station ("Station") upon and from certain real estate owned by the City immediately south of the building located at 8302 City Centre Drive, La Vista, NE 68128 (See Exhibit A).

### 2. TERM

This Agreement shall commence upon execution by both parties and terminate on December 31, 2030. The Agreement will automatically renew for one or more consecutive additional one-year terms unless the City provides written notice of nonrenewal to Heartland Bike Share at least 30 days before the end of an initial or renewal term.

### 3. STATION LOCATIONS

A Station will be acquired, constructed, installed, owned and operated upon and from the real estate ("Location" or "Site") located immediately south of the building located at 8302 City Centre Drive, La Vista, NE 68128 and part of the larger area commonly known as "City Centre Commons", as such Station and Location are described or depicted in Exhibit A and incorporated herein by this reference. This Location upon which the Station is located is owned and controlled by the City. All applicable local, state, and federal laws, ordinances, rules and regulations shall be observed and enforced at this Location.

### 4. RESPONSIBILITIES

Heartland Bike Share shall observe all City rules and regulations while using the Location referenced above. Heartland Bike Share shall have no authority under this Agreement to bind the City by or with any contract or agreement or negotiate with any additional party or sublease the use of City property; nor to impose any liability on the City.

City shall remit to Heartland Bike Share a one-time payment of \$63,730 in exchange for Heartland Bike Share's purchase of all necessary equipment, installation, and on-going maintenance, repairs or replacement of the City Centre Commons 10-dock Station and associated Ebikes, in accordance with the purchase invoice attached as Exhibit B. Payment for acquisition and installation of the Station will be due 45 days after the City Engineer's Acceptance (defined below) of the Station. Each year thereafter, due one year from the initial installation of the Station, City shall pay Heartland Bike Share an annual fee of \$4,000 for the ongoing maintenance and operation of the Station. Additional responsibilities include:

- **Permitted Uses:** Heartland Bike Share shall be permitted to use the Location for operation of the bike share Station. The Station is to be used for non-motorized bicycles and electric bicycles. No other uses for this Location shall be permitted by the City.
- **Site Usage Fees:** There will be no fees charged by the City for Heartland Bike Share's use of the Station Site contained in this Agreement.
- **Site Preparation:** City shall be responsible for preparing the Station Location at City's cost; this includes only the installation of concrete pad for the Station. A concrete area at least 25' by 10' of 5" thick concrete shall be provided to accommodate the bike share station.
- **Installation:** Heartland Bike Share shall be responsible for acquiring and installing the Station and all associated costs of installation, in accordance with City specifications and requirements, to the satisfaction of the City Engineer as indicated by the City Engineer's written acceptance of the Station following his inspection and Heartland Bike Share's correction of any defects ("Acceptance").

- **Maintenance & Repairs:** Heartland Bike Share shall regularly inspect, service, and maintain the Station and keep the Station in good and operating condition and repair. Repair or replacement of the Station, or any part thereof, if broken, stolen, damaged or vandalized shall be completed by Heartland Bike Share as soon as reasonably possible, at Heartland Bike Share's sole cost and expense.
- **Licenses & Permits:** Heartland Bike Share shall be responsible for obtaining and maintaining any required licenses, permits or permissions for the operation of the Station.
- **Station Modifications:** Heartland Bike Share shall be responsible for having all modifications to the Station first reviewed and approved by the City pursuant to the City Engineer's written approval of applicable permit applications, proposed plans and completed work.
- **Removal of Stations at Termination:** Upon expiration or termination of this Agreement, the Heartland Bike Share, at its cost and expense, shall be responsible for the removal of the Station and repairing any damage and restoring the Site to same or better condition as existing before the Station, to the satisfaction of the City Engineer, ordinary wear-and-tear at the Location excepted.
- **Power Consumption:** Station shall be equipped to utilize solar or battery power for its operation. There will be no power sources supplied by the City. If at a future date the Station requires external power, the Heartland Bike Share shall be responsible for any utility installation costs and usage.
- **Appearance:** Heartland Bike Share shall maintain the Station in clean, neat, good and working condition and repair, including the area immediately surrounding the Site. This includes maintaining it in a sanitary condition in accordance with all Directed Health Measures (DHM) and all applicable federal, state, county and city laws and ordinances, to the satisfaction of the City Engineer. If City determines that the Station or Site is not being maintained as required, Heartland Bike Share agrees to correct the condition within twenty-four (24) hours after notification by City. If the Station Site is vandalized with graffiti, Heartland Bike Share shall remove any graffiti within forty-eight (48) hours after notification of incident.
- **Relocation:** City reserves the right to alter, modify or require relocation of the Station, including access ways, entrances and exits to the Station. In the event City requires the Station to be relocated following the commencement date of this Agreement, City shall be responsible for one half the cost of moving Station and Heartland Bike Share shall be responsible for the remaining cost. If Heartland Bike Share desires to relocate Station to another site, such relocation will require the prior written approval of City, and Heartland Bike Share will be responsible for the entire cost of relocation.
- **Risk of Damage:** Heartland Bike Share shall solely own and operate, and assumes all risk and responsibility for any loss, damage, or destruction occurring to, the Station, including, but not limited to theft, vandalism, graffiti or natural or man-made events. Any damage or defacing of the Station shall be corrected by the Heartland Bike Share within forty-eight (48) hour notice of such incident. The City does not own or operate, and shall not have any risk or responsibility with respect to, the Station, including without limitation for any loss, damage, or destruction occurring to the Station, or to monitor the Station or Location or provide security.
- **Snow removal:** City shall be responsible for the removal of snow around the Station and along sidewalks and pathways leading up to the Station, while Heartland Bike Share shall be responsible for the removal of snow between the bicycles and individual docks within the Station.

## 5. INDEMNIFICATION

Heartland Bike Share covenants and agrees to release, indemnify, defend and hold harmless the City of La Vista, its officers, agents and employees, their successors and assigns, and each of them, from and against all liabilities, claims, costs and expenses whatsoever arising out of or resulting from this Agreement, ownership or operation of the Station, or bikes or other equipment connected with the Station or any bike sharing arrangement owned or operated by Heartland Bike Share, including without limitation liabilities, claims, costs or expenses of any kind or nature asserted by anyone for personal injury, death, or property damage in any way arising out of or resulting from any action of Heartland Bike Share in performing pursuant to the terms of this Agreement, and the Heartland Bike Share further agrees to pay all expenses in defending against any claims made against the City of La Vista; provided, however, that the Heartland Bike Share shall not be liable for any injury, damage or loss

proximately caused by the sole negligence or willful misconduct of the City of La Vista, its agents or employees. The Heartland Bike Share and the City of La Vista each agree to promptly give the other notice upon learning of any claim made or suit instituted that is connected with this Agreement, the Station, bikes, other equipment or bike sharing arrangement under this Agreement and, in any way, directly or indirectly, contingently or otherwise, affects or might affect either party.

## **6. LIABILITY INSURANCE REQUIREMENTS**

Heartland Bike Share must procure and maintain in effect during the term of this Agreement, with a company or companies licensed to do business in the State of Nebraska, general liability insurance, together with umbrella liability coverage, in total with minimum policy limits of \$2,000,000 per occurrence, and \$4,000,000 annual aggregate, for bodily injury or death and property damage, written by an insurance company on terms satisfactory to the City Administrator or her designee. The policy or policies for such insurance shall expressly include the City as an additional named insured, and shall be primary and non-contributory in relation to any coverage maintained by the City, and waive subrogation against the City, its officers, agents or employees, or any of them. A copy of the policy or policies or a Certificate of Insurance (COI) evidencing the existence thereof shall be delivered to City, and a current copy shall be provided to City upon renewals.

## **7. DESIGNATED REPRESENTATIVES**

Any notices required or communications to be given herein may be given by personal delivery, by mail or email. Notices regarding this Agreement shall be given to the representatives listed below:

### **HEARTLAND BIKE SHARE:**

Benny Foltz, Executive Director  
1144 N. 11<sup>th</sup> St., #B, Omaha, NE 68102  
Phone: 402.350.0421  
Email: benny@heartlandbikeshare.org

### **CITY OF LA VISTA:**

Community Development Director, or designee  
City of La Vista Community Development Department  
8116 Park View Blvd, La Vista, NE 68128  
Phone: 402.459.6400

## **8. TERMINATION PROVISIONS**

City may terminate this Agreement if Heartland Bike Share:

- Files a petition of bankruptcy; or if proceedings in bankruptcy shall be instituted against it.
- Is merged with or into another entity, becomes inactive, or ceases to exist as an organization.
- Fails to perform, keep and observe any of the terms and conditions of this Agreement.
- Fails to abide by any federal, state, or local laws, ordinances, rules or regulations.
- Displays or allows advertising or sponsorship not allowed by City Ordinance or this Agreement.
- Fails to be a good steward in its cooperation with the City in its use and operation of City property.
- Fails to follow all Directed Health Measures (DHM) issued by the State of Nebraska.
- Fails to obtain and provide any required insurance coverage(s) or allow coverages to lapse.
- Fails to have modifications to Stations or surrounding areas first approved by City Engineer.
- Defaults under any agreement of Heartland Bike Share with the City of Omaha (Omaha), or if Omaha terminates any such agreement, or Papillion or Bellevue terminates its bike sharing arrangement with Heartland Bike Share.

## 9. GENERAL PROVISIONS

**Applicable Law:** Parties to this Agreement shall abide by all laws, ordinances, rules and regulations of the United States of America, State of Nebraska, Sarpy County, and City of La Vista. Nebraska law will govern the terms and the performance under this Agreement. Any controversy, claim or action arising out of or resulting from this Agreement shall be filed and resolved by the District Court, Sarpy County, Nebraska.

**Assignment:** Heartland Bike Share may not assign any rights or obligations under this Agreement without prior written consent of the City. This includes if Heartland Bike Share is acquired by, merged into, or subject to any other related actions or operation of law by another organization or entity. In such cases, permission must be obtained in advance from the City by the Heartland Bike Share for the new organization to be allowed to be assigned this Agreement and related terms and conditions.

**Captions:** Captions used in this Agreement are for convenience and are not used in the construction of this Agreement.

**Invalid Provision:** In the event that any covenant, condition, or provision herein contained is held to be invalid by any court of competent jurisdiction, the invalidity of any such covenant, condition, or provision herein contained shall not affect the validity of the remainder of the covenants, conditions, or provisions of this Agreement which shall in all respects remain a legally binding contract with the invalid portion being deleted; provided that the validity of any such covenant, condition, or provision does not materially prejudice either the City or Heartland Bike Share in its respective rights and obligations contained in the valid covenants, conditions or provisions of this Agreement.

**Modifications:** This Agreement contains the entire agreement of the parties. No representations were made or relied upon by either party other than those that are expressly set forth herein. No agent, employee or representative of either party is empowered to alter any terms hereof unless done in writing and signed by an authorized officer of each party.

**Independent Contractor:** It is understood and agreed by Heartland Bike Share that all of its acts, or acts of any of its personnel, employees, agents, contractors, or servants, performed pursuant to the terms of this Agreement shall be undertaken as independent contractors and not as employees of the City.

**E-Verify:** The parties are required and hereby agree to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of

Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

**Extraordinary Event:** An Extraordinary Event is a natural or man-made event beyond the reasonable control of the City which makes the City's performance of this Agreement impossible or so impractical as to be considered not reasonably possible by the City to perform any portion thereof. City shall not be responsible or liable for any failure or delay in performance under this Permit to the extent said failures or delays are caused by an Extraordinary Event. City, at its sole discretion, may terminate or suspend any or all portions of this Agreement if an Extraordinary Event exists.

**Emergency Use:** Any City facility, including entire parks, may be used for emergency purposes by the City. This Emergency Use, if declared by City, will suspend any permitted or contracted use of specific facilities or parks, until the emergency is declared over by the City or City Department. Contingent upon the nature and magnitude of the emergency, the City reserves the right to terminate or cancel any permits or agreements in place for the use of any City facility or park related to this Emergency Use provision. City shall have no obligation to provide replacement facilities; adjust for time lost; or refund any fees associated with such termination, cancellation or the loss of use of any City facility or parks where an Emergency Use provision is exercised.

**Interest of the Heartland Bike Share:** Heartland Bike Share covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict with the performance of services required to be performed under this Agreement; it further covenants that in the performance of this Agreement, no person having any such interest shall be employed.

**Non-Discrimination:** Heartland Bike Share, in the performance of this Agreement, shall not discriminate or permit discrimination in violation of federal or state laws or local ordinances.

**Review of Agreement:** Heartland Bike Share represents that it has carefully reviewed the terms and conditions of this Agreement and is familiar with such terms and conditions and agrees to faithfully comply with the same to the extent to which said terms and conditions apply to its activities, authorized by this Agreement.

**Site Conditions:** The City does not guarantee the ongoing condition of the site where the Bike Share Station is located. Natural settling, shifting, and other natural and man-made changes to site characteristics and conditions may occur over time. City shall have no obligation to repair or replace any facilities where settling, shifting, or other natural or man-made changes occur to a site. City will work to provide reasonable solutions; however, the City shall have no duty or obligation to correct any issues that arise, impacting the site's usability or accessibility.

**ACKNOWLEDGED:**

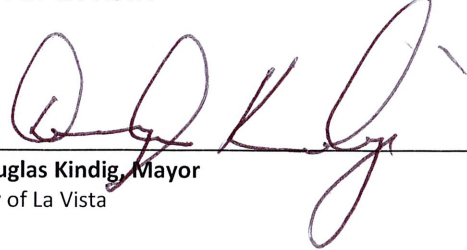
Dated this 02 day of December, 2025

Dated this 2 day of DECEMBER, 2025

**HEARTLAND BIKE SHARE**

  
\_\_\_\_\_  
Benny Foltz, CEO  
Heartland Bike Share

**CITY OF LA VISTA**

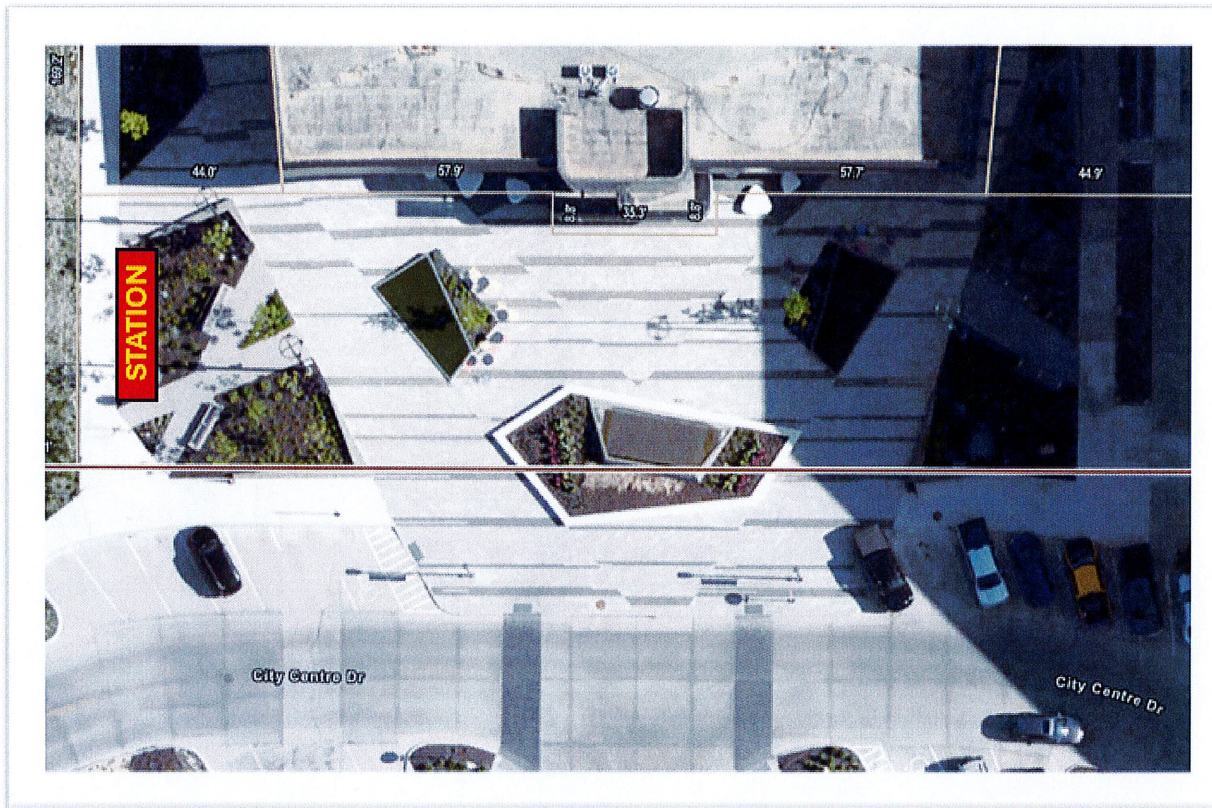
  
\_\_\_\_\_  
Douglas Kindig, Mayor  
City of La Vista

# EXHIBIT A

## Heartland Bike Share Station Location & Description

### LOCATION: CITY CENTRE COMMONS

Public property located immediately south of the building located at 8302 City Centre Drive.



### DESCRIPTION:

Bike share station including 10 (ten) 3.0 BCycle Station docks (example pictured below) and associated BCycle e-bikes.



# EXHIBIT B

## New Station Cost Invoice



Date: 03-April-2025  
For: City of Lavista

### Heartland Bike Share - New Station Cost

The below is a line-item budget for one (1) new bike share station, inclusive of all associated equipment and installation costs. Item descriptions and costs are sourced from Heartland Bike Share's equipment vendor, Bicycle Transit Systems (BTS), and Quality Bicycle Products (QBP), through which equipment orders are placed.

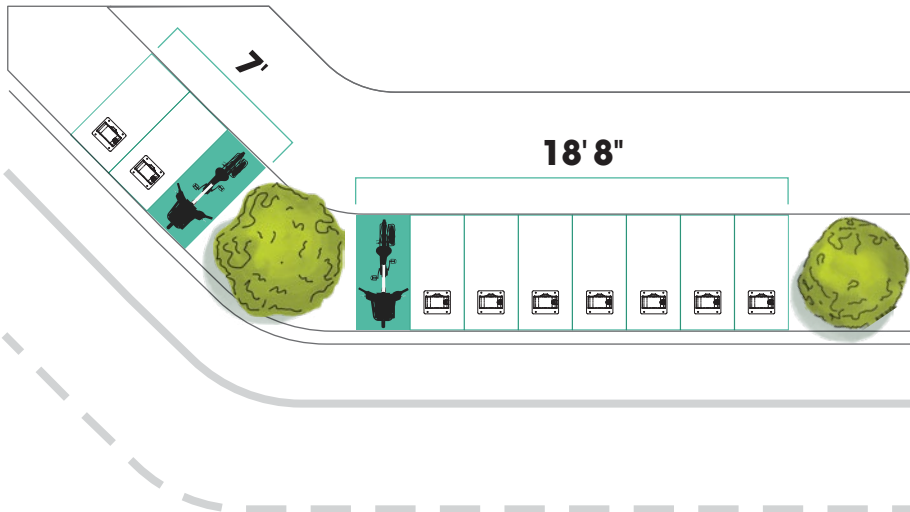
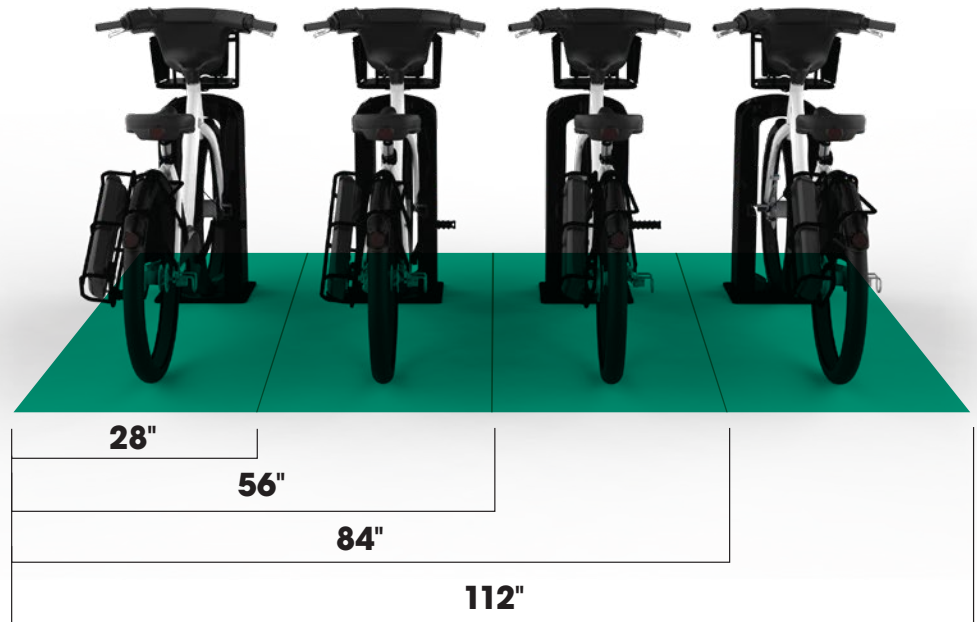
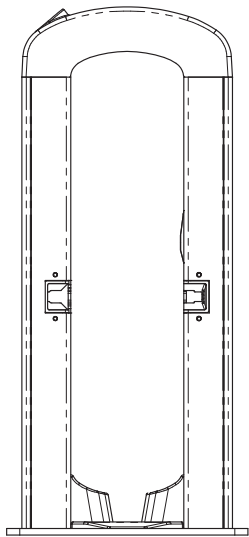
Item	Per Unit	Quantity	Subtotal
Ebike (3-speed) includes shroud	\$2,715.00	10	\$27,150
- Spare Battery	\$455.00	4	\$1,820
- Battery Charger	\$101.24	4	\$405
- Battery Charger Cable Set	\$5.02	4	\$20
- Bike Decal Set	\$65.00	10	\$650
- Bike Shipping	\$90.00	10	\$900
3.0 Dock	\$1,885.00	10	\$18,850
- Dock Decal Set	\$25.00	10	\$250
- Spare Battery	\$222.00	10	\$2,220
- Bike Manual Release Key	\$11.42	1	\$11
- 3.0 Dock Shipping	\$100.00	10	\$1,000
Wayfinding Panel	\$2,458.53	1	\$2,459
- Wayfinding Panel Decal Set	\$145.00	1	\$145
- Wayfinding Panel Shipping	\$350.00	1	\$350
Station Installation	\$3,500.00	1	\$3,500
Annual Operating & Maintenance Fee (per dock)	\$400	10	\$4,000
<b>Grand Total</b>			<b>\$63,730</b>



1144 N. 11th St. Suite. B, Omaha, NE 68102  
[www.roadshare.org](http://www.roadshare.org)



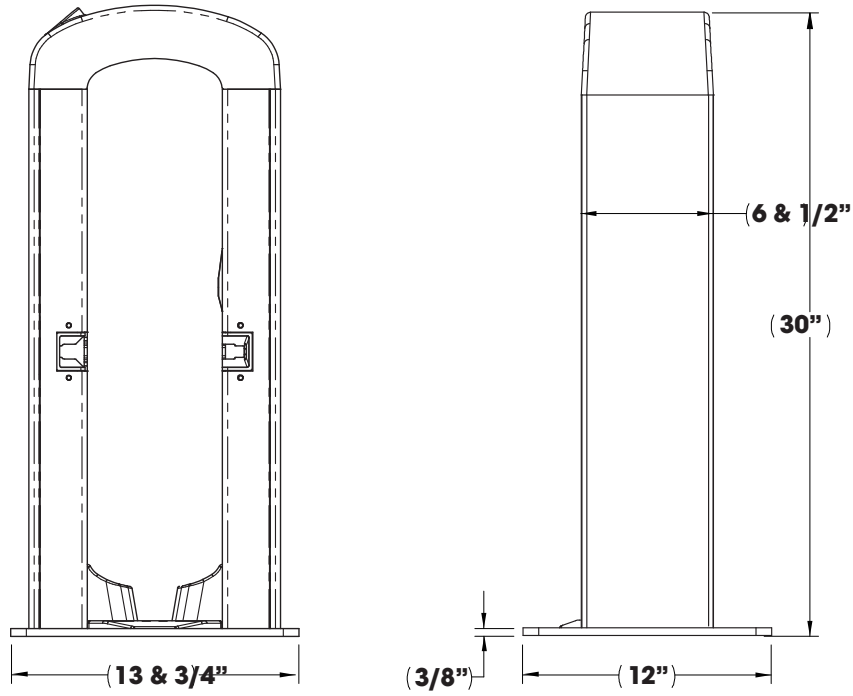
### 3.0 STATION PLANNING



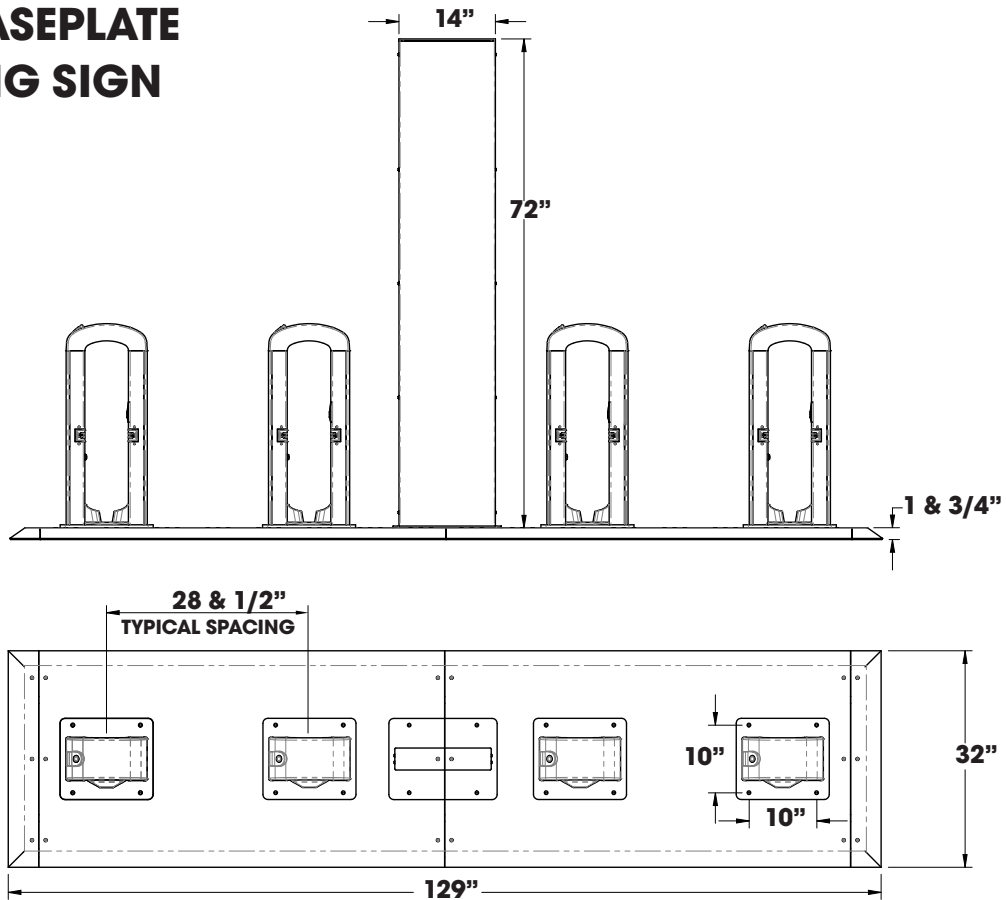
### QUICK KEY:

# OF DOCKS	MIN. WIDTH
5	140" (11' 8")
6	168" (14')
7	196" (16' 4")
8	224" (18' 8")
9	252" (21')
10	280" (23' 4")
11	308" (25' 8")
12	336" (28')

### 3.0 DIMENSIONS



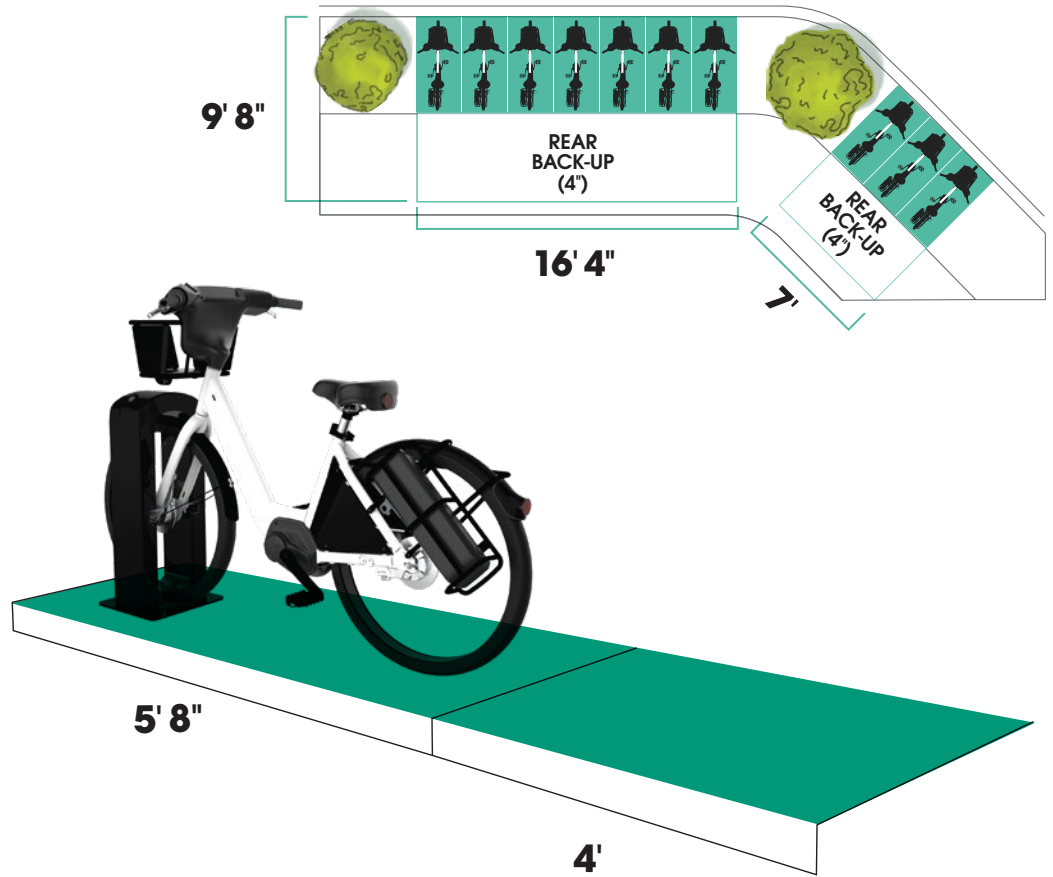
### OPTIONAL BASEPLATE & WAYFINDING SIGN



## STATION DEPTH

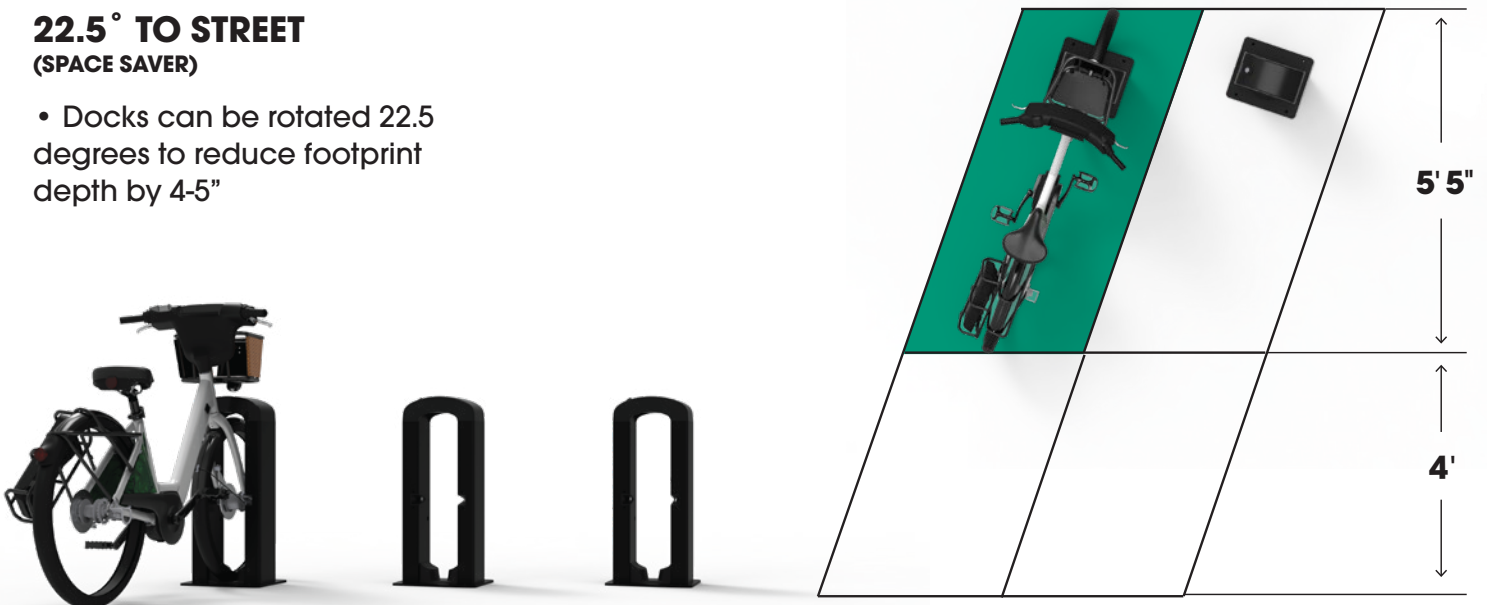
- Single-sided stations must have at least 5'8" of space (this includes a 6" front tire overhang) plus a recommended 4' back-up zone totaling 9'8".

- Double-sided stations must have at least 8'6" of space plus a recommended 4' back-up zone on each side totaling 16'6".

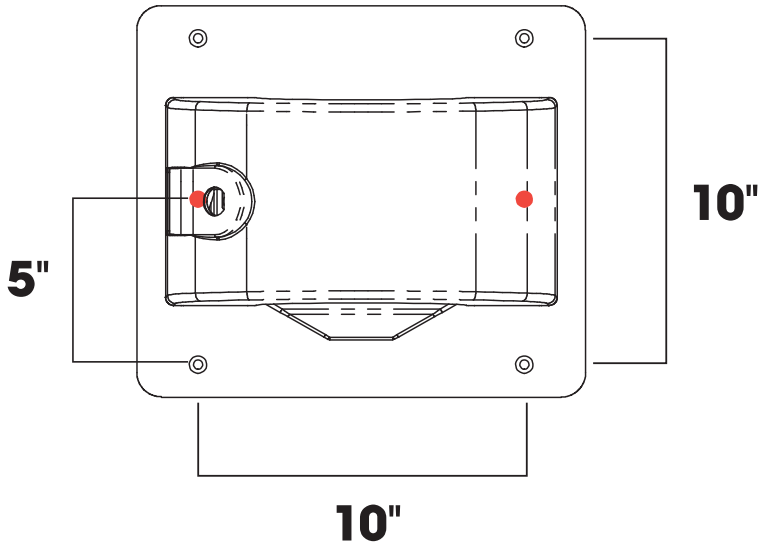


## 22.5° TO STREET (SPACE SAVER)

- Docks can be rotated 22.5 degrees to reduce footprint depth by 4-5"



## INSTALLING THE DOCK INTO CONCRETE



### Mounting Holes:

There are 4 external holes that are equally spaced out by 10".

In red, you will find two additional hidden holes (within the leg) that can be used for added security, but are not required.

---

## SUGGESTED INSTALL TOOLS



### Tools:

- T25 security torx hand driver
- M18 Fuel SDS+ Rotary Hammer\*
- M18 Fuel 2spd impact driver

\* We Strongly recommend the use of a "Rotary Hammer" over a "Hammer Drill" due to its harder preforming Hammer aspect, cutting drill time in half.

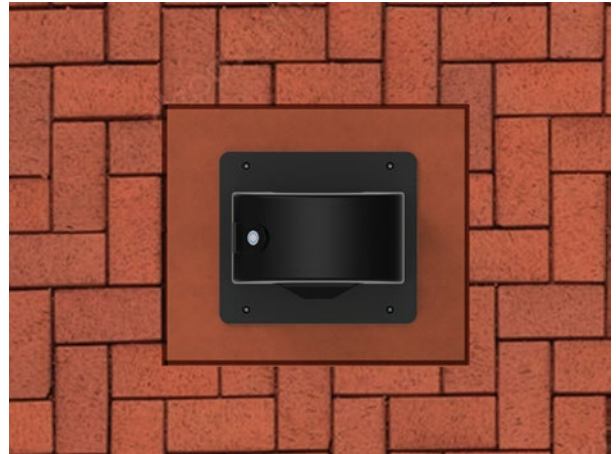
### Bits & Hardware:

- 2 3/4" x 1/4" tapcon concrete screws (security torx)
- 3/16" x 8" Masonry SDS+ Bit
- T27 security torx impact bit

## INSTALLING INTO PAVERS & ASPHALT

The only difference here is that you will need to pour concrete pads\*. BCycle suggests offsetting the pad at least 4" from the mounting holes to ensure the concrete won't crumble around the edges (See diagram to the right).

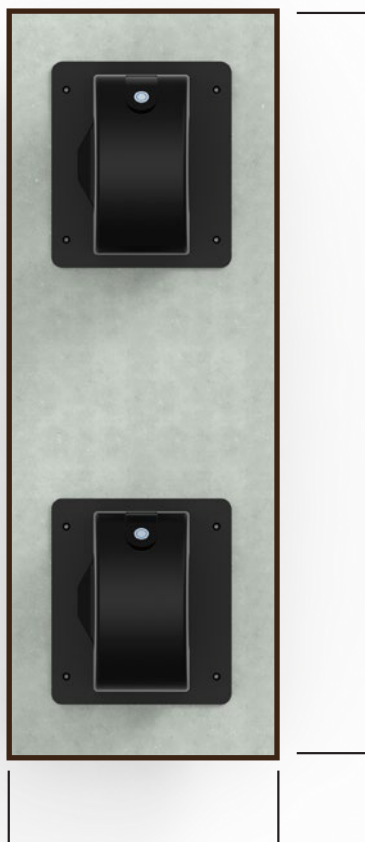
\*We highly recommend using a concrete that meets or exceeds 2500 psi.



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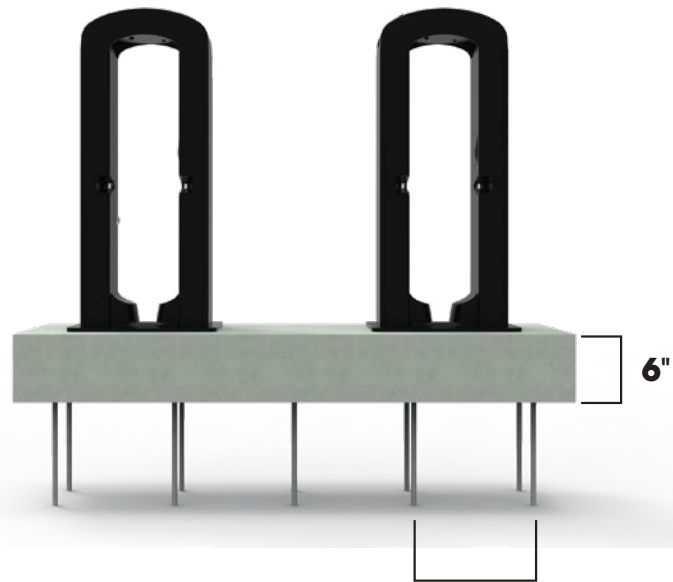
## SUGGESTED CONCRETE PAD SPEC'S

Below are the suggested dimensions for a concrete pad to withhold maximum force on dock. For maximum effectiveness with pavers, we suggest using rebar spikes.



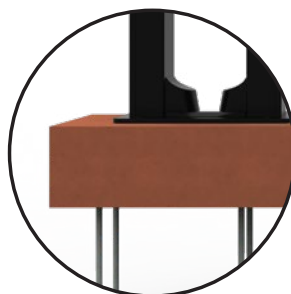
49 & 3/4"

18"



6"

11"



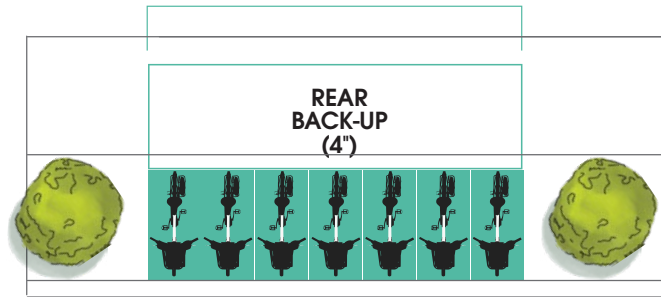
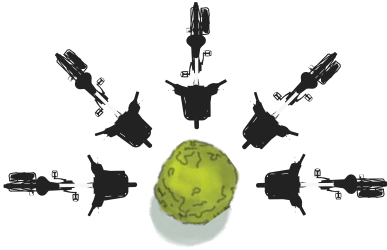
### OPT'L COLOR ADDITIVES:

Dye can be added to the concrete to make it coexist with existing foundation (shown in brick red).

## CONFIGURATION EXAMPLES:

### PERPENDICULAR TO STREET (TYPICAL)

16' 4"



## QUICK KEY

### STATION WIDTH

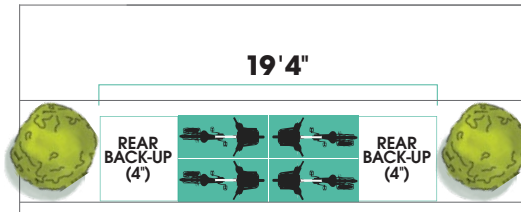
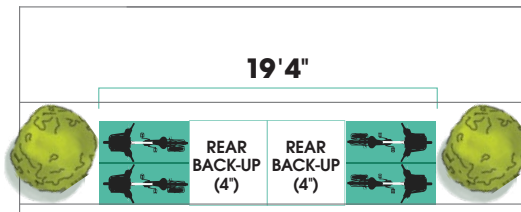
# OF DOCKS	MIN. WIDTH
1	28" ( 2' 4" )
2	56" ( 4' 8" )
3	84" ( 7' )
4	112" ( 9' 4" )
5	140" ( 11' 8" )
6	168" ( 14' )
7	196" ( 16' 4" )
8	224" ( 18' 8" )
9	252" ( 21' )
10	280" ( 23' 4" )
11	308" ( 25' 8" )
12	336" ( 28' )

### STATION DEPTH

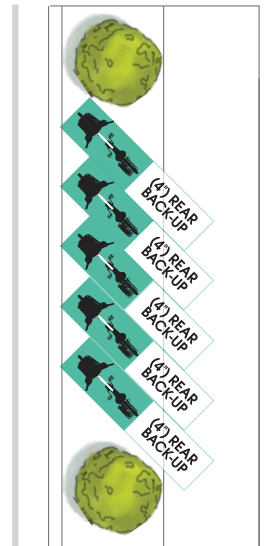
The depth of the dock with a bike is 5'8"

4 feet minimum needed behind the bike for the rear back up zone

### PARALLEL TO STREET (ATYPICAL)



### 45° TO STREET (SPACE SAVER)



**MOCK-UPS**





## DOCK

<b>Dimensions</b>	13 & 3/4" x 12" x 30 & 1/4"
<b>Color</b>	Black
<b>Integrated Base and Leg Material</b>	Aluminum
<b>Exposed Fasteners</b>	Bryce security - Proprietary tool - Stainless Steel
<b>Top Cap Material</b>	ASA (ABS like material with higher UV resistance, less yellowing and greater mechanical strength)
<b>Manual latch release</b>	SouthCo - Tubular key cam lock with T0001 key standard
<b>HMI</b>	Piezo switch with multi-color LED
<b>Striker &amp; Tire Guides / Wheel Chock</b>	Glass filled nylon 6

## INTERNAL COMPONENTS

<b>Latches</b>	SouthCo (stainless steel) - R4-EM outdoor rated (IP54)
<b>Battery</b>	Lithium Ion - Rechargeable
<b>RFID Reader (Bike)</b>	LF
<b>RFID Reader (User)</b>	LF/HF
<b>PCB Main Board</b>	Custom modular board design
<b>Antenna</b>	Antenova LTE antenna w/ u.FL connector
<b>Embedded Modem</b>	Quectel BG95 M3 ! LTE module for multi-regional use - Cat M1/NB2
<b>Communication protocol</b>	Cellular CAT M1/NB
<b>Firmware Capabilities</b>	OTA & USB

## AFTERMARKET ADD-ONS

<b>Static Wayfinding</b>	Aluminum / Dual sided / Vinyl graphic application / 14" x 72"
<b>Non-Bolted Baseplate</b>	Aluminum plates / steel ballast / 4 bike single-sided. 6 bike dual-sided
<b>Additional Battery</b>	Doubles battery life, plugs directly into PCB board
<b>BBT Module</b>	Modular electronics, plugs directly into PCB board / Plug 'n' Play

Location	Total Score
Between Little League Field / Tennis Courts	23
Lions Club Park	22
Generation Park – East of Library	20
Steyer Park – Various Locations	19
Veterans Memorial Field	19
Ridge View Park	19
By Peterson Field	19
Black Elk – Kids park	18
Black Elk – North of water tower	16
By Zimmerman Field	16

Low User Conflicts  
 Parking: Are there  
 Topography: Is the  
 Trail access: Is the  
 Space: Does the lo  
 Target Community  
 Visibility: Is the loc  
 Other playground  
 Critical Conflict / E



Target Com	Visiblity	Other Playground Equipment	Pros
3	3	3	
3	3	3	Parking, existing programming on site
3	3	2	Already a destination park, parking distance
3	2	3	Existing skatepark
3	3	1	
2	1	3	Flat and in a neighb
3	3	3	
2	2	3	
2	1	1	
3	1	1	

Deal Killers/Cons

Restrooms not open all the time; site feels exposed and harder to integrate  
Near houses but disconnected from rest of town

ARC Design Input (what stands out)

Plenty of shaded rest areas for families. No room for expansion if desired. Other activities available in immediate vicinity.

Natural shade. Stage for events. Already a bike destination for the trailhead. No room for expansion of bike facilities

Room for expansion. No shade. Far from parking for young families or people with mobility limitations.

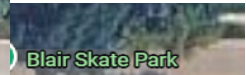
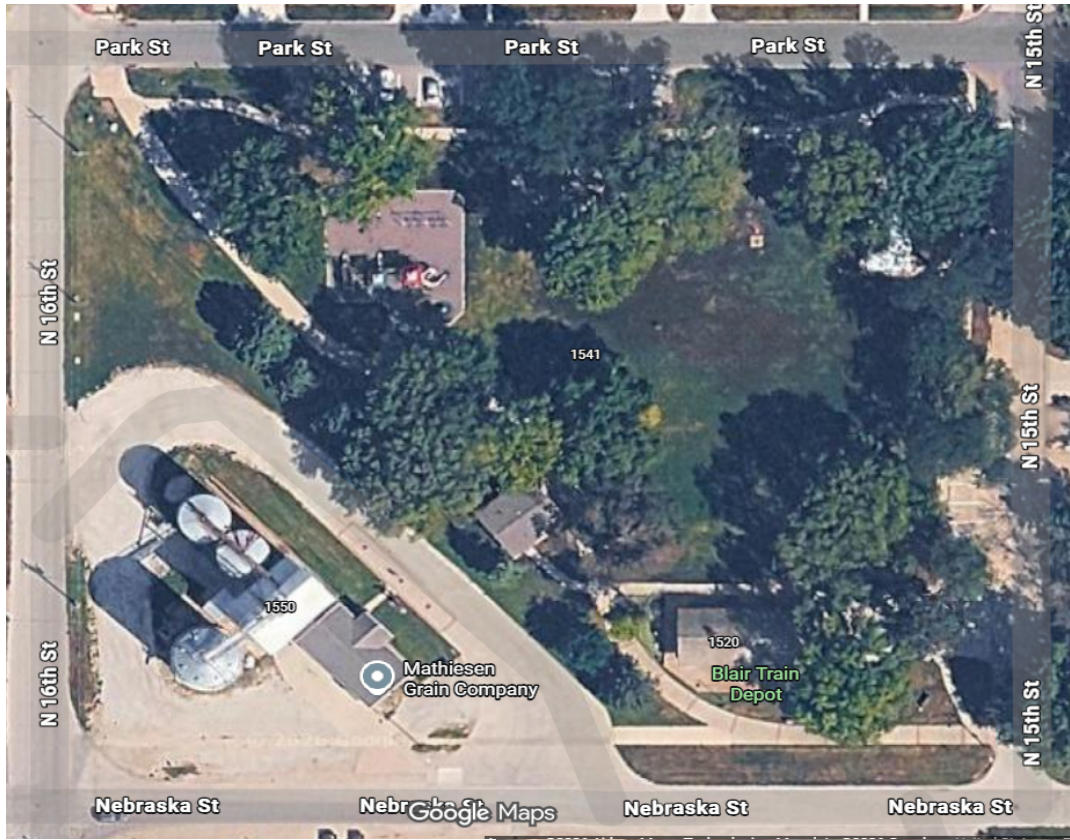
Natural shade. Room for expansion. Skatepark and bike park work well together. Varying elevation for more interesting options. Playground nearby. Top Choice.

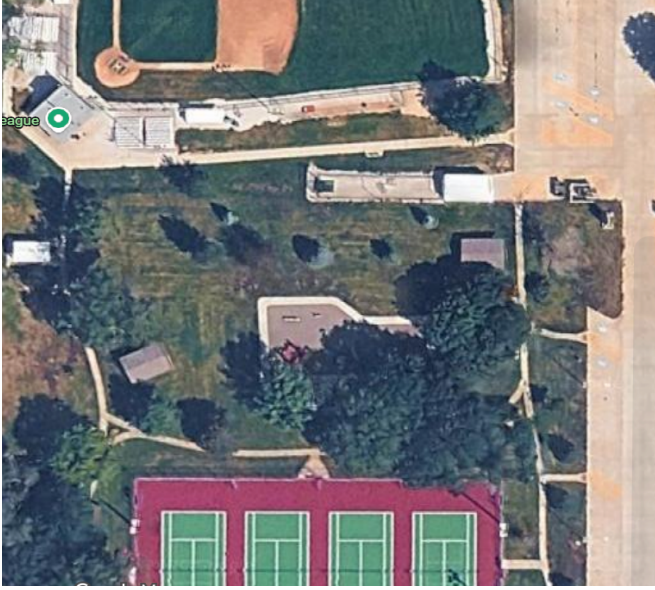
Preferred Location by ARC

Undesireable location between a wall and a road, beside a highway.

Isolated location. Little room for expansion.

Awkward location. Far from parking. Limited room for expansion.









LA SALLE ST

# MEMORANDUM

TO: Blair Parks, Recreation, and Cemetery Advisory Board  
From: CJ Heaton, Deputy City Administrator of Public Works  
Date: 4/21/26  
Re: Updated Tree Ordinance

Staff has been working with community members and reviewing the state arboretum, Arbor Day, and other guidelines to review our current tree ordinances. The biggest items we looked at were the types of trees that were allowed or not allowed, spacing, and approvals. Attached are redline versions of the current ordinances. The updated ordinances are more simplified, following recommendations from the Nebraska Statewide Arboretum and the Arbor Day Foundation. The ordinance will reference the approved planting list kept by the Statewide Arboretum, which is updated to reflect the current inventory of trees, ensuring that Blair is not overplanting one type of tree. The spacing guidelines are also based on recommendations from the Arbor Day Foundation. These updated guidelines will allow for more ROW trees, which will, in turn, help add more trees to our streetscapes. Lastly we updated the language regarding who would be approving these plantings. Kyle Sheets, our Parks Laborer, has been working on his Arborist certificate, and will be taking on a larger role as the City Arborist. All questions regarding trees and planting approvals will be under the City Arborist. Kyle will share a short presentation and answer any questions regarding the updates to the ordinance.

**Recommendation:** Approval and recommendation to approve the updated tree ordinance.

**Fiscal Impact:** NA



# TREES FOR EASTERN NEBRASKA

The following species are recommended for areas in the eastern half of Nebraska and/or typically receive more than 20" of moisture per year. Size Range: The size range indicated for each plant is the expected average mature height x spread for Nebraska.

## Large Deciduous Trees—typically over 40' tall

- Aspen, Bigtooth & Quaking** - *Populus grandidentata* & *P. tremuloides* (both native to Nebraska/U.S. with green/white bark and distinctive fluttery leaves; a hybrid of the two is native to the Niobrara River; can be golden-yellow in fall; short-lived with re-sprouting from roots; 40'x 25')
- Baldcypress** - *Taxodium distichum* (a graceful, deciduous conifer with attractive papery bark; great for wet areas; 50'x 30')
- Beech, American** - *Fagus grandiflora* (eastern U.S. native; attractive smooth bark; needs fertile, moist soil and protected sites; 50'x40')  
European Beech (*Fagus sylvatica*) is very similar and considered easier to grow in Neb; 45'x35'.
- Birch, River** - *Betula nigra* (exfoliating cinnamon brown bark; low-growing branches; prefers rich soil & consistent moisture; 50'x45')
- Catalpa, Northern** - *Catalpa speciosa* (native; tough tree; large, heart-shaped leaves, showy flowers, long seed pods; very adaptable; 50'x 35')
- Coffeetree, Kentucky** - *Gymnocladus dioica* (native; amazingly adaptable; coarse branching and beautiful winter form; 50'x 40')
- Cottonwood, Eastern** - *Populus deltoides* (majestic native; not for extremely dry sites; avoid most cultivars; 80'x 60')
- Elm, American** - *Ulmus americana* (disease resistant varieties include 'Princeton' & 'Jefferson'; 50'x50')
- Elm, 'Accolade'** (complex hybrid) - looks like American elm; Morton Arboretum hybrid of *U. japonica* and *U. wilsoniana*; 50'x 40'
- Elm, 'Triumph'** - *Ulmus x 'Triumph'* (an attractive hybrid; very adaptable; vigorous upright growth habit; 60'x 40')
- Filbert, Turkish** - *Corylus colurna* (pyramidal shape in youth, eventually rounded; scaly bark; interesting winter catkins; 45'x 35')
- Ginkgo** - *Ginkgo biloba* (distinctive fan-shaped leaf; yellow fall color; tolerant of poor soils; female trees produce malodorous fruit; 45'x 35')
- Hackberry** - *Celtis occidentalis* (great native tree with legendary tolerance; matures to stately rounded crown; interesting corky bark; 65'x50')
- Hickory, Bitternut** - *Carya cordiformis* (our most common native hickory; sulphur-yellow buds; deserves to be planted more; 50'x 30')
- Hickory, Shagbark** - *Carya ovata* (native to se Neb; shaggy bark forms on mature trees; yellow in fall; transplant when small; 50'x45')
- Hickory, Shellbark** - *Carya laciniosa* (very similar to shagbark hickory but with a bigger nut and larger growing; 60'x 50')
- Honeylocust** - *Gleditsia triacanthos* (a very tough, adaptable tree that thrives on neglect; choose seedless/thornless types; 70'x60')
- Larch, Japanese/Common** - *Larix kaempferi* or *L. decidua* (deciduous conifers; cold hardy; prefer moist soils; 60'x 40')
- Linden, American** - *Tilia americana* (native; large heart-shaped leaves; fragrant flowers a favorite of bees; tough; 60'x 40')
- Linden, Silver** - *Tilia tomentosa* (dark, shiny leaves have silvery underside; resistant to Japanese Beetle feeding; 50'x 40')
- Magnolia, Cucumbertree** - *Magnolia acuminata* (thick lustrous leaves; cucumber like fruit; 40'x 30'; the green-yellow flowers are not showy, however the hybrid form 'Elizabeth' was selected for its very attractive yellow flowers)
- Maple, Freeman** - *Acer x freemanii* (a fast growing hybrid between red and silver maples; 'Autumn Blaze' a common cultivar; 70'x50')
- Maple, Miyabe** - *Acer miyabei* (thick, glossy foliage turns yellow in fall; 'State Street' nice upright cultivar; 40'x 30')
- Maple, Norway** - *Acer platanoides* (over planted but still good on many sites; common street tree in Lincoln and Omaha; 40'x 35')
- Maple, Red** - *Acer rubrum* (a popular tree with nice red fall color; prefers consistent moisture; not drought tolerant; 45'x40')
- Maple, Sugar** - *Acer saccharum* (beautiful tree that should be planted more; orange fall color; 50'x 50'; choose hardy varieties such as Caddo, 'Fall Fiesta', 'Green Mountain', 'Legacy', and 'Table Rock'; Black Maple (*Acer nigrum*) is similar with a more upright habit, also worth planting)
- Oak, Black** - *Quercus velutina* (native to SE Neb; glossy, dark-green leaf; great spring and fall color; a terrific oak; 50'x 45')
- Oak, Bur** - *Quercus macrocarpa* (outstanding native; big and majestic; very tough and reliable; 60'x 75')
- Oak, Chinkapin** - *Quercus muehlenbergii* (great native tree; tolerates high pH soils; narrow, chestnut-like leaves; 50'x 40')
- Oak, English** - *Quercus robur* (good across Nebraska; many forms; 60'x50')
- Oak, Hill's** - *Quercus ellipsoidal* (Minnesota, Wisconsin native; good, early red/maroon fall color; 50'x 35')
- Oak, Overcup** - *Quercus lyrata* (similar to bur oak, but prefers moist sites; avoid high pH soils; 60'x 45')
- Oak, Red** - *Quercus rubra* (a very reliable native oak with large lustrous leaves and beautiful red fall color; 65' x 55')
- Oak, Scarlet** - *Quercus coccinea* (similar in form to pin oak; beautiful scarlet color in fall; avoid high pH soils; 60'x 45')
- Oak, Shingle** - *Quercus imbricaria* (KS, MO native; distinctive narrow leaves that are held through the winter; 50'x 45')
- Oak, Shumard** - *Quercus shumardii* (similar to red oak but rarely planted; drought tolerant; good fall color; 60'x 45')
- Oak, Swamp White** - *Quercus bicolor* (attractive glossy leaves with silvery underside; good for wet soils; avoid high pH soils; 60'x 50')
- Oak, White** - *Quercus alba* (majestic tree native to SE Neb; dusty red fall color; durable and long lived; avoid high pH; 70'x 60')
- Osage Orange** - *Maclura pomifera* (a very durable and drought tolerant tree with lustrous, dark green leaves; thorny; 50'x 45')
- Pagodatree, Japanese** - *Sophora japonica* (uniformly round; attractive, late summer flowers in creamy panicles; 40'x 30')
- Pecan** - *Carya illinoensis* (an underutilized hickory; grows fast and tall; transplant when small; 70'x 60')
- Sweetgum** - *Liquidambar styraciflua* (upright habit; maple-like leaves; interesting spiked seed balls; nice fall color; SE Neb only; 60'x 40')
- Sycamore** - *Platanus occidentalis* (tough native; beautiful mottled and creamy/white bark; good on wet sites; 80'x 70'; London Planetree (*Platanus x acerifolia*) is very similar to sycamore but with a more creamy bark at maturity; 70'x 50')
- Tuliptree** - *Liriodendron tulipifera* (distinctive leaves and tulip-like orange-yellow flowers; leaves can turn butter yellow in fall; 60'x 45')
- Walnut, Black** - *Juglans nigra* (native; proven throughout Nebraska; tough and reliable; good lumber tree; 60'x 45')
- Zelkova** - *Zelkova serrata* (related to elm; attractive smooth bark; upright habit when young; glossy leaves; 40'x 30')



# TREES FOR EASTERN NEBRASKA

## Small & Medium Deciduous Trees—typically under 40' tall

- Alder, Black (common)** - *Alnus glutinosa* (useful for wet soils and water's edge; attractive glossy leaves; cone-like fruit; 30'x 20')
- Birch, Sweet** - *Betula lenta* (eastern U.S. native; one of the best birches; beautiful yellow fall color; reddish-brown bark)
- Black Gum** - *Nyssa sylvatica* (doing well in SE Neb; handsome foliage turns red-purple in fall; interesting wavy, horizontal branches; 30'x 25')
- Buckeye, Ohio** - *Aesculus glabra* (native; very tough & adaptable; rounded form; interesting 'buckeye' fruit; 30'x 30')
- Cherry, Black** - *Prunus serotina* (overlooked Neb native; fast growing; handsome reddish bark; small cherries relished by song birds; 45'x 35')
- Chestnut, Chinese** - *Castanea mollissima* (similar to American Chestnut but smaller and more rounded; 35'x 30')
- Chokecherry** - *Prunus virginiana* (tough reliable native; suckering habit; 'Canada Red' a purple-leaf form; 25'x 20')
- Crabapple** - *Malus* spp. (dozens of cultivars available; consider disease resistant types with persistent fruit such as 'Adams', 'Cardinal', 'Prairiefire', 'Don Wyman', 'Harvest Gold', 'Red Jewel', 'Pink Spires' to name a few)
- Dogwood, Corneliancherry** - *Cornus mas* (tough, reliable; large shrub or small tree; early yellow flowers; red fruit; 15'x 15')
- Dogwood, Flowering** - *Cornus florida* (SE Neb only as it needs extra protection; attractive but unreliable flowers; 15'x 10')
- Dogwood, Pagoda** - *Cornus alternifolia* (beautiful, horizontally layered small tree or large shrub; short-lived; 15'x 15')
- Elm, David ('Discovery')** - *Ulmus davidiana* var. *japonica* (very cold tolerant; rounded habit; glossy green; 45'x 45')
- Hawthorn, Cockspur** - *Crataegus crusgalli* (nice white flowers; glossy green leaves; abundant red fruit; 15'x 15'; variety *inermis* is a thornless form and Lavalley Hawthorn (*Crataegus* × *lavalleyi*) is a striking hybrid that grows 15'x 10')
- Hawthorn, Downy** - *Crataegus mollis* (Neb native; downy leaves in spring; low, spreading habit; 15'x 15')
- Hawthorn, Washington** - *Crataegus phaenopyrum* (E; attractive foliage, flower and fruit; tough; relatively disease free; 20'x 20')
- Hophornbeam, American** - *Ostrya virginiana* (Neb native; common in forest understory; shaggy bark; yellow fall color; hops like fruit; 25'x 20')
- Hornbeam, American** - *Carpinus caroliniana* (distinctive sinewy-smooth steel gray bark; low spreading habit; 20'x 20')
- Lilac, Japanese Tree** - *Syringa reticulata* (nice ornamental with fragrant white flower clusters in late spring; cherry-like bark)
- Lilac, Pekin** - *Syringa pekinensis* (creamy white flowers; attractive, flaky bark; similar to Jap. tree lilac; 20'x 15')
- Maackia, Amur** - *Maackia amurensis* (seldom seen legume; worth a closer look; green bark; attractive summer flowers; 25'x 20')
- Magnolia, Flowering** - *Magnolia* spp. (hardy magnolias include Saucer Magnolia (*Magnolia* × *soulangiana*) with attractive white flowers and natural rounded habit to 20'x 15'; and Loebner Magnolia (*Magnolia* × *loebneri*) with early white flowers; 15-20'x 15-20')
- Maple, Paperbark** - *Acer griseum* (small tree; cinnamon red exfoliating bark; needs protected sites; 15'x 15')
- Maple, Shantung** - *Acer truncatum* (attractive star-shaped leaves; rounded form; underused ornamental; 20'x 20')
- Maple, Three-flower** - *Acer triflorum* (an underused maple with papery bark; 30'x 25')
- Oak, Dwarf Chinkapin** - *Quercus prinoides* (se NE native; variable habit but usually shrubby; prolific acorn producer; loves heat; 15-20'x 10-15')
- Oak, Mongolian** - *Quercus mongolica* (similar in appearance to Bur Oak but shorter stature; performing well in N. Dakota; 50'x 45')
- Pawpaw** - *Asimina triloba* (SE NE native understory tree; edible mushy fruits; colony former; SE Neb primarily; 20' x 15')
- Persimmon** - *Diospyros virginiana* (native to e. G.P.; distinctive blocky bark; tasty fruit; prefers moist, fertile soil; 30'x 20')
- Redbud** - *Cercis canadensis* (native; attractive purple flowers in early spring; select from hardy seed source; 20'x 15')
- Serviceberry (Juneberry)** - *Amelanchier* spp. (serviceberries are multi-season plants with early-spring white flowers, glossy leaves, tasty fruit and nice fall color; many cultivars available including 'Autumn Brilliance'; wide size range from 10-20'x 10-20')
- Smoketree, American** - *Cotinus obovatus* (blue-green leaves; yellow-orange fall color; plummy, smoke-like flowers; 20'x 15')
- Willow, Laurel** - *Salix pentandra* (attractive, glossy foliage; fast growth; needs consistent moisture; short lived; 35'x 30')
- Yellowwood** - *Cladrastis kentukea* (unique creamy-white, panicked flowers; attractive smooth bark; 35'x 35')

## Evergreen Trees

- Douglasfir** - *Pseudotsuga menziesii* var. *glauca* (soft blue-green needles; distinctive cones; graceful habit; avoid open, windswept sites; 50'x 30')
- Fir, Canaan** - *Abies balsamea* var. *phanerolepis* (common Christmas tree; nice specimens in eastern 1/3 of NE; 45'x 20')
- Fir, Concolor** - *Abies concolor* (attractive blue-green, long, upswept needles; most reliable fir for Nebraska; 50'x 25')
- Fir, Korean** - *Abies koreana* (beautiful blue cones; very graceful; needs to be tested more; 50'x 25')
- Juniper, Chinese** - *Juniperus chinensis* (adaptable and easy to grow; tree forms include 'Spartan' and 'Keteleer'; 15-25'x 10-15')
- Pine, Bosnian** - *Pinus heldreichii* var. *leucodermis* (short needles, tufted branch tips; dark green; 45'x 30')
- Pine, Domingo** - *Pinus* x 'Domingo' (white pine hybrid that's doing well in eastern Neb; blue-green foliage; 50'x 40')
- Pine, Eastern White** - *Pinus strobus* (tolerates wetter conditions than most pines; nice soft needles)
- Pine, Japanese White** - *Pinus parviflora* (graceful open natural habit; attractive large cones; 30'x 20')
- Pine, Korean** - *Pinus koraiensis* (edible nut; soft, attractive needles; 40'x 30')
- Pine, Limber** - *Pinus flexilis* (native; slow growing; soft needles; very flexible branches; plant on well-drained soils; 50'x 30')
- Pine, Ponderosa** - *Pinus ponderosa* (native; best on well-drained soils; attractive cinnamon-brown-black bark; 65'x 30')
- Pine, Red** - *Pinus resinosa* (Minnesota native; slow growing; reddish bark; several trees at Halsey, Maskenthine, UNL; 40'x 30')
- Pine, Southwestern White** - *Pinus reflexa* (graceful five-needle pine; 'Vanderwolfs' a common form; 35'x 20')
- Pine, Swiss Stone** - *Pinus cembra* (to 40' tall; seldom seen; edible nut; soft foliage; 'Chalet' common selection)



# TREES FOR EASTERN NEBRASKA

- Spruce, Black Hills** - *Picea glauca* var. *densata* (nice alternative to blue spruce; tolerates tough sites and conditions)  
**Spruce, Colorado** - *Picea pungens* (the old standby; many cultivars with wide color and habit range; somewhat overplanted)  
**Spruce, Norway** - *Picea abies* (pendulous (weeping) branch tips; tolerates moist sites; largest of the spruce growing to 70'x 40')  
**Spruce, Serbian** - *Picea omorika* (upright habit; weeping, graceful branches; attractive dark cones; slower growing; 35'x 18')  
**Redcedar, Eastern** - *Juniperus virginiana* (Eastern Nebraska's only native evergreen; attractive bark; good for wildlife; 40'x 30'; 'Taylor' is a very narrow cultivar from Nebraska 30'x5'; 'Canaerti' has distinctive tufted branches)

## Trees for the Collector—uncommon in Nebraska but worth a try in the right location

- Ash, Manchurian** - *Fraxinus mandshurica* (from Asia; upright growth; drought tolerant; nice yellow fall color; 'Mancana' common cultivar; this species evolved with Emerald Ash Borer (EAB) and is considered resistant to it; 40'x 30')  
**Birch, Paper** - *Betula papyrifera* (native to Niobrara valley; bark exfoliates in papery strips; prefers cool, moist root zone; 40'x 30')  
**Birch, Rocky Mountain** - *Betula occidentalis* (native NW Neb; attractive cherry-like bark; prefers part shade and even moisture; 15'x15')  
**Buckeye, Red** - *Aesculus pavia* (large shrub or small tree; attractive red flowers; glossy foliage; 15'x 12')  
**Buckeye, Yellow** - *Aesculus flava* (similar to Ohio buckeye, but taller and with smooth fruit capsule; 50'x 40')  
**Dogwood, Kousa** - *Cornus kousa* (star-like creamy-white flowers; very attractive mottled bark; needs protection; 15'x 10')  
**Elm, 'Frontier'** - (lacebark hybrid) smaller, glossy leaves; lacy bark pattern; purple fall color; 40' x 30')  
**Elm, Lacebark** - *Ulmus parvifolia* (very heat and drought tolerant; nice "lacey" bark; rounded habit; some dieback in cold winters; 45'x 45')  
**Fringetree** - *Chionanthus virginicus* (large shrub or small tree; wispy, fragrant flowers; attractive blue fruit; 15'x 15')  
**Hemlock, Eastern** - *Tsuga Canadensis* (refined evergreen for protected spots; tolerates up to 1/2- 2/3 shade; 25'x 15')  
**Hickory, Mockernut** - *Carya tomentosa* (dark gray bark with furrowed, diamond pattern; nut meat is hard to extract; yellow fall color; 35'x 30')  
**Hornbeam, European** - *Carpinus betulus* (smooth gray bark; upright; tight, uniform branching; attractive leaf; 30'x 20')  
**Horsechestnut** - *Aesculus hippocastanum* (sticky, shiny winter buds; beautiful creamy flowers; prone to leaf diseases; 35'x 30')  
**Katsuratree** - *Cercidiphyllum japonicum* (beautiful multi-stemmed tree with handsome bark; heart-shaped leaves; 35' x 25')  
**Maple, Korean** - *Acer pseudosieboldianum* (hardier alternative to Japanese maple; patio size tree; red fall color; 20'x 15')  
**Oak, Bebb's** - *Quercus x bebbiana* (hybrid between bur oak and white oak; vigorous grower; very hardy; 50'x 50')  
**Oak, Chestnut** - *Quercus montana* (interesting chestnut-like leaf; prefers moist, fertile soils; avoid high pH soil; 50'x 35')  
**Oak, Pin** - *Quercus palustris* (upright habit; plant only on neutral or acidic soils - pH 7.2 or lower; 70'x 40')  
**Oak, Post** - *Quercus stellata* (tough, corky bark; medium rounded tree; ideal for hot, dry sites; native to southern KS; 30'x 25')  
**Parrotia** - *Parrotia persica* (lustrous green witchhazel like leaves turn yellow-orange in fall; exfoliating bark; needs protection; 20'x 15')  
**Pine, Lacebark** - *Pinus bungeana* (slow growing but graceful; beautiful mottled bark; unfortunately is prone to pine wilt disease; 45'x 20')  
**Sassafras** - *Sassafras albidum* (interesting mitten like leaves with orange fall color; spicy-aromatic branches; needs protection; 30'x 20')  
**Seven-Son Flower** - *Heptacodium miconoides* (gangly habit; nice summer flowers favored by bees; exfoliating bark; 15'x15')  
**Spruce, Oriental** - *Picea orientalis* (graceful habit; attractive pendulous branches similar to *P. omorika*; slow growing; 45'x 20')  
**Sugarberry** - *Celtis laevigata* (related to hackberry but with smooth bark; marginally hardy here; 50'x50')

## Trees No Longer Recommended Due to Invasiveness

- Corktree, Amur** - *Phellodendron amurense*  
**Goldenrain Tree** - *Koeleruteria paniculata*  
**Pear, Callery** - *Pyrus calleryana*  
**Tree of Heaven** - *Ailanthus altissima*  
**Russian Olive** - *Elaeagnus angustifolia*  
**White Mulberry** - *Morus alba*  
**Common Buckthorn** - *Rhamnus cathartica*  
**Saltcedar** - *Tamarix* spp. (declared noxious weed in Nebraska)  
**Siberian Elm** - *Ulmus pumila*

For more tree and plant resources, visit [plantnebraska.org](http://plantnebraska.org).

### Article 3. Miscellaneous Misdemeanors

**Sec. 6-301 MISDEMEANORS; ASSAULT IN THE THIRD DEGREE.** It shall be unlawful for any person to intentionally, knowingly, or recklessly cause bodily injury to another person; or threaten another in a menacing manner. Assault in the third degree shall be a Class I misdemeanor unless committed in a fight or scuffle entered into by mutual consent in which case it shall be a Class II misdemeanor. (Neb. Rev. Stat. §28-310)

**Sec. 6-302 MISDEMEANORS; THEFT.** The terms and definitions applied in this Section shall be in conformance with Section 28-509 RS Neb. It shall be unlawful for any person to:

- A. Take or exercise control over movable property of another with the intent to deprive him or her thereof; or
- B. Transfer immovable property of another or any interest therein with the intent to benefit himself or another not entitled thereto; or
- C. Fail to return leased or rented movable property to the lessor after the expiration of a written lease or written rental agreement, if done with intent to deprive, and if such lessee has been mailed notice by certified mail that such lease or rental agreement has expired and he or she has failed within ten (10) days after such notice to return such property; or
- D. Obtain the property of another by deception, as defined by Section 28-512 RS Neb; or
- E. Obtain the property of another by threatening to:
  - 1. Inflict bodily injury on anyone or commit any other criminal offense; or
  - 2. Accuse anyone of a criminal offense; or
  - 3. Expose any secret tending to subject any person to hatred, contempt, or ridicule, or to impair his or her credit or business repute; or
  - 4. Take or withhold action as an official, or cause an official to take or withhold action; or
  - 5. Bring about or continue a strike, boycott, or other collective unofficial action, if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act; or
  - 6. Testify or provide information or withhold testimony or information with respect to another's claim or defense. It is an affirmative defense to prosecution based on subdivision 2, 3, or 4 of the above subsection, that the property obtained by threat of accusation, exposure, lawsuit or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstances to which such accusation, exposure, lawsuit or other official action relates, or as compensation for property or lawful services; or
- F. Come into control of property of another that he knows to have been lost, mislaid, or delivered under a mistake as to the nature or amount of the property or the identity of the recipient if, with intent to deprive the owner thereof, he or she fails to take reasonable measures to restore the property to a person entitled to have it; or
- G. Obtain services which he or she knows are available only for compensation, by deception or threat, or by false token or other means to avoid payment for the service;

or

- H. Have control over the disposition of services of others, to which he or she is not entitled, and diverts such services to his or her own benefit or to the benefit of another not entitled thereto; or
- I. Make, possess, sell, give, transfer, offer for sale or advertise any device, instrument, apparatus or equipment designed or which can be used to obtain telecommunications service fraudulently or to conceal from any supplier or telecommunications service or from any lawful authority the existence or place of origin or of destination of any telecommunication; or
- J. Receive, retain or dispose of movable property to another knowing that it has been stolen, or believing that it has been stolen, unless the property is received, retained or disposed with intention to restore it to the owner.

Provided that the value of the thing involved is under three hundred (\$300.00) dollars. (Neb. Rev. Stat. §28-509 thru 28-515, 28-517) (Class I or II misdemeanor)

**Sec. 6-303 MISDEMEANORS; CRIMINAL MISCHIEF.** It shall be unlawful for any person to damage property of another intentionally or recklessly; or intentionally or recklessly tamper with property of another so as to endanger person or property; or intentionally or maliciously cause another to suffer pecuniary loss by deception or threat; Provided, that the value of the property involved is under three hundred (\$300.00) dollars. (Neb. Rev. Stat. §28-519) (Class II or III misdemeanor)

**Sec. 6-304 MISDEMEANORS; CRIMINAL TRESPASS.** It shall be unlawful for any person, knowing that he or she is not licensed or privileged to do so, to:

- A. Enter or secretly remain in any building or occupied structure, or any separately secured or occupied portion thereof; or
- B. Enter or remain in any place as to which notice against trespass is given by:
  - 1. Actual communication to the actor; or
  - 2. Posting in a manner prescribed by law or reasonably likely to come to the attention of intruders; or
  - 3. Fencing or other enclosure manifestly designed to exclude intruders.

A person found guilty under subsection A hereof shall be guilty of a Class I misdemeanor. A person found guilty under subsection B hereof shall be guilty of a Class III misdemeanor except he or she shall be guilty of a Class II misdemeanor if the offender defied an order to leave personally communicated to him or her by the owner of the premises or other authorized person. (Neb. Rev. Stat. §28-520, 28-521) (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2148 10/14/2008) (Amended by Ordinance 2401 07/28/2020)

**Sec. 6-305 MISDEMEANORS; IMPERSONATING A PEACE OFFICER.** It shall be unlawful for any person to falsely pretend to be a peace officer and perform any act in that pretended capacity. Impersonating an officer is a Class I misdemeanor. (Neb. Rev. Stat. §28-610)

**Sec. 6-306 MISDEMEANORS; PUBLIC INDECENCY.** It shall be unlawful for any person, eighteen (18) years of age or over, to perform or procure or assist any other person to perform in a public place and where the conduct may reasonably be expected to be viewed by members of the public:

- A. An act of sexual penetration as defined by Subdivision (5) of Section 28-318 RS Neb.; or
- B. An exposure of the genitals of the body done with intent to affront or alarm any person; or
- C. A lewd fondling or caressing of the body of another person of the same or opposite sex. Public indecency is a Class II misdemeanor. (Neb. Rev. Stat. §28-806)

**Sec. 6-307 MISDEMEANORS; RESISTING ARREST, WITHOUT THE USE OF A DEADLY OR DANGEROUS WEAPON.** It shall be unlawful for any person to intentionally prevent or attempt to prevent a peace officer, acting under color of his or her official authority, from effecting an arrest on said person or on another, by:

- A. Using or threatening to use physical force or violence against the peace of another; or
- B. Using any other means which creates a substantial risk of causing physical injury to the peace officer or another; or
- C. Employing means which require substantial force to overcome resistance to effecting the arrest;

Provided, that this Section shall apply only to those actions taken to resist arrest without the use of a deadly or dangerous weapon.

It is an affirmative defense to prosecution under this Section if the peace officer involved was out of uniform and did not identify himself or herself as a peace officer by showing his or her credentials to the person whose arrest is attempted. Class I misdemeanor. (Neb. Rev. Stat. §28-904)

**Sec. 6-308 MISDEMEANORS; OBSTRUCTING A PEACE OFFICER.** It shall be unlawful for any person, to use or threaten to use violence, force, physical interference, or hinder the enforcement of the penal law or the preservation of the peace by a peace officer or judge acting under color of his or her official authority. Class I misdemeanor. (Neb. Rev. Stat. §28-906)

**Sec. 6-309 MISDEMEANORS; DISTURBING THE PEACE.** It shall be unlawful for any person to intentionally disturb the peace and quiet of any person, family or neighborhood. Class III misdemeanor. (Neb. Rev. Stat. §28-1322)

**Sec. 6-310 MISDEMEANORS; APPLIANCES IN YARD.** It shall be unlawful for any person to permit a refrigerator, icebox, freezer, or any other dangerous appliance to be in the open and accessible to children whether on private or public property unless he or she shall first remove all doors and make the same reasonably safe. Each day a refrigerator, ice box, freezer, or any other dangerous appliance is open, accessible to children, and unsafe shall be deemed a separate violation hereunder. (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

**Sec. 6-311 MISDEMEANORS; WEED REMOVAL.** Repealed by Ord. No. 1574, 09/10/91, provisions transferred to Section 4-506.

**Sec. 6-312 MISDEMEANORS; TREES DEAD, DISEASED OR DAMAGED DYING TREES.** All trees and shrubs within the City of Blair shall be pruned or removed when such trees

or shrubs constitute a hazard to life and property, or harbor insects or diseases or are damaged to the extent they constitute a threat to other trees or shrubs, persons or property within the City. For the purpose of carrying out the provisions of this Section, the City of Blair Police or Administrative Staff along with staff from the State Forestry Office or a licensed arborist shall have the authority to enter on private property to inspect the tree(s) or shrub(s) thereon. In the event the tree(s) or shrub(s) are dead, diseased or damaged beyond recovery notice shall be given to the owner of the property by mail or personal service and such notice shall allow the said owner sixty (60) days to remove said tree(s) or shrub(s). In the event the owner is a non-resident, notice shall be made by publication in a newspaper of general circulation, or by mail if the name and address is known. In the event of failure of owners to comply with said notice, the City of Blair shall have the authority to hire a registered contractor to prune or remove said tree(s) or shrub(s) and the City of Blair assess the cost of said pruning to the property owner. If the owner fails to reimburse the City of Blair after being properly billed, the cost with interest may be assessed against the real estate and the City Clerk shall have the assessment filed as a lien against the real estate and certified to the City of Blair to be collected in the manner prescribed by law. In the event the property owner is a non-resident of Washington County the City of Blair shall, before levying any special assessment against that property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested to the last known address of the non-resident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. Failure to remove any said tree shall be deemed to be a Class III misdemeanor. (Neb. Rev. Stat. §16-230, 18-1720, 28-1321) (Amended by Ordinance 2167 7/14/2009)

**Sec. 6-313 MISDEMEANORS; RADIO INTERFERENCE.** Any person operating, or causing to be operated, any motor, sign, or other electrical apparatus that is connected with the light and power system shall equip the apparatus with proper filtering attachments to eliminate interference; Provided, that the provisions herein shall not apply to the use of necessary medical equipment or apparatus where electrical interference cannot be reasonably and safely eliminated. Any person who so operates, or causes to be operated, any such electrical apparatus that interferes habitually with radio and television reception shall be deemed to be guilty of a misdemeanor. Class III misdemeanor. (Neb. Rev. Stat. §18-1720, 28-1321)

**Sec. 6-314 MISDEMEANORS; DISCHARGE OF FIREARMS.** It shall be unlawful for any person, except an officer of the law in the discharge of his or her official duty, to fire or discharge any gun, pistol, or other firearm specifically including but not limited to air guns, air rifles, pellet guns, and "B-B" guns, or any other device which by the triggering of an explosion discharges a projectile from the device excepting any generally recognized tool or legal fireworks within the Municipality; provided, nothing herein shall be construed to apply to officially sanctioned public celebrations if the persons so discharging firearms have written permission from the Governing Body. Class V. (Neb. Rev. Stat. §16-227) (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

**Sec. 6-315 MISDEMEANORS; FIREARMS, POSSESSION, TRANSPORTATION, WHEN ALLOWED.** It is hereby unlawful for any person, except an authorized law enforcement officer, or a private security guard who is registered with the Chief of Police, purposely or knowingly, to

openly carry or openly transport in any conveyance or in any other manner whatsoever, or to possess any rifle, shot gun, air gun, air rifle, pellet gun, or “B-B” gun at any building owned by the City of Blair. This section is not violated if, prior to exiting the vehicle, the firearm is locked inside a trunk, a locked compartment of vehicle, or a storage box which is locked and attached to a vehicle. This exception does not apply to any parking area used by such location in which the carrying of a firearm is prohibited by federal law. Furthermore, this section is not violated if the person meets the exceptions contained in Section 6-317 of the Blair City Code. This section shall not apply to carrying a concealed weapon, so long as Nebraska statutes allows for the carrying of a concealed weapon at the location as defined by Neb. Rev. Stat. §28-1202.01 and that the person complies with the provisions of Neb. Rev. Stat. §28-1202.01. It shall be an affirmative defense to this section that at the time he or she was carrying the firearm, there existed circumstances at that time in which such person was placed at the time were such as to justify a prudent person in carrying the firearm for the defense of his or her person, property, or family. (Amended by Ordinance 2377 03/12/2019; Ordinance 2527 03/26/2024)

**Sec. 6-316 MISDEMEANORS; HAND GUNS, POSSESSION, TRANSPORTATION, WHEN ALLOWED.** It is hereby unlawful for any person, except an authorized law enforcement officer, or a private security guard who is registered with the Chief of Police, purposely or knowingly, to openly carry or openly transport in any conveyance or in any other manner whatsoever, or to possess any handgun at any building owned by the City of Blair. This section is not violated if, prior to exiting the vehicle, the handgun is locked inside a glove box, locked inside the trunk, a locked compartment of vehicle, a storage box which is locked and attached to a vehicle, or if the vehicle is a motorcycle, other than an autocycle, the handgun is locked inside of the hardened compartment securely attached to the motorcycle. This exception does not apply to any parking area used by such location in which the carrying of a handgun is prohibited by federal law. Furthermore, this section is not violated if the person meets the exceptions contained in Section 6-317 of the Blair City Code. This section shall not apply to a person authorized to carry a concealed weapon, so long as Nebraska statutes allows for the carrying of a concealed weapon at the location as defined by Neb. Rev. Stat. §28-1202.01 and that the person complies with the provisions of Neb. Rev. Stat. §28-1202.01. It shall be an affirmative defense to this section that at the time he or she was carrying the handgun, there existed circumstances at that time in which such person was placed at the time were such as to justify a prudent person in carrying the handgun for the defense of his or her person, property, or family. (Amended by Ordinance 2377 03/12/2019; Ordinance 2527 03/26/2024)

**Sec. 6-316.01 MISDEMEANORS; FIREARMS, POSSESSION BY PERSONS UNDER TWENTY-ONE (21) PROHIBITED.** It shall be unlawful for any person who has not reached the age of twenty-one (21) to possess a concealable firearm, handgun, pistol, or revolver. The provisions of this section shall not apply to members of the Armed Forces of the United States, active or reserve, National Guard of the state or Reserve Officer Training Corp when on duty or training or to the temporary loan of pistols, revolvers, or any other form of concealable firearms for instruction under the immediate supervision of a parent or guardian or adult instructor. Any person found guilty under this section shall be deemed to be guilty of Class IV misdemeanor.

**Sec. 6-317 MISDEMEANORS; FIREARMS, POSSESSION, EXCEPTIONS.** The provisions of Section 6-315 and Section 6-316 shall not be construed to prevent carrying unloaded rifles in

parades or using rifles in ceremonials, or to prevent possession of rifles or shotguns at shows or exhibits, or for other lawful use, purpose or activity, including but not limited to skeet and trap shooting, target shooting at rifle range, hunter safety instruction conducted by qualified instructors, when such do not endanger public safety or are detrimental to public welfare, provided the prior approval of the Chief of Police of the City of Blair shall have been obtained for such use, purpose or activity. (Ord. No. 1107, 1/22/74)

**Sec. 6-318 MISDEMEANORS; SLINGSHOTS.** It shall be unlawful for any person to discharge a slingshot or the like loaded with rock or to shoot or discharge a bow and arrow, compound bow, cross bow or the like or other dangerous missiles at any time or under any circumstances within the Municipality. Class V. (Neb. Rev. Stat. §16-227) (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

**Sec. 6-319 MISDEMEANORS; DEFINITION OF TERMS AS APPLIED TO PROVISIONS CONCERNING TREES.** For the purposes of Sections 6-319.01 through 6-319.09 inclusive the following definitions apply:

1. Street trees are herein defined as trees, shrubs, bushes, and all other woody vegetation on Municipal right-of-ways, on all streets, avenues, boulevards, alleys, or other transportation ways within the Municipality.
2. Park trees are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks and all other public lands owned by the Municipality.
3. Small trees are defined as Any tree with a typical maximum height of twenty (20) feet.
4. Medium trees are defined as Any tree with a typical maximum height of forty (40) Feet.
5. Large trees are defined as Large trees are defined as any tree with a typical maximum growth height that exceeds forty (40) Feet. (Amended by Ordinance 1338 12/14/82) (Amended by Ordinance 2139 04/08/2008) (Amended by Ordinance XXXX 4/28/26).
6. All street trees must be approved for planting based off the recommendations from the Nebraska Statewide Arboretum. The list is kept current at XXXX website.

**Sec. 6-319.01 MISDEMEANOR; PLANTING OF TREES.** It shall be unlawful for any person, firm, City Department, or other entity to plant any species of street tree that is not in accordance with Section 6-319 without prior written permission of the City Arborist, or their designee. No street tree shall be planted in violation of the permit requirements outlined in Section 8-108.1. (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 1338 12/14/1982) (Amended by Ordinance 2139 04/08/2008) (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance XXXX 04/28/26)

**Sec. 6-319.02 MISDEMEANORS; SPACING OF STREET TREES.** It shall be unlawful for any person, firm, corporation, City Department, or any other entity to plant street trees with a minimum distance between small trees less than thirty (30') feet, a minimum distance between medium trees less than forty (40') feet, and a minimum distance between large trees of fifty (50') feet unless otherwise approved prior to the planting by written permission of the City Arborist, or special plantings designed by a certified landscape architect or certified arborist. (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule).

(Amended by Ordinance 1338 12/14/82) (Amended by Ordinance 2140 06/10/2008)(Amended by Ordinance XXXX 04/28/26)

**Sec. 6-319.03 MISDEMEANORS; PLANTING DISTANCE FROM CURB AND SIDEWALK OF PARK AND STREET TREES.** The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three tree species size classes of section 6-319, and no trees may be planted closet to any curb or sidewalk than the following: Small trees – 2 feet, medium trees – 3 feet, and large trees – 4 feet (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 1338 12/14/82) (Amended by Ordinance 2139 04/08/2008) (Amended by Ordinance 2140 06/10/2008)(Amended by Ordinance XXXX 04/28/26)

**Sec. 6-319.04 MISDEMEANORS; PLANTING DISTANCE FROM STREET CORNERS AND FIRE PLUGS OF STREET AND PARK TREES.** It shall be unlawful for any person, firm, corporation, City Department, or other entity to plant any street or park tree less than thirty-five (35') feet from any street corner, measured from the point of the nearest intersecting curbs or curb lines. It shall further be unlawful for any person, firm, corporation, City Department, or other entity to plant any street or park tree less than ten (10) feet from any fire hydrant. No street trees other than those species defined in Section 6-319 of this ordinance as small trees may be planted under or within ten (10) lateral feet of any overhead utility wire. No street tree may be planted within five (5) lateral feet of any underground water line, sewer line, transmission line, or other utility. (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Ord. No. 1338, 12/14/82) (Amended by Ordinance 2140 06/10/2008)

**Sec. 6-319.05 MISDEMEANORS; TREE TOPPING.** It shall be unlawful for any person, firm, corporation, City Department, or other entity to top any street tree, park tree, or any other tree on public property. Topping is hereby defined as the severe cutting back of limbs to stubs larger than three (3") inches in diameter within the tree's crown. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this Section at the determination of the City Forester subject to the rules and regulations of the Department of Utilities governing the pruning and trimming of trees interfering with utility lines (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule) (Ord. No. 1338, 12/14/82) (Amended by Ordinance 2140 06/10/2008)

**Sec. 6-319.06 MISDEMEANORS; PRUNING AND CORNER CLEARANCE OF TREES.** It shall be the obligation and responsibility, and every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight (8') feet above the surface of the street or sidewalk. Said owner shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light from a street light along the street or interferes with the visibility of any traffic control device or sign. (Ord. No. 1338, 12/14/82)

**Sec. 6-319.07 MISDEMEANORS; REMOVAL OF STUMPS.** Any person, firm, corporation,

or other entity removing any street or park trees shall remove the stumps from said trees below the surface of the ground so that the top of said stump shall not project above the surface of the ground. (Ord. No. 1338, 12/14/82)

**Sec. 6-319.08 MISDEMEANORS; INTERFERENCE WITH PARK AND RECREATION ADVISORY BOARD OF CITY FORESTER.** It shall be unlawful for any person, firm, corporation, or other entity to prevent, delay or interfere with the City Forester, Park Advisory Board, and Recreation Advisory Board, or any of their agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removal of any street trees, park trees, or trees on private grounds as authorized by the Municipal Code. (Ord. No. 1338, 12/14/82)

**Sec. 6-319.09 MISDEMEANORS; INJURY TO TREES.** It shall be unlawful for any person to purposely or carelessly, and without lawful authority, cut down, carry away, injure, break down, or destroy any fruit, ornamental, shade or other tree or trees standing or growing on any land belonging to another person or persons or on any public land in the corporate limits. Any public service company desiring to trim or cut down any tree, except on property owned and controlled by them, shall make an application to the City Forester to do so, and the written permit of the City Forester in accordance with their decision to allow such an action shall constitute the only lawful authority on the part of the company to do so. (Penalties refer to Sections 6-401 and 6-402). (Ord. No. 1338, 12/14/82) (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

#### **SECTION 6-319.10 Reserved for Future Use**

**Sec. 6-320 MISDEMEANORS; LITTERING.** Any person who deposits, throws, discards, or otherwise disposes of any litter on any public or private property, or in any waters, commits the offense of littering unless:

- A. Such property is an area designated by law for the disposal of such material and such person is authorized by the proper public authority to so use such property; or
- B. The litter is placed in a receptacle or container installed on such property for such purpose.

The term litter as used in this Section means all rubbish, refuse, waste material, garbage, trash, debris or other foreign substances, solid or liquid, of every form, size, kind and description, but does not include the waste or primary process of farming or manufacturing.

Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle or water craft in violation of this Section, the operator of such motor vehicle or water craft commits the offense of littering. Littering is a Class V misdemeanor. (Neb. Rev. Stat. §16-230, 28-523) (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2140 06/10/2008)

**Sec. 6-320.01 MISDEMEANORS: LITTERING; SOLICITATION ON PRIVATE PREMISES.** It shall be unlawful for any person, association, firm or corporation to throw, deposit, or distribute any commercial solicitation in or upon private premises, except by handing or transmitting any such handbill or solicitation material directly to the owner or other person present upon such premises or with the request of the owner or occupant of the premises. (Penalties refer to Sections 6-402 through 6-403 or Addendum to the Code Violations Bureau Fee

Schedule). (Amended Ordinance 2209 10/25/2011)

**Sec. 6-321 MISDEMEANORS; POSTING.** It shall be unlawful for any person, firm or corporation to use the streets, sidewalks or public grounds of the Municipality for signs, signposts, the posting of handbills or advertisements, without written permission of the Governing Body. Class V misdemeanor. (Neb. Rev. Stat. §16-210) (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2140 06/10/2008)

**Sec. 6-322 MISDEMEANORS; NOTICES OFFICIAL, UNLAWFUL ACTS.** It shall be unlawful for any person to interfere with, obstruct, mutilate, conceal or tear down any office notice or proclamation of the City or any of its officers during the time such notice or proclamation is in effect upon direction of the Mayor or the officer giving such notice or proclamation. (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2140 06/10/2008)

**Sec. 6-323 MISDEMEANORS; DISORDERLY CONDUCT.** It shall be unlawful for any person to engage in conduct or behavior which disturb the peace and good order of the Municipality by clamor or noise, intoxication, drunkenness, fighting, using of obscene or profane language in the streets or other public places, or is otherwise indecent or disorderly conduct or lewd or lascivious behavior. Class III misdemeanor. (Neb. Rev. Stat. §16-227, 16-228)

**Sec. 6-324 MISDEMEANORS; UNLAWFUL ASSEMBLY, DEFINED; VIOLATIONS; PENALTY.** A person is guilty of unlawful assembly if he or she assembles with two (2) or more persons for the purpose of engaging in conduct constituting the crime of riot or if, being present at an assembly that either has or develops such a purpose, he or she remains there with an intent to advance that purpose. Any person convicted of unlawful assembly shall be punished as provided in Article 4 of this Chapter.

**Sec. 6-325 MISDEMEANORS; WINDOW PEEPING.** It shall be unlawful for any person to go upon the private premise of another to look or peep into any window, door, or other opening in a building occupied by any other person. (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

**Sec. 6-326 MISDEMEANORS; OBSTRUCTION OF PUBLIC WAYS.** It shall be unlawful for any person to erect, maintain or suffer to remain on any street or public sidewalk a stand, wagon, display or other obstruction inconvenient to, or inconsistent with, the public use of the same. Class V misdemeanor. (Neb. Rev. Stat. §16-207, 16-227, 39-301, 39-303) (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2140 06/10/2008)

**Sec 6-326.01 SNOW EMERGENCY DESIGNATION.** When predictions or occurrences indicate the need, the Mayor or his/her designated representative may determine that it is necessary for the City to cause snow and/or ice to be cleared from the public streets, avenues, alleys, or other public places due to the accumulation thereon causing hindrance to traffic and constituting an emergency requiring the same to be cleared, the Mayor or his/her designated representative may,

in the interest of public safety, declare a snow emergency and the enforcement of emergency snow parking regulations, set forth in Sec. 6-326.01 through 326.03. When the Mayor or his/her designated representative issues a snow emergency appropriate public media shall be notified. In addition, such declaration shall be posted on the City website and cable T.V. channel as soon as practical. (Amended by Ordinance 2009 09/28/2004; Ordinance 2140 06/10/2008; Ordinance 2181 03/09/2010)

**Sec. 6-326.02 PARKING DURING SNOW EMERGENCY.** No person shall park, abandon or leave unattended any vehicle on any public street, alley, or City owned street or street parking area during any snow emergency proclaimed in Sec. 6-326.01 unless the snow has been cleared from said street, alley or parking area and the snow has ceased to fall for a minimum period of eight (8) hours. A snow emergency parking ban shall continue from its declaration throughout the duration of the snow or ice storm and the forty-eight (48) hour period after cessation of such storm except as provided above for streets which have been fully cleared. Any vehicle left parked in violation of this section may be removed by the Chief of Police or his designee and towed to the City impound lot. If such unlawfully parked vehicle is not removed and by reason of its presence any part of the streets of the city are unable to be cleared, the owner of the vehicle will be in violation of this section and subject to a fine and may be liable to the City for any added clearing expenses necessarily incurred as a result of such unlawful parking. (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule.)

**Sec. 6-326.03 SNOW EMERGENCY PARKING (WHERE APPLICABLE).** All City streets, avenues, thoroughfares (State and Federal Highways), alleys or other public places shall be covered by a snow emergency issued pursuant to Sections 6-326.01 and 6-326.02 except the following area and conditions set forth as follows: That between October 15 and March 31 of each year there shall be no parking from the hours of 2:00 o'clock A.M. to 5:00 o'clock A.M. on both sides of the streets as follows: Washington Street from its intersection with Thirteenth (13<sup>th</sup>) Street to its intersection with Nineteenth (19<sup>th</sup>) Street; Lincoln Street from its intersection with Fifteenth (15<sup>th</sup>) Street to its intersection with Seventeenth (17<sup>th</sup>) Street; Front Street from its intersection with Fifteenth (15<sup>th</sup>) to its intersection with Eighteenth (18<sup>th</sup>) Street; Fifteenth (15<sup>th</sup>) Street from its intersection with Lincoln Street to its intersection with the alley between Washington Street and Front Street; Sixteenth (16<sup>th</sup>) Street from its intersection with Grant Street to intersection with the Union Pacific Railroad (Formerly known as the Chicago and North Western Railroad) right of way; Seventeenth (17<sup>th</sup>) Street from its intersection with Lincoln Street to its intersection with Front Street; and Eighteenth (18<sup>th</sup>) Street from its intersection with Lincoln Street to its intersection with Front Street.

(NOTE: See Resolution 1992-7 adopted January 28, 1992 for additional reference)

**Sec. 6-326.04 SNOW REMOVAL FROM PRIVATE PROPERTY.** It shall be unlawful for any person or business within the limits of the City of Blair, Nebraska to remove or cause to be removed snow from any business lot, parking lot, or other private premises, including but not limited to sidewalks and driveways, which is pushed or otherwise deposited onto the streets, street parking areas, or alleys of said City, except for the sidewalks abutting Washington Street from Nineteenth (19<sup>th</sup>) Street to Fifteenth (15<sup>th</sup>) Street; Sixteenth (16<sup>th</sup>) Street from Lincoln Street to the Union Pacific Railroad right of way; and Seventeenth (17<sup>th</sup>) Street from Lincoln Street to Front

Street. (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule.)

**Sec. 6-326.05 CLEANING OF SIDEWALKS.** It shall be unlawful for the adult occupant or occupants of any improved lot or tract of ground or the owner or owners of any unimproved tract of ground in the City to permit snow, sleet, mud or ice to accumulate and remain on the sidewalk along and adjacent to such lot or tract of ground for a period of more than five (5) hours after cessation of the storm causing the same, except in the case of cessation after the hour of nine (9:00) o'clock P.M. in which case such person shall be permitted until ten (10:00) o'clock A.M., of the following day in which to remove such substances. In case snow, sleet, mud or ice is not removed within twelve (12) hours following the deposit of same on the sidewalk along and adjacent to any lot or tract of ground within the City, the City Administrator may cause same to be removed and the cost of removal of same shall immediately become due and payable, jointly and severally, from the owners and adult occupants of such tract of ground. (Neb. Rev. Stat. §16-663) (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2307 05/24/2016)

**Sec. 6-327 MISDEMEANORS; CURFEW.** It shall be unlawful for any minor under the age of sixteen (16) years to be or remain in or upon any of the streets, alleys or other places in the City at night after the hour of twelve (12:00) o'clock A.M., unless accompanied by a parent, guardian or other person having the legal custody of such minor person, or is going to or from some meeting or assemblage of lawful character, or is in the performance of an errand or duty directed by a parent, guardian or other person having the legal custody of such minor person, or whose employment makes it necessary to be upon the streets, alleys, or public places during the night-time after such specified hours. It shall be unlawful for the parents, guardians or other adult persons having the care and custody of a minor child under the age of sixteen (16) years to allow or permit said minor to be or remain in or upon any of the streets, alleys or public places in the City at night after the hour of twelve (12:00) o'clock A.M. unless such person is accompanied by a parent, guardian or other person having the legal custody of such minor person or is going to or from some meeting or assemblage of lawful character or is in the performance of an errand or duty directed by a parent, guardian or other person having the legal custody of such minor person or whose employment makes it necessary to be upon the streets, alleys or public places during the night time after such specified hours. A conviction for violation of this section shall result in a fine for the first offense in any one calendar year of the sum of twenty-five dollars (\$25.00), for the second offense in any one calendar year the sum of fifty dollars (\$50.00), and for the third and subsequent offenses in any one calendar year the sum of one hundred dollars (\$100.00). (Ord. No. 1113, 4/23/75)

**Sec. 6-328 MISDEMEANORS; LOITERING AND VAGRANTS.** It shall be unlawful for any person to loiter on the streets, in the park, on the sidewalk, or on any other public ways and property at unreasonable hours, and those persons who are unable to give a good and satisfactory reason why they should be there, including all vagrants and persons found without means of support or some legitimate business, shall be deemed to be guilty of loitering. (Neb. Rev. Stat. §16-229) (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2140 06/10/2008)

**Sec. 6-329 MISDEMEANORS; MISREPRESENTATION BY MINOR.** It shall be unlawful for any minor, as defined by Section 53-103 RS Neb., to obtain or attempt to obtain, alcoholic liquor by misrepresentation of age, or by any other method, in any tavern or other place where alcoholic liquor is sold. Class III misdemeanor. (Neb. Rev. Stat. §53-168.06, 53-180.01, 53-180.05)

**Sec. 6-330 MISDEMEANORS; MINOR; ALCOHOLIC LIQUOR; SELLING OR DISPENSING; POSSESSION; UNLAWFUL; VIOLATION.** No minor as defined by Section 53-103 R.S. Neb. may sell or dispense or have in his or her possession or physical control any alcoholic liquor in any tavern or in any other place including public streets, alleys, roads, highways, upon property owned by the State of Nebraska or any owned by the Municipality thereof, or inside any vehicle or while in any other place including, but not limited to, the public streets, alleys, roads, highways, or upon any property owned by the Municipality, except that a minor may possess or have physical control of any alcoholic liquor as allowed by Section 53-168.06 R.S. Neb. in his or her permanent place of residence. Class III misdemeanor. (Neb. Rev. Stat. §53-168.06, 53-103, 53-180.02, 53-180.05) (Amended by Ord. No. 1318, 1/12/82)

**Sec. 6-331 MISDEMEANORS; DRINKING IN PUBLIC.** It shall be unlawful for any person to consume alcoholic beverages in the public streets, alleys, roads, highways, or upon any property owned by the Municipality or other governmental subdivision thereof, or inside vehicles while upon the public streets, alleys, roads, or highways, in theatres, dance halls, or any other place open to the public; Provided, the provisions of this Section shall not apply to liquor establishments licensed by the State of Nebraska.

Notwithstanding any other provisions hereof the governing body of the Municipality may allow by resolution the sale and consumption of alcoholic beverages on (check ordinance) only in such cases as the sale of such alcoholic beverages is by the Blair Volunteer Fire Department. Such authorization shall be limited to no more than six (6) one day events in any one calendar year. Class II or IV misdemeanor. (Neb. Rev. Stat. §53-186, 53-1,100)

**Sec. 6-332 MISDEMEANORS; AERIAL TRAFFIC.** It shall be unlawful for any person to operate any airplane, balloon or other aircraft used for air travel in a dangerous manner to persons or property within the Municipality or to operate any airplane at an altitude of less than five hundred (500') feet, exclusive of takeoff or landing, or to drop handbills or other objects therefrom, or to operate the same while under the influence of alcohol or drugs, while flying over any part of the Municipality.

**Sec. 6-333 MISDEMEANORS; JUNK VEHICLES.** It shall be unlawful for any property owner or lessee to allow an accumulation of dismantled, abandoned, inoperable, wrecked, unlicensed or unregistered motor vehicles or recreational equipment of any kind including, but not limited to, motorcycles, all-terrain vehicles, automobiles, trucks, boats and trailers which are in violation of Chapter 60, Article 3 R.R.S. Nebraska (as amended from time to time).

The City Administrator, the Chief of Police, or their designated agent, shall have the power to investigate all complaints of violations of this Section and if they find that such property owner or lessee has allowed such accumulation, they shall cause the property owner or lessee to be served with written notice directing them to remove the accumulation within five (5) days of the receipt of said notice.

Any person failing to remove said accumulation within five (5) days after receiving notice to do so, shall be deemed guilty of a misdemeanor and a conviction for violation of this section shall result in a fine as indicated in Sections 6-401 through 6-404, and the Court, as part of the judgment, shall order the owner to remove the accumulation. Each day an accumulation is permitted to exist shall be deemed a separate violation hereunder. In addition, an authorized agent of the Municipality may cause said accumulation to be removed at the expense of the owner or lessee, from the land whereon said accumulation exist and the cost of such removal shall be levied, equalized, and assessed as are other special assessments. (Ord. No. 1280, 5/14/80) (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2307 05/24/2016) (Amended by Ordinance 2401 07/28/2020)

**Sec. 6-334 MISDEMEANORS; METER TAMPERING.** It shall be unlawful for any person to tamper with, alter, destroy or modify or to do any other act or cause any other act to be done which alters or prohibits the accurate metering and registering of water as supplied by the City of Blair to its customers. Said tampering shall also specifically include but not be limited to breaking of any seals on the metering device and adjusting or removing cams. Notwithstanding the provisions of Section 6-401, any person guilty of any unlawful acts as provided for by this Section shall be punished by a fine as indicated in Sections 6-401 through 6-404, and the court as part of the judgment may order said person to make reasonable restitution to the City of Blair for any water used but not registered by said metering device as a result of the unlawful acts of said person. (Ord. No. 1287, 8/26/80) (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

**Sec. 6-335 MISDEMEANORS; CABLE TELEVISION, THEFT OF SERVICE.** It shall be unlawful for any person to make any unauthorized connection, whether physically, electrically, acoustically, inductively, or otherwise, with any part of a franchise Cable Television system within this City for the purpose of enabling said person or others to receive any television signal, radio signal, picture, program or sound, without payment to the owner of said system.

It shall be unlawful for any person, without consent of the owner, to willfully temper with, remove or injure any cables, wires or equipment used for distribution of television signals, radio signals, pictures, programs or sound. Class II misdemeanor. (Neb. Rev. Stat. §28-515)

**Sec. 6-336 MISDEMEANORS; BINGO GAMES, LOTTERIES, OPERATION AND PARTICIPATION.** It shall be unlawful for any person, persons, entity, corporation, partnership, or any other entity to play, conduct, sponsor, promote, create, establish, or in any other way participate in any Bingo games or lotteries by the sale of pickle cards which are not specifically allowed by the Nebraska Bingo Pickle Card Regulatory Act, Section 9-124 et. seq. R.R.S. Neb. or any other lotteries including but not limited to ticket lotteries or video lotteries.

It shall be unlawful for any person, persons, entity, corporation, partnership or any other entity to possess, transport, use, lease, or in any other way access any paraphernalia, equipment, machinery, device, game, or any other apparatus specifically including but not limited to video lottery machines, which either its intended function or a potential function is the operation or the conduct of a lottery as prohibited herein.

Notwithstanding any other provisions hereof any nonprofit organization which holds a certificate of exemption under the Internal Revenue Code, Sec. 501, or whose major activities, exclusive of conducting lotteries, raffles, or gift enterprises, are conducted for charitable and

community betterment purposes, may conduct lotteries, raffles, and gift enterprises, subject to Section 9-510 R.R.S. Neb. (1983 Supp.) except that no such lotteries, raffles or gift enterprises, shall be conducted by any machine, device, or paraphernalia, known as a video lottery and such lotteries, raffles, or gift enterprises, shall be conducted solely and strictly by the use of tickets and which are not issued, supplied, or provided by and or through a video lottery machine.

Nothing in this section shall be construed as to prohibit bingo games or lotteries by the sale of pickle tickets as specifically defined in and as regulated and governed by the Nebraska Bingo and Pickle Card Regulatory Act as set forth in Section 9-202 at Sec. RRS Neb.

Any person, persons, corporation, partnership or other entity conducting bingo or a lottery by the sale of pickle cards within the municipality shall prior to the establishment of such bingo or lottery within the municipal limits file with and present evidence to the City Clerk of their licensing with the Nebraska Bingo and Pickle Card Regulatory Commission and its compliance with the Nebraska Bingo and Pickle Card Regulatory Act.

**Sec. 6-337 DRUGS, CONTROLLED SUBSTANCES, PARAPHERNALIA.** It shall be unlawful for any person to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings. It shall not be necessary to prove that the accused was under the influence of any specific controlled substance, but it shall be sufficient for conviction under this section to prove that the accused was under the influence of some controlled substance by proving that the accused did manifest physiological symptoms or reactions caused by the use of any controlled substance. Violation of this section shall be a Class II misdemeanor.

It shall be unlawful for any person to breathe, inhale, or drink, or to induce or entice any other person to breathe, inhale, or drink any compound, liquid, or chemical containing acetate, acetane, benzene, butyl alcohol, cyclohexanone, ethyl acetate, ethyl alcohol, ethylene dichloride, ethylene trichloride, hexane, isopropanol, isopropyl alcohol, methyl alcohol, methyl cellosolve acetate, methyl ethyl ketone, methyl isobutyl ketone, pentachlorophehnol, petroleum ether, toluene, toluol, trichlorathane, trichloroethene, or any other substance for the purpose of inducing a condition of intoxication, stupification, depression, giddiness, paralysis, inebriation, excitement, or irrational behavior or in any manner changing, distorting or disturbing the auditory, visual, mental, or nervous process. Violation of this section shall be a Class III misdemeanor.

It shall be unlawful for any person to give, sell, or dispense to any other person any item to which has been added any deleterious substance which, if ingested, would cause injury, physical distress, or mental aberration. Upon conviction a person shall be guilty of a Class II misdemeanor.

It shall be unlawful for any person to knowingly or intentionally manufacture, distribute, deliver, or possess with the intent to distribute or deliver an imitation controlled substance. In determining whether a substance is an imitation controlled substance, the Court or other authority concerned shall consider all relevant factors including but not limited to the following:

- (a) whether the substance is represented as having an affect similar to or the same as an illicit controlled substance,
- (b) whether the substance is represented by way of terminology which is deceptively similar to or the same as that describing a particular controlled substance,
- (c) whether the dosage unit price substantially exceeds the reasonable price of a similar dosage unit of a like chemical composition sold over the counter with packaging and labeling provided by the Federal Food and Drug Administration,
- (d) whether the substance is packaged in a manner and quantity similar to or the same as

- that commonly used for illicit controlled substances,
- (e) whether the dosage unit appearance of the substance is deceptively similar to that of a particular controlled substance, and
  - (f) whether the substance is distributed to persons who represent it as a controlled substance under circumstances which indicate the distributors knows, intends, or should know that his or her distributee is making or will make such representations. Upon a first conviction a person shall be guilty of a Class III misdemeanor. Upon a second conviction and all subsequent convictions a person shall be guilty of a Class II misdemeanor.
- 1. It shall be unlawful for any person to knowingly or intentionally possess marijuana weighing more than one ounce but not more than one pound. Upon conviction a person shall be guilty of a Class III (a) misdemeanor.
  - 2. It shall be unlawful for any person knowingly or intentionally to possess marijuana weighing one ounce or less. Upon the first conviction a person shall be guilty of an infraction, receive a citation, be fined \$100.00, and may be assigned to attend a course relating to the affects of the misuse of drugs. Upon a second conviction under this section, the person shall be guilty of a Class IV misdemeanor, receive a citation, be fined \$200.00, and may be imprisoned not to exceed five (5) days. Upon the third conviction under this section and for all subsequent convictions, a person shall be guilty of a Class III(a) misdemeanor, receive a citation, be fined \$300.00, and be imprisoned not to exceed seven (7) days.
- (A) As used in this ordinance, drug paraphernalia shall mean all equipment, products, and materials of any kind which are used, intended for use, or designed for use in manufacturing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of any city ordinance or state or federal law. It shall include but not be limited to the following:
- (1) diluants and adulterants such as quinine hydrochloride, manitol, manite, dextrose, and lactose used, intended for use, or designed for use in cutting controlled substances;
  - (2) separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining marijuana,
  - (3) hypodermic syringes, needles, or other objects used, intended for use, or designed for use in permentarily injecting controlled substances into the human body; and
  - (4) objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body which shall include but not be limited to the following:
    - (a) metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes, with or without screens, permanent screens, hashish heads, or punctured metal bowls,
    - (b) water pipes,
    - (c) carburation tubes and devices,
    - (d) smoking and carburation mats,
    - (e) roach clips, meaning objects used to hold burning material such as a marijuana cigarette which has become too small or too short to be

- held in a hand,
- (f) miniature cocaine spoons and cocaine vials,
- (g) chamber pipes,
- (h) carburetor pipes,
- (i) electric pipes,
- (j) air driven pipes,
- (k) chillums,
- (l) bongs, and
- (m) ice pipes or chillers.

- (B) In determining whether an object is drug paraphernalia a Court or other authority shall consider, in addition to all other logical relevant factors the following:
- (1) Statements by an owner or anyone in control of the object concerning its use,
  - (2) prior convictions, if any, of an owner or anyone in control of the object under any city ordinance or state or federal law relating to a controlled substance,
  - (3) the proximity of the object, in time and space, to a direct violation of a city ordinance or state or federal law,
  - (4) the proximity of the object to any controlled substance,
  - (5) the existence of any residue of a controlled substance on the object,
  - (6) direct or circumstantial evidence of the intent of an owner or of anyone in control of the object to deliver it to any person to whom he or she knows or should reasonably know intends to use the object to facilitate a violation of a city, state, or federal law,
  - (7) instructions, oral or written, provided with the object concerning its use,
  - (8) descriptive materials accompanying the object which explain or depict its use,
  - (9) national and local advertising concerning its use,
  - (10) the manner in which the object was displayed for sale,
  - (11) whether the owner, or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products,
  - (12) direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise,
  - (13) the existence and scope of any legitimate use of the object in the community, and
  - (14) expert testimony concerning its use.
- (C) It shall be unlawful for any person to use, or to possess with the intent to use, drug paraphernalia to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Any person who violates this section shall be guilty of an infraction.

**Sec. 6-338 NOISE, MOTOR VEHICLE LIMITS, SOUND REPRODUCTION DEVICES.**

- (A) It is found and declared that the making, creation or maintenance of such loud, unnecessary, unnatural or unusual noises which are prolonged, unusual and unnatural in their time, place and use, effect and are a detriment to the public health, comfort,

convenience, safety, welfare and the peace and quiet of the City.

- (B) It shall be unlawful for any person to disturb the peace and quiet of any other person by loud noise, music, or language, by fighting or threatening to fight, or by any other offensive action. It shall be unlawful for any person in legal possession or charge of a residence or other private property to permit, or by inaction allow other persons on the premises to disturb the peace jointly or severally by loud noise, music or language.
- (C) The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this provision, but such enumeration shall not be deemed to be exclusive, namely:
- (1) Horns; Signaling Devices. The sounding of any horn or signaling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the City, except as a danger warning, the creation by means of any such signaling device of any unreasonably loud or harsh tone and the sounding of any such device for an unnecessary and unreasonable period of time; the use of any signaling device, except one operated by hand or electricity, the use of any horn, whistle or other device operated by engine exhaust and the use of any signaling device when traffic is for any reason held up;
  - (2) Radios; stereos; phonographs, etc. The using, operating or permitting to be played, used or operated any radio, receiving set, musical instrument, phonograph, tape player, compact disc player, stereophonic sound system or similar device which reproduces or amplifies radio broadcasts or musical recordings or other machines or devices for the producing or reproducing of sound in any such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons whom are in the room, vehicle or chamber in which such machine or device is operated and who are voluntarily listeners thereto. The operation of any such machine or device in such manner as to be plainly audible at a distance of fifty feet (50') from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this code;
  - (3) Loud-Speaker; Amplifiers for Advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure;
  - (4) Yelling; Shouting. Yelling, shouting, hooting, whistling or singing on the public streets or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel or other type of residence or of any persons in the vicinity;
  - (5) Exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle, except through a muffler or a other device which will

effectively prevent loud or explosive noises therefrom;

Provided, however, persons operating such machines or devices while participating in licensed or permitted activities such as parades or carnivals shall not be deemed to be in violation of this Section.

- (D) Violation of this code section shall be deemed to be a Class V misdemeanor. Each day any such violation or failure to perform such act shall continue shall constitute a separate offense. (Penalties refer to Sections 6-401 through 6-403 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2140 06/10/2008)

**Sec. 6-339 TOBACCO; USE BY MINORS; PENALTY.** Any person under the age of 18 years who shall smoke cigarettes or cigars, or use tobacco in any form whatsoever, in the City of Blair, Nebraska, shall be guilty of a Class V Misdemeanor. Any minor so charged with the violation of this Section may be free from prosecution when such minor shall have furnished evidence for the conviction of the person or persons selling or giving such minor the cigarettes, cigars or tobacco. (Neb. Rev. Stat. §28-1418)

**Sec. 6-340 MINOR MISREPRESENTING AGE TO OBTAIN TOBACCO; PENALTY.** Any person under the age of 18 years who shall obtain cigarettes, cigars, tobacco, or tobacco material from any person, partnership, limited liability company or corporation licensed by the State of Nebraska as provided in Neb. Rev. Stat. §28-1421 and 28-1422, by representing that he/she is of the age of 18 years or older, shall be guilty of a Class V Misdemeanor. (Neb. Rev. Stat. §28-1427)

**Sec. 6-341 MINOR; UNLAWFUL POSSESSION OF TOBACCO; PENALTY.** Any person under the age of 18 years who shall have in his or her possession or physical control any cigarettes, cigars, tobacco material in any form whatsoever in the City of Blair, Nebraska, shall be guilty of a Class V Misdemeanor. Any person so charged with the violation of this Section may be free from prosecution when such minor shall have furnished evidence for the conviction of the person or persons selling or giving such minor the cigarettes, cigars, tobacco, or tobacco material.

**Sec. 6-342 PUBLIC URINATION; PENALTY.** A person nineteen (19) years of age or over shall not urinate in a public place, including but not limited to a street, alley, or sidewalk, and where the conduct may reasonably be expected to be viewed by members of the public. Violation of this Section shall be a Class V Misdemeanor.

**(END OF SECTION)**

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## Chapter 8

### PUBLIC WAYS AND PROPERTY

#### Article 1. General Provisions

**Sec. 8-101 MUNICIPAL PROPERTY; MAINTENANCE AND CONTROL.** The Governing Body shall have the care, supervision, and control of all public highways, bridges, streets, alleys, public squares, and commons within the Municipality, and shall cause the same to be kept open and in repair, and free from nuisances. (Neb. Rev. Stat. §16-609, 16-610)

**Sec. 8-102 REAL ESTATE; SALES.** The power to sell and convey any real estate owned by the City, (including park land), except real estate used in the operation of public utilities, and except real estate for State Armory sites for the use of the State of Nebraska, or the Nebraska Armory Board, shall be exercised by ordinance directing the conveyance of such real estate and the manner and terms thereof. Notice of such sale and the terms thereof shall be published for three (3) consecutive weeks in a legal newspaper published in or of general circulation in such City immediately after the passage and publication of such ordinance; Provided, if a remonstrance against such sale signed by legal electors thereof equal in number to thirty (30%) per cent of the electors of such City voting at the last regular municipal election held therein, be filed with the Governing Body of such City within thirty (30) days of the passage and publication of such ordinance; said property shall not then, nor within one (1) year thereafter, be sold. (Neb. Rev. Stat. §16-202)

**Sec. 8-103 BENCH MARK.** The bench mark or datum line to which points on the grades of sewers, streets and other improvements are to be reckoned is hereby established to be No. 1099.69 of the United States Geodetic Survey, located at the northwest corner of the Courthouse in the City of Blair, Nebraska, in the west face of the cornerstone of such building between the letters "A" and "D" four (4) feet above the ground, the deepest point of a chiseled "V" which forms a period between the letters "A" and "D" being established as such bench mark, same being at an M.S.L. elevation of 1099.2333.

**Sec. 8-104 Reserved for future use. Section repealed by Ordinance 2181 03/09/2010. Refer to Section 6-326.04**

**Sec. 8-105 MUNICIPAL PROPERTY AND RIGHT OF WAY; OBSTRUCTIONS.**

- (A) Trees, Shrubs and Other Vegetation: Trees, shrubs, and other vegetation growing upon or near the lot line or upon public ground and interfering with the use and construction of any public improvements, including sidewalks and streets, shall be deemed an obstruction under this Article. The roots, branches or other portion of such trees, shrubs or other vegetation deemed to be an obstruction by the City Administrator or the Director of Public Works may be removed by the City of Blair at the expense of the owner of the property upon which the tree, shrub or other vegetation is located should the owner fail or neglect, after written notice, to do so.
- (B) Obstructions: It shall be unlawful for any person, persons, firm, corporation or other entity to place or cause to be placed any fence, gate, building, structure, sign, banner, vending machine or other obstruction on any sidewalks, alleys, streets, or any other public property or public

right-of-way; provided, however, the following exceptions shall apply, to-wit:

- (1) Signs which are authorized under Section 8-109 through 8-111 of the Municipal Code for the City of Blair, Nebraska, shall be lawful: and,
  - (2) Newspaper vending machines may be placed upon any public right of way in the City of Blair, Nebraska, which is located in any commercial zoning district, providing that the following terms and conditions are satisfied:
    - (a) A request for the placement of a newspaper vending machine shall be initiated by filing an application with the City Administrator upon forms prescribed for that purpose. The application shall be accompanied by a drawing or site plan which sets forth the location of said vending machine, and, in considering whether or not to grant the application the office of the City Administrator shall consider pedestrian safety and convenience, traffic and pedestrian flow and control glare and compatibility and harmony with properties in the district.
    - (b) The length of time that a newspaper vending machine may be placed upon such property shall be determined by the office of the City Administrator.
  - (3) Notwithstanding the provisions of Section 8-105(b)(2) immediately hereinabove, it shall be unlawful to place or allow to be placed any newspaper vending machines on any right of way or public owned sidewalk along that portion of Washington Street which is located in the Central Business District; and,
- (C) Any unlawful obstructions may be removed by the City of Blair at the expense of the person, persons, firm, corporation or other entity, owning, placing or allowing such obstruction to be unlawfully placed, should such person, persons, firm, corporation or other entity fail or neglect to remove the same after written notice thereof.

**Sec. 8-106 CLOSING HOURS OF CITY PARKS.** Closing hours for Black-Elk Neihardt Park are hereby established and Black-Elk Neihardt Park shall be closed daily from thirty (30) minutes after sunset to thirty (30) minutes before sunrise, except by parties that reserve the use of Neihardt Park facilities. Closing hours for all other City Parks in the City of Blair, Nebraska, are hereby established and said Parks shall be closed daily between the hours of twelve (12:00) o'clock Midnight and five (5:00) o'clock A.M. It shall be unlawful for any person to loiter in any City Park during closing hours. (Penalties refer to Sections 8-701 through 8-703 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2289 10/27/2015)

**Sec. 8-107 CARE OF PROPERTY BETWEEN CURB AND LOTS LINES.** It shall be the duty and responsibility of the owners and adult occupants of any lot or tract of ground abutting upon any street or other thoroughfare in the City to keep the space between the lot line and curb line of the street free and clear of weeds, rubbish and obstruction and to keep mown the grass and sod thereon so the same will not exceed three (3") inches in height and also to prune and clip any hedge, shrubbery or bushy growth of ornamentals thereon so that same does not interfere with or molest lawful travel on the adjacent sidewalks and traveled portion of the adjacent streets and thoroughfares and so that same, in no case, exceeds twenty-four (24") inches in height.

**Sec. 8-108 MUNICIPAL PROPERTY; TREES.** No person or persons shall plant any tree or trees on the public right of way unless in full compliance with this section of the municipal code and outlined in Section 8-108.1 and 8-108.2. (Amended by 2139 04/08/2008)

**Sec. 8-108.01 RIGHT OF WAY TREE RESTRICTION.** Any individual desiring to plant trees on city right of way shall:

1. First apply for a permit from the City Clerk's office, which permit fee will be set and determined from time to time as necessary by the Mayor and City Council, by resolution, and said fees shall be appended to the Municipal Code as part of an appendix titled "Permit, License and Application Fees", and shall be on file at the office of the Municipal Clerk and available for public inspection during regular office hours of the said Municipal Clerk.
2. Sign a recordable agreement, which shall be recorded against the real property adjoining the right of way and owned by the individual(s) owning the property and requesting the permit stating they and/or their assigns shall be responsible for the perpetual care, maintenance and removal of said tree(s).
3. Plant any tree(s) in conformance with Section 6-319.

(Added by Ordinance 2139 04/08/2008)

**NOTE: See Resolution No. 2008-13 dated April 8, 2008 for City policy for planting and maintaining trees located on the public right of way within the City of Blair.**

**Sec. 8-108.02 FAILURE TO APPLY FOR A TREE PLANTING PERMIT.** Any tree planted in the public right of way without a tree permit as required by the Municipal Code after the adoption date of this Section shall be deemed to be unlawfully planted and growing and shall, at the discretion of the Governing Body, be deemed to be a nuisance. When any such tree is declared to be a nuisance, the Governing Body shall order, with proper notice, the tree removed at the expense of the owner of the property adjacent to the street right of way upon which the tree has been unlawfully planted. If the property owner fails or neglects to remove or cause to be removed the said tree, the Governing Body shall order the same removed and assess the expense of such removal against the property adjacent to the sidewalk space wherein the tree is planted and growing. In the event the property owner is a non-resident of the county in which the property lies, the Municipality shall, before levying any special assessment against that property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested, to the last known address of the non-resident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. Nothing in this Section shall be construed to apply to any existing trees now growing within the street right of way. (Added by Ordinance 2139 04/08/2008)

**Sec. 8-109 POLITICAL SIGNS, GENERALLY.** Temporary political signs may be placed upon the right of way owned by the City of Blair, Nebraska, in any zoning district, provided that the following terms and conditions are satisfied:

1. Signs shall not exceed ten (10) feet in area;
2. Signs shall be placed:
  - a) not less than fifteen (15) feet from the back of the curb or edge of the pavement if no curb exists, or,
  - b) on the interior side of the sidewalk, whichever location is the greater distance from the street;
3. Signs must be placed at least fifty (50) feet from a corner;

4. Signs shall not be placed within two hundred (200) feet of a polling place;
5. Permission must be obtained from the property owner abutting the City right-of-way prior to installing any signs;
6. Signs shall not be installed more than four (4) weeks in advance of any primary, general or special election and shall be removed within seven (7) days after the election day;
7. The provisions of this section shall apply only to right of way owned by the City and shall not apply to City owned parks, parking lots or other City owned real estate; and
8. Political signs shall be defined as signs in support of or against a candidate or a proposition which is the subject of a general, primary or special election held in the City of Blair, Nebraska.

(A) Political signs placed on City owned right of way that do not conform to the foregoing terms and conditions, or any political signs placed on any City owned parks parking lots or other City owned real estate, shall be removed and disposed of by the City Administrator or by City employees designated by the City Administrator of the City of Blair, Nebraska.

**Sec. 8-110 TEMPORARY SIGNS; WHEN AND WHERE AUTHORIZED.**

(A) Temporary signs advertising real estate for sale may be placed upon right of way owned by the City of Blair, Nebraska, in any zoning district, provided that the following terms and conditions are satisfied:

1. Signs shall not exceed ten (10) square feet in area;
2. Signs shall be placed:
  - (a) Not less than fifteen (15) feet from the back of the curb or edge of the pavement if no curb exists, or,
  - (b) On the interior side of the sidewalk, whichever location is the greater distance from the street;
3. Signs must be placed at least fifty (50) feet from a corner;
4. Permission must be obtained from the property owner abutting the City right of way prior to installing any signs;
5. Such signs may only be placed on the right of way immediately abutting the specific real estate advertised for sale and may not be placed at any other location; furthermore, such signs shall be removed within three (3) days of the completion of the sale; and,
6. The provisions of this section shall apply only to right of way owned by the City and shall not apply to City owned parks, parking lots or other City owned real estate.

(B) Temporary commercial signs advertising business or commercial matters, other than temporary signs advertising real estate for sale as described above, may be placed upon right of way owned by the City of Blair, Nebraska, in any commercial zoning district, provided the following terms and conditions are satisfied:

1. Commercial signs shall only be allowable upon written permit issued by the office of the City Administrator of the City of Blair, Nebraska.
2. A request for a commercial sign permit is initiated by filing an application with the City Administrator upon forms prescribed for the purpose. The application shall be accompanied by drawings or a site plan or other such plans and data showing the description data and other materials constituting a record essential to an understanding

- of the proposed commercial sign.
3. The applicant shall submit with the application a nonrefundable application fee. Said fee shall be set and determined from time to time as deemed necessary by the Mayor and City council by resolution and shall be appended to the Municipal Code as part of an appendix for permit license and application fees.
  4. In considering whether or not to grant the application, the office of the City Administrator shall consider pedestrian safety and convenience, traffic and pedestrian flow and control, glare, and compatibility and harmony with properties in the district.
  5. The length of time a commercial sign may be placed upon the right of way owned by the City of Blair, Nebraska, shall be determined by the office of the City Administrator but, in no event, shall a commercial sign be allowed to be placed on any property for more than ten (10) days during any calendar year.

(C) Signs advertising real estate for sale placed on City-owned right of way that do not conform to the foregoing terms and conditions, any signs placed on City owned parks, parking lots or other City owned real estate, and any commercial signs in violation of section 8-110(b), hereinabove, shall be removed and disposed of by the City Administrator or by City employees designated by the City Administrator of the City of Blair, Nebraska.

**Sec. 8-111 TEMPORARY YARD/GARAGE SALE SIGNS.**

(A) Temporary signs advertising yard or garage sales may be placed upon right of way owned by the City of Blair, Nebraska, in any residential zoning district, provided that the following terms and conditions are satisfied:

1. Signs shall not exceed ten (10) square feet in area;
2. Signs shall be placed:
  - (a) Not less than fifteen (15) feet from the back of the curb or edge of the pavement if no curb exists, or,
  - (b) On the interior side of the sidewalk, whichever location is the greater distance from the street;
3. Signs must be placed at least fifty (50) feet from a corner;
4. Such signs may only be placed on the right of way immediately abutting the specific real estate on which the yard or garage sale is taking place and may not be placed at any other location; such signs shall be removed within twenty-four (24) hours of the completion of the sale; and,
5. The provisions of this section shall apply only to right of way owned by the City and shall not apply to City owned parks, parking lots or other City owned real estate.

(B) Yard or garage sale signs placed on City owned right of way that do not conform to the foregoing terms and conditions or any such signs placed on any City owned parks, parking lots or other City owned real estate shall be removed and disposed of by the City Administrator or by City employees designated by the City Administrator of the City of Blair, Nebraska.

**Sec. 8-112 MUNICIPAL PROPERTY; PUBLIC WORKS INVOLVING ARCHITECTURE OR ENGINEERING; REQUIREMENTS.**

- (1) Except as provided in subsection (2) of this section, the Municipality shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been observed by an architect, a professional engineer, or a person under the direct supervision of an architect, professional engineer, or those under the direct supervision of an architect or professional engineer.
- (2) Subsection (1) of this section shall not apply to the following activities:
  - (a) Any public works project with contemplated expenditures for the completed project that do not exceed forty thousand dollars (\$40,000);
  - (b) Any alteration, renovation, or remodeling of a building if the alteration, renovation, or remodeling does not affect architectural or engineering safety features of the building;
  - (c) Performance of professional services for itself if the Municipality appoints a municipal engineer or employs a full-time person licensed under the Engineers and Architects Regulation Act who is in responsible charge of architectural or engineering work;
  - (d) The practice of any other certified trade or legally recognized profession;
  - (e) Earthmoving and related work associated with soil and water conservation practices performed on any land owned by the Municipality that is not subject to a permit from the Department of Water Resources;
  - (f) The work of employees and agents of the Municipality performing, in accordance with other requirements of law, their customary duties in the administration and enforcement of codes, permit programs, and land-use regulations and their customary duties in utility and public works construction, operation, and maintenance;
  - (g) Those services ordinarily performed by subordinates under direct supervision of a professional engineer or those commonly designated as locomotive, stationary, marine operating engineers, power plant operating engineers, or manufacturers who supervise the operation of or operate machinery or equipment or who supervise construction within their own plant;
  - (h) The construction of municipal water wells as defined in section 46-1212 RS Neb., the installation of pumps and pumping equipment into municipal water wells, and the decommissioning of municipal water wells, unless such construction, installation, or decommissioning is required by the Municipality to be designed or supervised by an engineer or unless legal requirements are imposed upon the Municipality as a part of a public water supply; and
  - (i) Any other activities described in sections 81-3449 to 81-3453 RS Neb. (Neb. Rev. Stat. §81-3423, 81-3445, 81-3449 through 81-3453)

**(END OF SECTION)**

# MEMORANDUM

TO: Blair Parks, Recreation, and Cemetery Advisory Board  
From: CJ Heaton, Deputy City Administrator of Public Works  
Date: 4/21/26  
Re: 2026 Blair Swimming Pool Fees

Staff have been reviewing rates from surrounding communities. While our current rates seem to be in line with those of other communities. In listening to our customers, we felt that a few changes were needed. One of the recurring issues from the previous seasons was the fee that very young children are charged to use the pool, and the ability to add an additional half hour to a pool party. With that in mind, we came up with the following.

Currently, there is no charge to use the baby pool. However, often staff find that people want to move over to the big pool, where there is a charge. We would like to recommend that all kids 2 and under are free, and can use the big pool with a paying adult. The baby pool would remain free if the parent were to only use the baby pool area. Youth 3-18 would be \$4, and adults \$5 per day.

We currently offer pool parties in 1 ½ hour time slots for \$250.00. Staff would like to add the option for an additional half hour at \$50 per half hour. Staff time alone costs about 100 dollars per hour to meet state guidelines. This does not include other operational costs.

The full schedule of rates is as follows:

Youth Membership (under 18)	\$60.00
Adult Membership (18+)	\$80.00
Family Membership	\$150.00
Family Membership Plus One (named)	\$175.00
Youth Daily (3-18)	\$4.00
Adult Daily (18+)	\$5.00
Swimming Lessons Per Session	\$80.00
Baby Pool	Free
2 and under – Big Pool w/Adult	Free (Adult must pay)
Pool Party (1.5 Hour, 125-150 Max Capacity)	\$250.00
Pool Party Additional half hour	\$50.00

**Recommendation:** Approval of pool fees

**Fiscal Impact:** NA

